

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL**O.A. No. 225 OF 2022****In the matter of:****Nitin Dhiman.****.....Applicant****V/S****State of Punjab & Ors.****.....Respondent**

**Reply in the form of Affidavit by Surabhi Malik, IAS, Deputy
Commissioner, Ludhiana (on behalf of Respondent No. 4)**

It is most respectfully showeth:

1. That undersigned is posted as District Magistrate, Ludhiana and thus filing the reply as Respondent no 4 and the present Original Application is pending before this Hon'ble Tribunal and is now listed for hearing on 21.11.2023.
2. That Hon'ble National Green Tribunal vide orders dated 26.05.2023 has directed to file affidavit giving the present status of a project for use of treated water discharged from CETPs and STPs of Ludhiana into Budha Nalah for irrigation of Agriculture land. Relevant portion of the said order is reproduced hereunder :-

“ 7. In their replies respondents no. 7 and 8 have mentioned that the Government of Punjab had prepared a Project for use of treated

water discharge from CETPs and STPs of Ludhiana into Budha Nala for irrigation of agriculture land.

8. Respondents no. 1 and 4 are directed to file affidavits giving the present status of the said project of the Government of Punjab.

3. That in reference to the above said orders, it is humbly submitted that Worthy Chief Secretary, Punjab had directed Secretary, Department of Science Technology & Environment, Government of Punjab Chandigarh to provide the status of the project for use of treated water discharged from CETPs and STPs of Ludhiana into Buddha Nallah for irrigation of agriculture land. In light of the above said directions, a meeting under the chairmanship of Secretary to Government of Punjab, Department of Science Technology & Environment, was held on 11.08.2023 with undersigned and officials of Water Resources Department, Punjab. A copy of the proceedings of meeting are **annexed as Annexure R-1**. In the above said meeting, it was concluded that the project is not feasible due to the number of technical aspects as mentioned in the said **Annexure R-1**.

That any instruction passed by this Hon'ble Tribunal to the undersigned shall be complied with in letter and spirit.

Submitted by


(Surabhi Malik, IAS)

District Magistrate, Ludhiana

Verification:-

Verified that the contents of para no.1 to 3 of the above reply are true and correct to my knowledge as derived from the official record. No part of the above reply is false and nothing material has been kept concealed therein.

Dated:-

Place:-


(Surabhi Malik, IAS)

District Magistrate, Ludhiana

Government of Punjab
Department of Science Technology & Environment
Directorate of Environment & Climate Change

To

- (i) Administrative Secretary (or his representative)
Department of Soil & Water Conservation
Govt. of Punjab
- (ii) Administrative Secretary (or his representative)
Department of Water Resources
Govt. of Punjab
- (iii) Deputy Commissioner,
Ludhiana
- (iv) Commissioner,
Municipal Corporation, Ludhiana
- (v) Member Secretary
Punjab Pollution Control Board
- (vi) Chief Environmental Engineer (Water),
Punjab Pollution Control Board, Ludhiana

Letter No. DECC/2023/1419-1424
Date: 7.08.2023

Subject: Compliance of Hon'ble NGT Order dated 26.05.2023 in OA No. 225/2022 titled "Nitin Dhiman Vs State of Punjab & Ors"

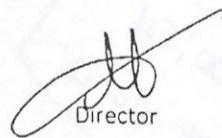
It is informed that Hon'ble National Green Tribunal (NGT) vide order dated 26.05.2023 in O.A. No. 225/2022 titled Nitin Dhiman Vs State of Punjab & Ors has directed the Respondent No.1 (State of Punjab through Chief Secretary) and Respondent No.4 (District Magistrate, Ludhiana) to file Affidavit giving the present status of project for use of treated water discharged from CETPs and STPs of Ludhiana into Buddha Nallah for irrigation of agriculture land within 2 months. The next date of hearing in the said case is on 8.08.2023.

The Chief Secretary to Govt. of Punjab in his Affidavit filed to Hon'ble NGT on 4.08.2023 has prayed that a time period of 2 months may kindly be granted for submitting status report in terms of NGT order dated 26.05.2023 and further desired that Secretary, Environment may submit fresh status report in the said matter.

In compliance of the above, a meeting under the chairmanship of Secretary to Govt. of Punjab, Department of Science Technology & Environment has been fixed on 11.08.2023 at 2.00 PM through VC to discuss the fresh status report in the subject matter. The link for the meeting is as under:

<https://dgrpunjab.webex.com/dgrpunjab/j.php?MTID=mf2935adcd05d5caafb192cbc49d533c7>

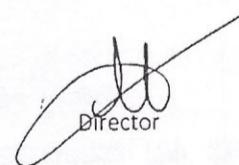
You are kindly requested to attend the above said meeting personally along with latest status in the matter.


Director

Endst No.: DECC/2023/1425

Date: 7.08.2023

A copy of the above is forwarded to Secretary, Science Technology & Environment, Govt. of Punjab for information please.


Director

Proceedings of Meeting dated 11.08.2023 held under the chairmanship of Principal Secretary to Govt. of Punjab, Department of Science Technology & Environment to discuss/finalize status report on behalf of chief Secretary to Govt. of Punjab in NGT Case O.A No. 225 of 2022 titled 'Nitin Dhiman Vs State of Punjab & Ors' and Further Reports received on the matter.

Brief Background & Context:

Original Application No. 225 of 2022 was filed in the NGT by Mr. Nitin Dhiman Resident of 1203, Princeton Tower, Omaxe, Pakhowal Road, Ludhiana where in the petitioner raised questions regarding discharge of industrial effluent by about 400 dyeing units operating in Ludhiana in alleged violation of environmental norms.

In subsequent hearings, Respondents No. 3 & 4 (i.e. Municipal Corporation, Ludhiana and District Magistrate, Ludhiana) were directed to file additional replies on specific points:-

- i. compliance status of all the three CETPs,*
- ii. compliance status of all the dyeing units connected with the CETPs,*
- iii. compliance status of all the 54 dyeing units which are not connected with the CETPs,*
- iv. present status of the dyeing industries connected with CETPs which were previously found to have connected their dyeing units with main sewer of the Municipal Corporation, Ludhiana,*
- v. number of dyeing units which are connected with sewer of the Municipal Corporation, Ludhiana and*
- vi. where the industrial effluent after treatment by CETPs is discharged.*

In Compliance, Respondent no. 4 (i.e. District Magistrate, Ludhiana) filed a detailed tabular reply on 24.05.2023 (**Annexure- R4/1**) after taking reports from Municipal Corporation Ludhiana and Punjab Pollution Control Board Ludhiana on all above mentioned points. (**Annexure- R4/2**)

As per Reply filed additionally by Respondents No. 7 & 8 on 24.05.2023 (i.e. M/s Punjab Dyers Association which is running 50 MLD CETP and M/s Bahadurke Textiles & Knitwear Association which is running 15 MLD CETPs) who had been impleaded as per NGT orders dated 20.04.2023 (**Annexure- R4/3**), Reference was made to a Project prepared by Govt. of Punjab for use of Treated water Discharge from CETPs & STPs of Ludhiana into Buddha Nallah for irrigation of agricultural land.

NGT vide order dated 26.05.2023, directed Respondent No. 1 & 4 (i.e. Chief Secretary, Punjab & District Magistrate Ludhiana) to file affidavits giving the present status of the above- mentioned project of Govt. of Punjab. (**Annexure- R4/4**)

Subsequently, Worthy Chief Secretary, Govt. of Punjab submitted an affidavit to NGT on 04.08.2023 requesting for a further time period of 2 months to submit status report as directed vide NGT order dated 26.05.2023 after checking the case in detail and has directed Hon'ble Secretary, Department of Science Technology & Environment, Govt. of Punjab to do the needful in this matter expeditiously.

In compliance of the above, meeting under the chairmanship of Hon'ble Secretary to Department of Science Technology & Environment, Govt. of Punjab was held on 01.08.2023 with Officials of District Administration, Ludhiana, Department of Water Resources, Department of Soil Conservation, Municipal Corporation, Ludhiana and Punjab Pollution Control Board.

The project under reference was prepared in May 2012 at an estimated cost of ₹137.67crores which was explained in detail by officers posted currently & officials posted

during preparation of above mentioned project of Department of Water Resources and Department of Soil Conservation, Govt. of Punjab and it pertains to the use of treated domestic sewage of Ludhiana city through Buddha Nallah by constructing network of Distributary/Water Resources channels.

In Regard to above Executive Engineer, Ludhiana Canal & Ground Water Division informed that vide report dated 04.09.2019, it had already been submitted that project is infeasible due to certain technical aspects. It was directed by Hon'ble Secretary, Department of Science Technology & Environment, Govt. of Punjab to obtain the technical reasons and report in writing so that a detailed status report could be placed before worthy Chief Secretary, Punjab.

Consequently, reports received from the Office of Executive Engineer, Ludhiana Canal & Ground Water Division, Ludhiana vide its letter No. 9374-75/1-STP dated 17.08.2023 is produced below(Annexure- R4/5):

Details of Report:-

"With reference to above, the project proposal is explored with aim to provide treated water for the irrigation through Lower Buddha Nallah. To provide the drainage facilitation to the Ludhiana city and adjoining villages, Upper Buddha Nallah provides safe passage for the drainage of excess water during rainy season.

Similarly Lower Buddha Nallah flowing along the Sutlej River also acts as drain for the disposal of rainy water and Lower Buddha Nallah's catchment area lies in the villages along the Lower Buddha Nallah. It is also pertinent to mention here that the lower Buddha Nallah lies very near to river Sutlej (from 1000 m to 3500 m approx.) and remains flooded during the flood season as shown in site plan attached.

A proposal was prepared to provide irrigation facility to adjoining areas of lower Buddha Nallah by converting lower Buddha Nallah into a distributary, in case the water of Buddha Nallah is treated by STPs. The proposed channel (distributary) for providing irrigation (in place of Lower Buddha Nallah) off takes at RD 150000 of the Upper Buddha Nallah. This proposal was not sanctioned by State or Centre authorities due to various technical aspects. The various observations are as below:-

1. *The lower Buddha Nallah act as drain and its Bed level/FSL lies below the NSL. The bed level of proposed distributary on the lower Buddha Nallah is likely to be raised above the NSL to feed the adjoining area under gravity. With raising of bed level/Full supply level of the proposed distributary, it will act as sheet flow barrier. The natural sheet flow on Left Side of the distributary will get obstructed after the construction of this new channel and will cause a huge loss of property and life to the area falling on the left side of lower Buddha Nallah, thus disturbing the whole natural drainage system of the area. It is pertinent to mention here that lower Buddha Nallah outfalls into Sutlej River near Sidhwan Bet catering to almost 25 Km long stretch of drainage requirements of the areas adjoining it.*
2. *Sewerage treatment plant located at Jamalpur, Balloke falls in the city limits and is surrounded by thickly populated area and industrial areas. The treated water from these plants cannot be utilized near the plant for irrigation purposes. Buddha Nallah needs to be channelized from Balloke to Walipur village (approximately 15.24 Km) before constructing the proposed channel from RD 150000 of Buddha Nallah onwards.*
3. *The new proposed channel is to be constructed on the land of lower Buddha Nallah. Lower Buddha Nallah flows in a zig-zag/ (meandering) manner and proper alignment is necessary for channelization of the new proposed channel.*
4. *Also, the farmers of the villages opposed the construction of this new channel by giving representation as they did not want to use the treated water for irrigation.*

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5. *In this area, the water requirements for irrigation purposes is mainly during Kharif period only and water demand is less during Rabi season.*
6. *The proposal was also sent to the Technical Advisor to Hon'ble Chief Minister Punjab for vetting. As per the observation of Technical Advisor to Hon'ble Chief Minister Punjab, the proposal of new channel can be considered only after the proper measurement of discharge available in Buddha Nallah after channelization, which is to be done by MC, Ludhiana.*
7. *It is informed further that the treated water from the STPs, if discharged directly into river Sutlej, will not go waste as it is already being utilized for irrigation purposes in the canal systems downstream at Harike Headworks.*

Also, in addition to above, the Central Water Commission (CWC) while considering the proposal has expressed that if the state proceeds with the proposal, the State Agriculture Department should certify that contaminant residue will not enter the food chain.

So, it is concluded that project is not feasible due to number of technical aspects explained above”.

Further, an additional Report was received from the Office of Executive Engineer, Drainage-cum-Mining & Geology Division, WRD Punjab vide its letter No. 5439/94-4 dated 22.08.2023 following report was submitted(Annexure- R4/6):

- *Lower Buddha Nallah also receives discharge from 6 No. of small drains. So, raised bed level will cause the head up (Daaf) of water thus resulting in backflow into these drains.*
- *Also, During 1988 Floods, Satluj river changed its course which pushed the Dhussi Bandh of the river thus encroaching the Lower Buddha Nallah in some of its reach. If it is proposed to realign this drain in this encroached reach along Dhussi Bandh, it would involve the tedious process of land acquisition.*
- *Another matter of discussion was that whether the farmers will use the treated water for the purpose of irrigation.*

The above reports are sent herewith for further necessary action.


Deputy Commissioner
Ludhiana

Endst No :- 15085-94/M.A

Dated: 31/08/2023

A Copy is forwarded to following for information and necessary action please:-

1. Secretary to Govt. of Punjab, Department of Science Technology & Environment.
2. Administrative Secretary, Department of Soil & Water Conservation, Govt. of Punjab.
3. Administrative Secretary, Department of Water Resource, Govt. of Punjab.
4. Chairman, Punjab Pollution Control Board.
5. Commissioner, Municipal Corporation Ludhiana.
6. Superintendent Engineer, Punjab Pollution Control Board.
7. Superintendent Engineer, Department of Water Resource (Drainage Division)
8. Superintendent Engineer, Department of Water Resource (Canal Division).
9. Superintendent Engineer, Department of Soil & Water Conservation.


Deputy Commissioner
Ludhiana

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

Original Application No. 225 of 2022

In the matter of

Nitin Dhiman

..... Applicant

V/s

State of Punjab

..... Respondent

Reply of Surabhi Malik, IAS, District Magistrate, Ludhiana on behalf of the respondent no. 4 in compliance to the order dated 20.04.2023.

RESPECTFULLY SHOWETH

- 1) That undersigned is posted as District Magistrate, Ludhiana and thus filing the reply on behalf of respondent No 4.
- 2) That briefly stated, the applicant Mr. Nitin Dhiman resident of 1203, Princeton Tower, Omaxe, Pakhowal Road, Ludhiana has filed petition before the Hon'ble National Green Tribunal alleging the pollution of Budha Nallah, river Sutlej and groundwater.
- 3) The Hon'ble National Green Tribunal has passed the order dated 20.04.2023 that respondent no. 4-District Magistrate, Ludhiana is directed to file additional reply specifically mentioning :-
 - (i) compliance status of all the three CETPs
 - (ii) compliance status of all the dyeing units connected with the CETPs
 - (iii) compliance status of all the 54 dyeing units which are not connected with the CETPs
 - (iv) Present status of the dyeing industries connected with CETPs which were previously found to have connected their dyeing units with main sewer of the Municipal Corporation, Ludhiana
 - (v) Number of dyeing units which are connected with sewer of the Municipal Corporation, Ludhiana

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(vi) Where the industrial effluent after treatment by CETPs is discharged. The information be given in tabular form which shall include status of all dyeing units setup in Ludhiana

- 4) A meeting of PPCB and MCL was convened on 10.05.2023 and reports on above mentioned 6 points on compliance status were sought from Punjab Pollution Control Board (PPCB) and Municipal Corporation, Ludhiana (MCL) within 7 days. Punjab Pollution Control Board vide its letter dated 16.05.2023 (Annexure-R4/1) and Municipal Corporation, Ludhiana vide its letter dated 24.05.2023 (Annexure-R4/2) have submitted the reports. On the basis of above reports, para wise reply is as follows:-

Sr. No	Information sought	Reply
(i)	compliance status of all the three CETPs.	<p>1. As per report received from Punjab Pollution Control Board, the MOEF&CC vide notification no. GSR978E dated 10.10.2016 has prescribed sector specific standards for discharge of effluent for the textile industries viz pH, Colour, SS, TDS, BOD, COD, O&G, T.Cr, Sulphide, SAR, Amm. Nitrogen (as N). The compliance status of three CETPs is as under:</p> <p>CETP 50 MLD:</p> <p>Previously, the CETP was not achieving the TDS parameter. Now, Punjab Pollution Control Board is complying with the MoEF&CC standards as per the last monitoring carried out in the month of April, 2023.</p> <p>CETP 40 MLD:</p> <p>Partially compliant except BOD and TDS parameters as per last monitoring carried out in the Month of April, 2023. This month BOD has been reported as 34 mg/l, whereas</p>

it was 18 mg/l during last month(March, 2023) against the MoEF&CC standards of 30 mg/l. The Board is continuously pursuing the SPV of CETP, for resource management to reduce the TDS at source.

The MoEF&CC, while disbursing Grant-in-Aid to SPVs of 40 MLD & 50 MLD CETPs has directed to achieve the stringent standards of BOD 10mg/l as well as for other parameters so as to utilize the treated effluent of CETPs onto land for irrigation. Department of Water Resources and Soil Conservation has been requested to prepare the schemes for utilization of treated effluent for onto land for irrigation.

CETP 15 MLD:

Partially compliant except TDS as per the last monitoring carried out in the month of April, 2023. Earlier, the CETP was not achieving the results and has now carried out remedial measures including up-gradation of CETP. The Board is continuously pursuing the SPV of CETP, for resource management to reduce the TDS at source for which opportunity of personal hearings were given to SPV as well as individual members. Trials are undergone to replace salt based dyeing techniques with enzyme based dyeing processes to reduce TDS content at source.

Ans

		<p>The MOEF&CC vide its letter dated 18.03.2016 has directed M/s Bahadurke Textile & knitwear Association Limited to initiate the CETP based on conventional treatment system in phase-1 with adoption of ZLD in Phase-2 for which the association will apply to MOEF&CC at a later stage as an up-gradation case. The Punjab Pollution Control Board is perusing the SPV to adopt the ZLD scheme after getting necessary permission/ approvals from MoEF&CC.</p>
(ii)	<p>Compliance status of all the dyeing units connected with dyeing CETPs.</p>	<p>1. As per report received from Punjab Pollution Control Board, all the member units are now discharging their industrial and domestic effluent to their respective CETPs through the dedicated conveyance system. Hence, their treatment of these member units is being imparted at the CETP only.</p> <p>2. However, the Board is monitoring their activities to ensure that these units may not discharge their untreated effluents through Municipal sewer or directly into Buddha Nallah. Joint surveillance of Municipal Corporation and PPCB including night surveillance / odd hours is also being carried out. Punjab Pollution Control Board is regularly initiating the action against the violator industries.</p>

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(iii)	compliance status of all the 54 dyeing units which are not connected with the CETPs.	<p>As per the reports received from Punjab Pollution Control Board, the status of dyeing units which are not connected with the CETPs but falling in the command area of the sewerage network falling in the jurisdiction of Municipal Corporation, Ludhiana are as under:</p> <p>There are 12 large scale units. Out of which 09 are complying and 03 non-complying.</p> <p>There are 26 dyeing units located at Industrial Area A. Out of which 16 are complying and 07 are non-complying and rest 03 have been closed permanently.</p> <p>There are further 16 scattered dyeing units, out of which 12 are complying, 02 are non-complying & rest 02 have been closed permanently. Punjab Pollution Control Board has initiated appropriate action for the violations observed from the above units.</p> <p>As per report received from Municipal Corporation Ludhiana, the detailed list from Punjab Pollution Control Board has been received regarding the non-complying units and Municipal Corporation Ludhiana is initiating action as per rules.</p>
(iv)	Present status of dyeing industries connected with CETPs, which were previously found to have connected their	1. As per report received from Punjab Pollution Control Board, Government of Punjab, Department of Science,

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<p>dyeing units with main sewer of the Municipal Corporation, Ludhiana.</p>	<p>Technologies an Environment vide letter no. 1594066/1 dated 10.10.2019 has issued direction u/s 5 of Environment Protection Act, 1986 to the Municipal Corporation, Ludhiana to disconnect the connection of Industries from Municipal sewer once connection to CETP conveyance system is achieved. The matter was regularly taken up with the Municipal Corporation, Ludhiana. The Chairman, Punjab Pollution Control Board has also issued a DO letter vide no. 9857 dated 25.04.2023 to Municipal Corporation, Ludhiana with the request to direct the concerned officers to disconnect the sewer connection of the dyeing industries which are connected with the CETPS from municipal sewer.</p> <p>2. Municipal Corporation, Ludhiana in its report has stated that in compliance with the directions received from Punjab Pollution Control Board, Municipal Corporation, Ludhiana vide its letter no. 66-PS/D dated 03.05.2023 has confirmed that sewer connections of the member units of dyeing CETPs have been disconnected from Municipal sewer.</p>
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(v)	Number of dyeing units which are connected with sewer of the Municipal Corporation, Ludhiana	That the contents of this corresponding paragraph have already been replied in point iii. Hence, are not being repeated herein for the sake of brevity.
(vi)	Where the industrial effluent after treatment by CETPs is discharged.	As per report received from Punjab Pollution Control Board , All CETPs are discharging their treated effluent into Buddha Nallah leading to River Sutlej.

- 5) That it is respectfully submitted that District Administration and all the stakeholder departments are already seized of the matter relating to the prevention and control of pollution in Budha Nallah and River Sutlej.
- 6) That in view of the submissions made herein above, the necessary instructions may be passed and the application filed by Mr. Nitin Dhiman may be disposed off accordingly by this Hon'ble Tribunal. That any instruction passed by this Hon'ble Tribunal to the undersigned shall be complied with in letter and spirit.

It is, therefore, prayed that the Original Application no. 225 of 2022 may kindly be disposed of with appropriate orders.

Submitted by

Date: 24.05.2023

Place: LUDHIANA


(Surabhi Malik, IAS)
District Magistrate , Ludhiana

Verification

Verified that the contents of para no.1 to 6 of the above reply are true and correct to my knowledge as derived from the official record. No part of the above reply is false and nothing material has been kept concealed therein.

Date: 24.05.2023

Place: LUDHIANA


(Surabhi Malik, IAS)
District Magistrate , Ludhiana

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ਮਿਤੀ _____

ਵਿਸ਼ਾ:- National Green Tribunal Principal Branch (Nitin Dhiman V/s State of Punjab)
Application No. 225 of 2022
ਹਵਾਲਾ :- ਪੱਤਰ ਨੰ. 5581-82/MA ਮਿਤੀ 05-05-2023 ਦੇ ਸਬੰਧ ਵਿੱਚ।

ਉਪਰੋਕਤ ਵਿਸ਼ੇ ਤੇ ਹਵਾਲੇ ਅਧੀਨ ਕੇਸ ਸਬੰਧੀ ਆਪ ਜੀ ਦੇ ਧਿਆਨ ਵਿੱਚ ਲਿਆਂਦਾ ਜਾਂਦਾ ਹੈ ਕਿ ਇਸ ਕੇਸ ਦਾ ਜਵਾਬ ਨਗਰ ਨਿਗਮ ਲੁਧਿਆਣਾ ਵੱਲੋਂ ਮਾਨਯੋਗ National Green Tribunal ਕੋਰਟ ਵਿੱਚ ਦਾਇਰ ਕਰ ਦਿੱਤਾ ਗਿਆ ਸੀ। ਹੁਣ National Green Tribunal ਕੋਰਟ ਵੱਲੋਂ ਇਸ ਕੇਸ ਸਬੰਧੀ ਹੇਠ ਲਿਖੇ ਅਨੁਸਾਰ ਹੁਕਮ ਜਾਰੀ ਕੀਤੇ ਗਏ ਹਨ। ਜਿਨ੍ਹਾਂ ਦਾ ਜਵਾਬ ਨਗਰ ਨਿਗਮ ਲੁਧਿਆਣਾ ਅਤੇ ਪੰਜਾਬ ਪਲੂਸ਼ਨ ਬੋਰਡ ਲੁਧਿਆਣਾ ਵੱਲੋਂ ਦਿੱਤਾ ਜਾਣਾ ਹੈ।

- (1) Compliance status of all the three CETPs.
- (2) Compliance status of all the dyeing units connected with the CETPs.
- (3) Compliance status of all the 54 dyeing units which are not connected with the CETPs,
- (4) Present status of the dyeing industries with CETPs which were previously found to have connected O.A No. 225/2022 Nitin Dhiman Vs. State of Punjab & Ors. their units with main sewer of the Municipal Corporation, Ludhiana.
- (5) Number of dyeing units which are connected with sewer of the Municipal Corporation, Ludhiana.
- (6) Where the industrial effluent after treatment by CETPs is discharged.
The information be given in tabular form which shall include status of all dyeing units setup in Ludhiana.

ਇਹਨਾਂ ਪੁਆਇੰਟਾਂ ਦਾ ਜਵਾਬ ਪੰਜਾਬ ਪਲੂਸ਼ਨ ਕੰਟਰੋਲ ਬੋਰਡ ਪਾਸੋਂ ਪ੍ਰਾਪਤ ਕੀਤਾ ਗਿਆ ਹੈ, ਜਿਸ ਦਾ ਵੇਰਵਾ ਹੇਠ ਲਿਖੇ ਅਨੁਸਾਰ ਹੈ:- (ਪੱਤਰ ਨੰ: 160 ਨ ਮਿਤੀ 22.05.2023)

Sr. No	Information Sought	Reply
1	Compliance status of all the three CETPs.	<p>As per report received from Punjab Pollution Control Board MoEF&CC vide notification no. GSR978E dated 10.10.2016 has prescribed Sector Specific Standards for discharge of effluent for the textile industries viz pH, Colour, SS, TDS, BOD, COD, O&G, T.Cr, Sulphide, SAR, Amm. Nitrogen (as N). The compliance status of three CETPs is as under:</p> <p>CETP 50 MLD: Previously, the CETP was not achieving the TDS parameter. Now, complying with the MoEF&CC standards as per the last monitoring carried out in the month of April, 2023.</p> <p>CETP 40 MLD: Partially compliant except BOD and TDS parameters as per last monitoring carried out in the Month of April, 2023. This month BOD has been reported as 34 mg/l, whereas it was 18 mg/l during last month (March, 2023) against the MOEF&CC standards of 30 mg/l. The Board is continuously pursuing the SPV of CETP, for resource management to reduce the TDS at source. The MOEF&CC, while disbursing Grant-in-Aid to SPVs of 40 MLD & 50 MLD CETPs has directed to achieve the stringent standards of BOD 10 mg/l as well as for other parameters so as to utilize the treated effluent of CETPS onto land for irrigation. Department of Water Resources and Soil Conservation has been requested to prepare the schemes for utilization of</p>

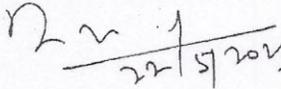
02/05/2023

		<p>treated effluent for onto land for irrigation.</p> <p>CETP 15 MLD: Partially compliant except TDS as per the last monitoring carried out in the month of April, 2023. Earlier, the CETP was not achieving the results and has now carried out remedial measures including up-gradation of CETP. The Board is continuously pursuing the SPV of CETP, for resource management to reduce the TDS at source for which opportunity of personal hearings were given to SPV as well as Individual members. Trials are undergone to replace salt based dyeing techniques with enzyme based dyeing processes to reduce TDS content at source. The MoEF&CC vide its letter dated 18.03.2016 has directed M/s Bahadurke Textile & knitwear Association Limited to initiate the CETP based on conventional treatment system in phase-1 with adoption of ZLD in Phase-2 for which the association will apply to MoEF&CC at a later stage as an up-gradation case. The Punjab Pollution Control Board is perusing the SPV to adopt the ZLD scheme after getting necessary permission / approvals from MoEF&CC.</p>
2	Compliance status of all the dyeing units connected with the CETPs.	<p>As per report received from Punjab Pollution Control Board, all the member units are now discharging their industrial and domestic effluent to their respective CETPS through the dedicated conveyance system. Hence, their treatment of these member units is being imparted at the CETP only.</p> <p>However, the Municipal Corporation Ludhiana is monitoring their activities to ensure that these units may not discharge their untreated effluents through Municipal sewer or directly into Buddha Nallah. Joint surveillance of Municipal Corporation and PPCB including night surveillance / odd hours is also being carried out. In case of any violation sewerage connection of the violating unit is disconnection and further action is then taken by Punjab Pollution Control Board. In one of such checking of Municipal Corporation and Punjab Pollution Control Board jointly on dated 13.04.2023, one dyeing unit was found disposing of its commercial effluent into the domestic sewer of Municipal Corporation. Municipal Corporation Ludhiana has disconnected the connection of this violating unit and informed Punjab Pollution Control Board to take action against the violating unit as per law.</p>
3	Compliance status of all the 54 dyeing units which are not connected with the CETPs,	<p>As per report received from Punjab Pollution Control Board, the status of dying units which are not connected with the CETPS but falling in the command area of the sewerage network falling in the jurisdiction of Municipal Corporation, Ludhiana is as under:</p> <p>There are 12 large scale units. Out of which 09 are complying and 03 non-complying.</p> <p>There are 26 dyeing units located at Industrial Area-</p>

Handwritten signature and date: 22/5/2023

		A. Out of which 16 are complying and 07 non-complying & 03 closed permanently. There are 16 scattered dyeing units. Out of which 12 complying, 02 non-complying & 02 closed permanently. Punjab Pollution Control Board has initiated appropriate action for the violations observed from the above units. After receiving the list from Punjab Pollution Control Board regarding the non-complying unit the action shall be initiated as per PMC Act.
4	Present status of the dyeing industries with CETPs which were previously found to have connected their dyeing units with main sewer of the Municipal Corporation, Ludhiana.	As report received from Punjab Pollution Control Board that Government of Punjab, Department of Science, Technologies an Environment vide letter no. 1594066/1 dated 10.10.2019 has issued direction u/s 5 of Environment Protection Act, 1986 to the Municipal Corporation, Ludhiana to disconnect the connection of Industries from Municipal sewer once connection to CETP conveyance system is achieved. In compliance with the directions received from Punjab Pollution Control Board, the Municipal Corporation, Ludhiana vide its letter no. 66-PS/D dated 03.05.2023 has confirmed that sewer connections of the member units of dyeing CETPs have been disconnected from Municipal sewer (Annexure - A)
5	Number of dyeing units which are connected with sewer of the Municipal Corporation, Ludhiana.	Reply as mentioned at Sr. no. (iii) above may be considered.
6	Where the industrial-effluent after treatment by CETPs is discharged.	As report received from Punjab Pollution Control Board that All CEPTs are discharging their treated effluent into Buddha Nallah leading to River Sutlej.

 22/5/23
ਨਿਗਰਾਨ ਇੰਜੀਨੀਅਰ-ਓ.ਐੱਫ.ਐੱਮ


22/5/2023
ਕਾਰਜਕਾਰੀ ਇੰਜੀ:ਬੀ

ANNEXURE A

Ludhiana Municipal Corporation

To

Chief Engineer,
Punjab Pollution Control Board,
Ludhiana

Subject:- Regarding the discharge of waste water from boiling units and electroplating industries into the municipal sewer system.

Reference:- Environmental Engineer, Regional Office-3 Ludhiana office letter no. 976 dated 11-04-2023 and Chairman, Punjab Pollution Control Office Letter No. 2082 Dated 06-04-2022 and letter no. 981 dated 11-04-2023 regarding.

1) It has been written by you that the commercial waste water of dyeing units is 50 mld. CETP Tajpur Road and 40 mld. CETP focal point and 15 mld. is being dumped into CETP Bahadur Ke Road. The number of industrial members of Tajpur Road is 108, the number of industrial members of Focal Point is 67 and the number of industrial members of Bahadur K Road is 32. From all the members of the said SPV the discharge of waste water is being dumped found in the dedicated conveyance system of C.E.T.P. In this regard, the concerned Assistant Engineer of the Municipal Corporation, O&M and Xen O&M have verified that all these units have been disconnected from the residential sewer of the Municipal Corporation. It is requested to ensure that the treated water of these CETPs is as per the norms fixed by the Punjab Pollution Control Board and only after that it should be released into Budha river.

2) Waste water from industries other than the member of SVP of Dyeing Units is discharged into the domestic sewer of the Municipal Corporation, causing damage to the domestic sewer system and STP machinery is also damaged. You are requested that apart from this CETP, other industrial units should be instructed to treat their waste water by installing Inbuilt ETTPs as per the norms of Punjab Pollution Control Board and only after that they should be allowed to connect it to municipal sewer under S203 of PMC Act. Therefore, it is also requested that the discharge of these industrial units be checked and it is verified that their treated water is compliant as per norms of Punjab Pollution Prevention Board. If any untreated or non-compliant unit is dumping its discharge in the sewer of the municipal corporation, this office should also be informed while taking action as per the rules so that their sewer connection can be disconnected as per PMC Act.

3) From time to time during the checking of the Municipal Corporation sometimes by some industries violations have been found, which are as follows:-

i) 54 dyeing units of Focal Point and 34 units of Jaiswal Dye Complex on Kaladhola Road had their sewer connected to the main sewer line of the Municipal Corporation. Taking immediate action, the Municipal Corporation cut off the connection of these dyeing units from the main sewer of the Municipal Corporation as per the instructions of the Punjab Pollution Control Board and in this regard letter No. 86/ACR to the Punjab Pollution Control Board. It was also notified vide date 26-05-2022.

ii) During the Municipal Corporation checking date 11-01-2023, 27 units of colored and untreated water were found to be discharged into the Municipal Sewer. In this regard, the Punjab Pollution Board was informed along with the list of these dyeing units.

On prevention date 03-05-2023, their checking report has been received from your office, which is as follows:-

Total Unit	27
Washing Unit	13
Printing Unit	8
Dyeing Unit	3
Non Polluting	3

Compliant	9
Non Compliant	18
Total	27

According to this report, ETPs of 18 industrial units are non-compliant. Therefore, the process of disconnecting them will be done by this office under the PMC Act. You are requested to take further necessary action and inform this office as well.

iii) During random checking on 13-04-2023, it was found that untreated water from M/s. Ramal Dying, D-265, 266, Focal Point was being discharged into the Municipal Sewer during the night and following the instructions of the Punjab Pollution Control Board on 14-04-2023, the connection of this drain was disconnected and on the spot, the officials of Punjab Pollution Control Board were called and given samples and informed to take necessary action. As per the report of Punjab Pollution Control Board, this unit was already connected to CETP, Focal Point, so this Illegal Connection has been cut off by the Municipal Corporation. It is also requested to take appropriate action on this.

iv) After checking the sewer line on 22-04-2023, it was found that Electroplating water from Mess J.K. International, E-367, Phase-6, Focal Point was being discharged untreated into the municipal sewer line. Taking action under the PMC Act, the connection of this industry was disconnected by the Municipal Corporation and on the spot SDO, Punjab Pollution Prevention Board was called and samples were given and informed to take necessary action.

v) On 25-04-2023, 225 MLD STP Colored water was coming from the plot in the sewer line of 60". To check it, JCB with City Bus Service Workshop near Tajpur Road was utilized to dig the same place. When digging was done, colored/hot water

from a machine hole was coming into the municipal corporation's 60" sewer line (which comes from the focal point). When the sample was filled in, it was seen that this water was colored and quite hot. When this sewage line was inspected, it was found that this line is coming from outside the municipal corporation limits. It should be mentioned here that the municipal corporation's Dying units are also installed outside the boundary. On the spot, this line was disconnected from two places in the presence of Punjab Pollution Control Board officer and PDA representatives. This sewer line is outside the municipal corporation boundary. It was coming from the existing dyeing units. The details of the dyeing units outside the Municipal Corporation limits are as follows:-

1. Jivan Risham Dying
- 2) Ganga dyeing
- 3) Sehhyog Enterprises
- 4) N.K. Washing
- 5) Media Impacts Dying
- 6) Fortune Impex Dying
- 7) Jai Ganesh Processor Dying
- 8) H.M. International Dyeing

These dyeing units are connected to CETP Tajpur Road, but this illegal connection was also found with the municipal sewer. It is requested to take action as per the rules of these dyeing units and inform this office also.

vi) On 03-05-2023, during the Budha River Monitoring Committee meeting, it was informed by the representative of the Land Conservation Department that the amount of iron and manganese in the treated water has been found to be more than Permissible Limit from Ballo Ke S.T.P. It is also stated here that during the meeting, there was a discussion with the Executive Engineer of the Punjab Pollution Control Board, then it was noticed that there are many electroplating units in that area and there may be a possibility that untreated effluents from one of the industries may be being dumped into Ballo Ke S.T.P. due to which amount of Iron and Manganese are coming more.

It is requested to check them and if any unit is not compliant according to the norms of Punjab Pollution Prevention Board then this office should also be informed while taking necessary action. Teams of Municipal Corporation and Punjab Water Supply and Sewerage Board will support regarding this.

Commissioner
Municipal Corporation Ludhiana



ਪੰਜਾਬ ਪ੍ਰਦੂਸ਼ਣ ਰੋਕਥਾਮ ਬੋਰਡ

ਖੇਤਰੀ ਦਫ਼ਤਰ-3, ਸਵਿਤਰੀ ਕੰਪਲੈਕਸ-1, (ਦਾਦਾ ਮੋਟਰਜ), ਤੀਜੀ ਮੰਜ਼ਿਲ, ਢੋਲੇਵਾਲ ਚੌਕ, ਜੀ.ਟੀ. ਰੋਡ, ਲੁਧਿਆਣਾ।

ਨੰਬਰ...1464...

ਮਿਤੀ...16.5.2023

ਸੇਵਾ ਵਿਖੇ,

ਡਿਪਟੀ ਕਮਿਸ਼ਨਰ,
ਲੁਧਿਆਣਾ।

ਵਿਸ਼ਾ:- **National Green Tribunal Principal Branch (Nitin Dhiman v/s State of Punjab) Application No. 225 of 2022.**

ਹਵਾਲਾ:- ਆਪ ਜੀ ਦੇ ਦਫ਼ਤਰ ਦਾ ਪੱਤਰ ਨੰਬਰ 5581-82/ਐਮ.ਏ ਮਿਤੀ 05.05.2023.

ਉਪਰੋਕਤ ਵਿਸ਼ੇ ਅਤੇ ਹਵਾਲੇ ਅਧੀਨ ਪੱਤਰ ਦੇ ਸਬੰਧ ਵਿੱਚ ਆਪ ਜੀ ਦੁਆਰਾ ਮੰਗੀ ਗਈ ਸੂਚਨਾ ਨਾਲ ਨੱਥੀ ਪ੍ਰੋਫਰਮਿਆਂ ਅਨੁਸਾਰ ਬੋਰਡ ਦੀ ਸਮਰੱਥ ਅਥਾਰਟੀ ਤੋਂ ਪ੍ਰਵਾਨਗੀ ਲੈਣ ਉਪਰੰਤ ਆਪ ਜੀ ਨੂੰ ਸੂਚਨਾ ਅਤੇ ਸਹਾਇਤੀ ਕਾਰਵਾਈ ਹਿੱਤ ਭੇਜੀ ਜਾਂਦੀ ਹੈ ਜੀ।

ਨੱਥੀ/- ਉਪਰੋਕਤ ਅਨੁਸਾਰ।

16/05/23
ਵਾਤਾਵਰਣ ਇੰਜੀਨੀਅਰ
ਖੇਤਰੀ ਦਫ਼ਤਰ-3, ਲੁਧਿਆਣਾ

ਪਿੱਠ ਅੰਕਣ ਨੰਬਰ.....

ਮਿਤੀ

ਉਪਰੋਕਤ ਦਾ ਉਤਰਾ ਜੀਨੀਅਰ ਵਾਤਾਵਰਣ ਇੰਜੀਨੀਅਰ, ਪੰਜਾਬ ਪ੍ਰਦੂਸ਼ਣ ਰੋਕਥਾਮ ਬੋਰਡ, ਜ਼ੋਨਲ ਦਫ਼ਤਰ-2, ਲੁਧਿਆਣਾ ਨੂੰ ਸੂਚਨਾ ਹਿੱਤ ਭੇਜਿਆ ਜਾਂਦਾ ਹੈ ਜੀ।

—S—
ਵਾਤਾਵਰਣ ਇੰਜੀਨੀਅਰ
ਖੇਤਰੀ ਦਫ਼ਤਰ-3, ਲੁਧਿਆਣਾ

Information required for Hon'ble NGT case in O.A. no. 225 of 2022 titled as Nitin Dhiman V/s State of Punjab & ors.

Sr. no.	Information Sought	Reply
(i)	Compliance status of all three dyeing CETPs.	<p>1. MoEF&CC vide notification no. GSR978E dated 10.10.2016 has prescribed Sector Specific Standards for discharge of effluent for the textile industries viz pH, Colour, SS, TDS, BOD, COD, O&G, T.Cr, Sulphide, SAR, Amm. Nitrogen (as N). The compliance status of three CETPs is as under:</p> <p>CETP 50 MLD:</p> <p>Previously, the CETP was not achieving the TDS parameter. Now, complying with the MoEF&CC standards as per the last monitoring carried out in the month of April, 2023.</p> <p>CETP 40 MLD:</p> <p>Partially compliant except BOD and TDS parameters as per last monitoring carried out in the Month of April, 2023. This month BOD has been reported as 34 mg/l, whereas it was 18 mg/l during last month (March, 2023) against the MoEF&CC standards of 30 mg/l. The Board is continuously pursuing the SPV of CETP, for resource management to reduce the TDS at source.</p> <p>The MoEF&CC, while disbursing Grant-in-Aid to SPVs of 40 MLD & 50 MLD CETPs has directed to achieve the stringent standards of BOD 10 mg/l as well as for other parameters so as to utilize the treated effluent of CETPs onto land for irrigation. Department of Water Resources and Soil Conservation has been requested to prepare the schemes for utilization of treated effluent for onto land for irrigation.</p> <p>CETP 15 MLD:</p> <p>Partially compliant except TDS as per the last monitoring carried out in the month of April, 2023. Earlier, the CETP was not achieving the results and has now carried out remedial measures including up-gradation of</p>

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		<p>CETP. The Board is continuously pursuing the SPV of CETP, for resource management to reduce the TDS at source for which opportunity of personal hearings were given to SPV as well as individual members. Trials are undergone to replace salt based dyeing techniques with enzyme based dyeing processes to reduce TDS content at source.</p> <p>The MoEF&CC vide its letter dated 18.03.2016 has directed M/s Bahadurke Textile & knitwear Association Limited to initiate the CETP based on conventional treatment system in phase-1 with adoption of ZLD in Phase-2 for which the association will apply to MoEF&CC at a later stage as an up-gradation case. The Punjab Pollution Control Board is perusing the SPV to adopt the ZLD scheme after getting necessary permission/approvals from MoEF&CC.</p>
(ii)	Compliance status of all the dyeing units connected with dyeing CETPs.	<ol style="list-style-type: none"> 1. All the member units are now discharging their industrial and domestic effluent to their respective CETPs through the dedicated conveyance system. Hence, their treatment of these member units is being imparted at the CETP only. 2. However, the Board is monitoring their activities to ensure that these units may not discharge their untreated effluents through Municipal sewer or directly into Buddha Nallah. Joint surveillance of Municipal Corporation and PPCB including night surveillance / odd hours is also being carried out. Punjab Pollution Control Board is regularly initiating the action against the violator industries.
(iii)	Compliance status of all the 54 dyeing units which are not connected with the CETPs.	<p>The status of dyeing units which are not connected with the CETPs but falling in the command area of the sewerage network falling in the jurisdiction of Municipal Corporation, Ludhiana is as under:</p> <p>There are 12 large scale units. Out of which 09 are complying and 03 non-complying.</p> <p>There are 26 dyeing units located at Industrial Area-A. Out of which 16 are complying and 07 non-complying & 03 closed permanently.</p>

		<p>There are 16 scattered dyeing units. Out of which 12 complying, 02 non-complying & 02 closed permanently.</p> <p>Punjab Pollution Control Board has initiated appropriate action for the violations observed from the above units.</p>
(iv)	<p>Present Status of dyeing industries connected with CETPs, which were previously found to have connected their dyeing units with main sewer of the Municipal Corporation, Ludhiana.</p>	<p>Government of Punjab, Department of Science, Technologies and Environment vide letter no. 1594066/1 dated 10.10.2019 has issued directions u/s 5 of Environment Protection Act, 1986 to the Municipal Corporation, Ludhiana to disconnect the connection of industries from Municipal sewer once connection to CETP conveyance system is achieved. The matter was regularly taken up with the Municipal Corporation, Ludhiana by the Punjab Pollution Control Board. The related communication is as per Annexure-1. The Chairman, Punjab Pollution Control Board has also issued a DO letter vide no. 9857 dated 25.04.2023 to Municipal Corporation, Ludhiana with the request to direct the concerned officers to disconnect the sewer connection of the dyeing industries which are now connected with the CETPs from municipal sewer.</p> <p>Now, the Municipal Corporation, Ludhiana vide its letter no. 66-PS/D dated 03.05.2023 has confirmed that sewer connections of the member units of dyeing CETPs have been disconnected from municipal sewer.</p>
(v)	<p>Number of dyeing units which are connected with sewer of the Municipal Corporation, Ludhiana.</p>	<p>Reply as mentioned at Sr no. (iii) above may be considered.</p>
(vi)	<p>Where the industrial effluent after treatment by CETPs is discharged.</p>	<p>All CETPs are discharging their treated effluent into Buddha Nallah leading to River Sutlej.</p>

Details of the some of the Correspondence made with the municipal corporation, Ludhiana with all the 03 CETPs is given below:-

A. 15 MLD CETP

i)	Regional Office-III, Ludhiana letter no. 6286 dated 20.08.2020 to Commissioner Office, Ludhiana.	List of the Member Units attached with request to ensure that no effluent from these units is to be discharge into MC sewer.
ii)	Regional Office-III, Ludhiana letter no. 2913 dated 23.05.2022 to Municipal Corporation, Ludhiana.	As above and also to take action against the violating units.
iii)	Regional Office-III, Ludhiana letter no. 37 dated 10.01.2023 to Municipal Corporation, Ludhiana.	As above.
iv)	Regional Office-III, Ludhiana letter no. 980 dated 11.04.2023 to Municipal Corporation, Ludhiana.	As above.

B. 40 MLD CETP

i)	Zonal Office-II, Ludhiana letter no. 2082 dated 06.04.2022 to Commissioner Office, Ludhiana.	Direction u/s 33-A of the Water Act, 1974 for disconnection of municipal sewer linking of various textile dyeing industries situated in focal point area of Ludhiana along-with list of member units.
ii)	Zonal Office-II, Ludhiana letter no. 2438 dated 26.04.2022 to Commissioner Office, Ludhiana.	Reminder w.r.t. direction dated 06.04.2022 issued to the corporation with request to intimated the name of the industries which have been completely disconnected with MC sewer.

C. 50 MLD CETP

i)	Regional Office-III, Ludhiana letter no. 2968 dated 27.05.2022 to Municipal Corporation, Ludhiana.	List of the Member Units provided to the MC with request to ensure that no effluent from these units is to be allowed into the MC sewer and also to take action against the violating units.
ii)	Regional Office-III, Ludhiana letter no. 226 dated 17.01.2023 to Municipal Corporation, Ludhiana.	As above.
iii)	Regional Office-III, Ludhiana letter no. 771 dated 06.03.2023 to Municipal Corporation, Ludhiana.	As above.
iv)	Regional Office-III, Ludhiana letter no. 976 dated 11.04.2023 to Municipal Corporation, Ludhiana.	Regarding complaint received of colored effluent 225 MLD STP at Jamalpur with request to ensure that no effluent from dyeing industry shall be allowed to be discharged into MC sewerage system in any circumstance and to take action against the violating units.

Note: Chairman of the Board vide DO letter no. 9857 dated 25.04.2023 has requested to the Commissioner, MC, Ludhiana to direct the concerned officers to disconnect the sewer connection of dyeing industries connected with CETPs from Municipal sewer, immediately and ensured for all the requisite assistance from Punjab Pollution Control Board.

Item No.2

(Court No. 2)

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

(Through Physical Hearing with Hybrid VC Option)

Original Application No. 225/2022

Nitin Dhiman

...Applicants

Versus

State of Punjab & Ors.

...Respondents

Date of hearing: 20.04.2023

**CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI, JUDICIAL MEMBER
HON'BLE DR. AFROZ AHMAD, EXPERT MEMBER**

Applicant: Ms. Unnati Anand, Advocate.

Respondent: Mr. Ankit Siwach, Advocate for respondent no. 3-
Municipal Corporation, Ludhiana.
Mr. I.K. Kapila, Advocate for respondent no. 7 and 8.
None for respondents no. 1,2,4, 5 and 6.

Application is registered based on a complaint received by Post

ORDER

1. In compliance of order dated 24.01.2023, replies have been filed by respondent no. 1-State of Punjab vide email dated 17.04.2023, by respondent no. 2-PSPCB vide email dated 29.03.2023, by respondent no. 3- Municipal Corporation, Ludhiana vide email dated 19.04.2023, by respondent no. 4- District Magistrate, Ludhiana vide email dated 20.04.2023 and by respondent no. 6-Principal Secretary, Environment and Forest, Government of Punjab vide email dated 18.04.2023.

2. As per the information furnished by the respondent no. 2-PSPCB in its reply about 300 dyeing units are operating in the area of Ludhiana

O.A. No.225/2022

Nitin Dhiman Vs. State of Punjab & Ors.

-2-

District, out of which about 252 units fall in the catchment area of Budha Nallah. 03 Common Effluent Treatment Plants (CETPs) of total capacity 105 MLD (15 MLD CETP for the dyeing cluster of Bahadurke road, 50 MLD CETP for the dyeing cluster of Tajpur road and 40 MLD CETP for the dyeing cluster of Focal Point) have been setup at Ludhiana by the Special Purpose Vehicles (SPVs). 54 dyeing units which could not join the CETPs are having their own captive effluent treatment plants for the treatment of wastewater.

3. In the reply filed on behalf of respondent no. 3-Municipal Corporation, Ludhiana It has been mentioned that as per information received from Punjab Pollution Control Board, CETP of 50 MLD capacity situated at Tajpur road has been commissioned and 108 units have taken their connections into the dedicated sewer system of CETP and 40 MLD CETP at focal point Ludhiana has been commissioned on 04.01.2022 and 67 number of dyeing units have taken their connections into the dedicated sewer system of CETP. 15 MLD capacity CETP has been commissioned at Bahadur Ke Road dyeing complex and all the 26 member units have taken their connection into dedicated sewer system of CETP. It has been further mentioned that 201 units were checked and it was found that 54 dyeing units of Focal Point area. 34 dyeing units of Kaka Dhola Road and Jaiswal dyeing complex were also found to have connected their dyeing units with main sewer of Municipal Corporation, Ludhiana. During the checking 27 dyeing units were found violating the norms. List regarding the same is also stated to have been provided to the PSPCB.

4. In the reply filed by the respondent no. 4- District Magistrate, Ludhiana, it has been mentioned that about 300 dyeing units are

operating in the area of Ludhiana District, out of which about 252 units fall in the catchment area of Budha Nallah. For the treatment of wastewater of the dyeing industries, 03 Common Effluent Treatment Plants (CETPs) of total capacity 105 MLD have been installed at Ludhiana by the Special Purpose Vehicles (SPVs). About 54 dyeing units are such which could not join the CETPs due to geographical reasons and scale of the industries. Out of these 54 dyeing units, 12 units are of large scale category, 16 units are of small category scattered at different places and 26 units are situated at Industrial Area-A. All these 54 dyeing units are having their own captive effluent treatment plants for the treatment of wastewater and discharge their treated wastewater into public sewer for which standards have been laid down by the MOEF&CC, Government of India. Samples were collected from all the three CETPs in January 2023 and the sample collected from 50 MLD CETP was found to exceed the parameter of TDS, sample collected from 40 MLD CETP was found to exceed the parameter of TDS and BDO while the sample collected from 15 MLD CETP was found not to comply with the standards prescribed by MOEF & CC. Environmental Compensation of Rs. 77,62,500/- is stated to have been imposed on M/s Bahadurke Textile and Knitwear Association, 15 MLD CETP for violation of environmental norms.

5. Respondent no. 3-Municipal Corporation, Ludhiana and respondent no. 4-District Magistrate, Ludhiana are directed to file additional replies specifically mentioning (i) compliance status of all the three CETPs, (ii) compliance status of all the dyeing units connected with the CETPs, (iii) compliance status of all the 54 dyeing units which are not connected with the CETPs, (iv) present status of the dyeing industries connected with CETPs which were previously found to have connected

Para 2

their dyeing units with main sewer of the Municipal Corporation, Ludhiana, (v) number of dyeing units which are connected with sewer of the Municipal Corporation, Ludhiana and (vi) where the industrial effluent after treatment by CETPs is discharged. The information be given in tabular form which shall include status of all dyeing units setup in Ludhiana.

6. Additional replies by respondent no. 3-Municipal Corporation, Ludhiana and respondent no. 4-District Magistrate, Ludhiana be filed **within one month** by email at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR Supported PDF and not in the form of Image PDF.

7. M/s Punjab Dyers Association who is running 50 MLD CETP and M/s Bahadurke Textiles and Knitwear Association who is running 15 MLD CETP have already been impleaded as respondents no. 7 and 8. In view of the facts and circumstances of the case, we consider presence of M/s Punjab Dyers Association (Focal Point) who is running 40 MLD CETP to be essential for just and proper adjudication of the questions involved in the case. Accordingly, M/s Punjab Dyers Association (Focal Point), SFC 36, First Floor Commercial Site, Phase V, Focal Point, Ludhiana is impleaded as respondent no. 9. The Registry is directed to carry out requisite amendment in the memo of parties and to issue notice to respondent no. 9.

8. Notice be served on M/s Punjab Dyers Association (Focal Point), SFC 36, First Floor Commercial Site, Phase V, Focal Point, Ludhiana through the District Magistrate, Ludhiana and for this purpose notice issued to the M/s Punjab Dyers Association (Focal Point), SFC 36, First Floor Commercial Site, Phase V, Focal Point, Ludhiana be sent to the District Magistrate, Ludhiana by E-mail for getting service of the same effected on it and sending his report in this regard.

9. No Counsel has appeared on behalf of respondents no. 1, 2, 4, 5 and 6.

10. The proceedings before this Tribunal cannot be treated as part of adversarial litigation where the concerned defendants may opt out to remain absent and suffer *ex-parte* proceedings. On the other hand, the State and its instrumentalities are under constitutional and statutory obligations to ensure compliance with environmental norms and, therefore, the State and its instrumentalities have to ensure submission of their replies/response with relevant details and also their representation through duly authorised representatives/Counsel before this Tribunal. Since, State of Punjab and some of its instrumentalities are not generally appearing before this Tribunal and filing their replies/response in response to the notices served on them, we consider it appropriate that the matter be brought to the notice of the Chief Secretary, Government of Punjab and learned Advocate General, Government of Punjab for issuance of appropriate instructions for compliance with notices issued by this Tribunal and submission of reply/response and ensuring representation through their authorized representative/counsel before this Tribunal, as may be required.

11. In view of the serious nature and magnitude of the environmental questions involved in the present case, we consider it appropriate to have the assistance of some Advocate as *amicus curie* to assist this Tribunal in just and fair adjudication of the questions involved. Accordingly, Mr. Gaurav Agarwal, Advocate is appointed as *amicus curie* to assist this Tribunal in just and fair adjudication of the questions involved. The PSPCB shall pay Rs. 50,000/- to the *amicus curie* and also bear expenses related to the economy

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL

PRINCIPAL BENCH, NEW DELHI

OA No. 225/2022

Nitin Dhiman

...Applicant

Versus

State of Punjab and others

...Respondents

INDEX

Sr. No	Particulars	Date	Page No.
1.	Affidavit of Anurag Verma, Chief Secretary to Government of Punjab, Respondent No. 1.		

Place: Chandigarh

Dated:


 Deponent
 (Anurag Verma)
 Chief Secretary
 Government of Punjab

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

OA No. 225/2022

Nitin Dhiman

...Applicant

Versus

State of Punjab and others

...Respondents

Affidavit of Anurag Verma, Chief
Secretary to Government of Punjab,
Respondent No. 1.

I, the above named deponent, do hereby solemnly affirm and
declare as under:

1. That the present Original Application is pending before this Hon'ble Tribunal and is now listed for hearing on 08.08.2023.
2. That the Hon'ble National Green Tribunal, vide its orders dated 26.05.2023 has directed to file affidavit giving the present status of a project for use of treated water discharged from CETPs and STPs of Ludhiana into Budha Nala for irrigation of Agriculture land. Relevant portion of the said order is reproduced hereunder:

"7. In their replies respondents no. 7 and 8 have mentioned that the Government of Punjab had prepared a Project for use of treated water discharge from CETPs and STPs of Ludhiana into Budha Nala for irrigation of agriculture land.

8. Respondents no. 1 and 4 are directed to file affidavits giving the present status of the said project of the Government of Punjab."

3. That answering deponent has assumed charge as Chief Secretary, Punjab on 01.07.2023. However, this matter has come to the notice of the deponent when the draft status report, which is required to be submitted before this Hon'ble Tribunal is put up by the Department of Science, Technology and Environment, Punjab. The answering deponent is not fully satisfied with the draft status report. Therefore, the deponent requires some more time to check the case in detail to get the required status report filed.

Therefore, in view of the position as explained above, a time period of two months may kindly be granted for submitting status report in terms of orders dated 26.05.2023, passed by this Hon'ble Tribunal.

Place: Chandigarh
Dated:


Deponent
(Anurag Verma)
Chief Secretary
Government of Punjab

VERIFICATION:

It is verified that the content of paras no. 1 to 3 of my above affidavit are true and correct as per my knowledge and belief and nothing has been concealed therein.

Place: Chandigarh
Dated:


Deponent
(Anurag Verma)
Chief Secretary
Government of Punjab

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL

O.A. No. 225 OF 2022

In the matter of:

Nitin Dhiman.

.....Applicant

V/S

State of Punjab & Ors.

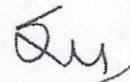
.....Respondent

Reply in the form of Affidavit by Surabhi Malik, IAS, Deputy
Commissioner, Ludhiana (on behalf of Respondent No. 4)

INDEX

S. No.	Particulars	Date	Page Nos.
1.	Status Report by way of Affidavit of Surabhi Malik, IAS, Deputy Commissioner, Ludhiana		1-2

Place: Ludhiana
Dated: 05.08.2023


(Surabhi Malik), IAS,
Deputy Commissioner,
Ludhiana

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL

O.A. No. 225 OF 2022

In the matter of:

Nitin Dhiman.

.....Applicant

V/S

State of Punjab & Ors.

.....Respondent

Reply in the form of Affidavit by Surabhi Malik, IAS, Deputy
Commissioner, Ludhiana (on behalf of Respondent No. 4)

It is most respectfully showeth:

1. That undersigned is posted as District Magistrate, Ludhiana and thus filing the reply as Respondent no 4.
2. That Hon'ble National Green Tribunal vide orders dated 26.05.2023 has directed as follows:-

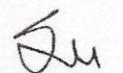
“ 7. In their replies respondents no. 7 and 8 have mentioned that the Government of Punjab had prepared a Project for use of treated water discharge from CETPs and STPs of Ludhiana into Budha Nala for irrigation of agriculture land.

8. Respondents no. 1 and 4 are directed to file affidavits giving the present status of the said project of the Government of Punjab.

3. It is humbly submitted that Worthy Chief Secretary having recently joined Government of Punjab has submitted reply on behalf of Respondent No. 1 and has requested for a time period of two months to check case facts in detail. The draft status report submitted by Department of Science Technology & Environment, Government of Punjab, Chandigarh is being reviewed at Government level. Hence the undersigned also requests the Hon'ble Tribunal to grant a time period of Two months for submitting the status report.

It is, therefore, prayed that a time period of Two months in Original Application No. 225 of 2022 may kindly be granted. That any instruction passed by this Hon'ble Tribunal to the undersigned shall be complied with in letter and spirit.

Submitted by



(Surabhi Malik, IAS)

District Magistrate, Ludhiana

Verification:-

Verified that the contents of para no.1 to 3 of the above reply are true and correct to my knowledge as derived from the official record. No part of the above reply is false and nothing material has been kept concealed therein.

Dated:- 05.08.2023

Place:- LUDHIANA



(Surabhi Malik, IAS)

District Magistrate, Ludhiana



ਜਲ ਸਰੋਤ ਵਿਭਾਗ, ਪੰਜਾਬ

OFFICE OF EXECUTIVE ENGINEER, LUDHIANA CANAL & GROUND WATER DIVISION, LUDHIANA.

Address: Adjoining Durga Mata Mandir, Urban Estate Phase-1 Dugri, Ludhiana, Punjab, 1410013

Ph no. 0161-2520132

Email - xensidhwancanal@gmail.com

ਨੰਬਰ: 9374-75 /1-STP

ਸੇਵਾ ਵਿਖੇ:

✓ ਮਾਣਯੋਗ ਡਿਪਟੀ ਕਮਿਸ਼ਨਰ,
ਲੁਧਿਆਣਾ

ਵੱਲੋਂ:

ਕਾਰਜਕਾਰੀ ਇੰਜੀਨੀਅਰ,
ਲੁਧਿਆਣਾ ਕੈਨਾਲ ਐਂਡ ਗ੍ਰਾਊਂਡ ਵਾਟਰ ਡਿਵਿਜਨ,
ਲੁਧਿਆਣਾ।

ਡੀ.ਸੀ.
ਏ.ਡੀ.ਸੀ. (ਜ)
ਏ.ਡੀ.ਸੀ. (ਡੀ)
ਸ.ਕ.(ਜ) M4
ਸੀ.ਐਮ.ਐੱਫ.ਓ.
ਡੀ.ਆਰ.ਓ.
ਸੁਪਰਡੈਂਟ
ਡੀ.ਡੀ.ਪੀ.ਓ.
ਤਹਿਸੀਲਦਾਰ ਚੋਣ
ਏ.ਆਰ.ਆਈ.
ਮਿਤੀ: 21/8

ਮਿਤੀ: 17/08/2023

23/7/10
22/8/23

ਹਵਾਲਾ: ਆਪ ਜੇ ਦੀ ਦਫ਼ਤਰ ਦਾ ਪੱਤਰ ਨੰਬਰ: 11876/ਐਮ.ਏ ਮਿਤੀ: 14/08/2023

ਵਿਸ਼ਾ: Regarding VC held on 11/08/2023 (NGT 225 of 2022 Nitin Dhiman vs State of
Punjab & Others)

ਉਪਰੋਕਤ ਵਿਸ਼ੇ ਅਤੇ ਹਵਾਲੇ ਅਧੀਨ ਪੱਤਰ ਦੇ ਸਬੰਧ ਵਿੱਚ ਆਪ ਜੀ ਨੂੰ ਬੇਨਤੀ ਸਹਿਤ ਲਿਖਿਆ ਜਾਂਦਾ ਹੈ ਕਿ ਬੁੱਢੇ ਨਾਲੇ ਦੀ "REUSE OF TREATED WATER" ਸਬੰਧੀ ਕੀਤੀ ਗਈ ਵਿਸ਼ਾ ਅਧੀਨ VC ਵਿੱਚ ਦਰਸਾਏ ਗਏ ਮੁੱਦਿਆਂ ਸਬੰਧੀ ਰਿਪੋਰਟ (ਮਿਤੀ: 04/09/2019) ਨੱਥੀ ਕਰਕੇ ਆਪ ਜੀ ਨੂੰ ਅਗਲੇਰੀ ਯੋਗ ਕਾਰਵਾਈ ਹਿੱਤ ਭੇਜੀ ਜਾਂਦੀ ਹੈ ਜੀ।

ਕਾਰਜਕਾਰੀ ਇੰਜੀਨੀਅਰ,

ਲੁਧਿਆਣਾ ਕੈਨਾਲ ਐਂਡ ਗ੍ਰਾਊਂਡ ਵਾਟਰ ਡਿਵਿਜਨ,
ਲੁਧਿਆਣਾ।

ਕਾਪੀ:

1. ਨਿਗਰਾਨ ਇੰਜੀਨੀਅਰ, ਲੁਧਿਆਣਾ ਕੈਨਾਲ ਸਰਕਲ, ਲੁਧਿਆਣਾ ਜੀ ਨੂੰ ਸੂਚਨਾ ਹਿੱਤ ਭੇਜੀ ਜਾਂਦਾ ਹੈ ਜੀ।

REUSE OF TREATED WATER

With reference to above, the project proposal is explored with aim to provide treated water for the irrigation through Lower Budha Nallah. To provide the drainage facilitation to the Ludhiana city and adjoining villages, Upper Budha Nallah provides safe passage for the drainage of excess water during rainy season.

Similarly Lower Budha Nallah flowing along the Sutlej River also acts as drain for the disposal of rainy water and Lower Budha Nallah's catchment area lies in the villages along the Lower Buddha Nallah. It is also pertinent to mention here that the lower Budha Nallah lies very near to river Sutlej (from 1000 m to 3500 m approx.) and remains flooded during the flood season as shown in site plan attached.

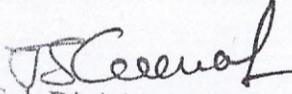
A proposal was prepared to provide irrigation facility to adjoining areas of lower Budha Nallah by converting lower Budha Nallah into a distributary, in case the water of Budha Nallah is treated by STPs. The proposed channel (distributary) for providing irrigation (in place of Lower Budha Nallah) off takes at RD 150000 of the Upper Budha Nallah. This proposal was not sanctioned by State or Centre authorities due to various technical aspects. The various observations are as below:-

1. The lower Budha Nallah act as drain and its Bed level/FSL lies below the NSL. The bed level of proposed distributary on the lower Budha Nallah is likely to be raised above the NSL to feed the adjoining area under gravity. With raising of bed level/Full supply level of the proposed distributary, it will act as sheet flow barrier. The natural sheet flow on Left Side of the distributary will get obstructed after the construction of this new channel and will cause a huge loss of property and life to the area falling on the left side of lower Budha Nallah, thus disturbing the whole natural drainage system of the area. It is pertinent to mention here that lower Budha Nallah outfalls into Sutlej River near Sidhwan Bet catering to almost 25 Km long stretch of drainage requirements of the areas adjoining it.
2. Sewerage treatment plant located at Jamalpur, Balloke falls in the city limits and is surrounded by thickly populated area and industrial areas. The treated water from these plants cannot be utilized near the plant for irrigation purposes. Budha Nallah

- needs to be channelized from Balloke to Walipur village (approximately 15.24 Km) before constructing the proposed channel from RD 150000 of Budha Nallah onwards.
3. The new proposed channel is to be constructed on the land of lower Buddha Nallah. Lower Buddha Nallah flows in a zig-zag/ (meandering) manner and proper alignment is necessary for channelization of the new proposed channel.
 4. Also, the farmers of the villages opposed the construction of this new channel by giving representation as they did not want to use the treated water for irrigation.
 5. In this area, the water requirements for irrigation purposes is mainly during Kharif period only and water demand is less during Rabi season.
 6. The proposal was also sent to the Technical Advisor to Hon'ble Chief Minister Punjab for vetting. As per the observation of Technical Advisor to Hon'ble Chief Minister Punjab, the proposal of new channel can be considered only after the proper measurement of discharge available in Budha Nallah after channelization, which is to be done by MC, Ludhiana.
 7. It is informed further that the treated water from the STPs, if discharged directly into river Sutlej, will not go waste as it is already being utilized for irrigation purposes in the canal systems downstream at Harike Headworks.

Also, in addition to above, the Centre Water Commission (CWC) while considering the proposal has expressed that if the state proceeds with the proposal, the State Agriculture Department should certify that contaminant residue will not enter the food chain.

So, it is concluded that project is not feasible due to number of technical aspects explained above.


Sub Divisional Officer
Sidhwan Canal Subdivision
Ludhiana


Executive Engineer,
Ludhiana Canal & Ground Water Div.
Water Resources Department,
Punjab, Ludhiana.
17/8/23


Executive Engineer
Sidhwan Canal Division
Ludhiana


Date - 22/8/23

No - 5439/94-4

To,

Deputy Commissioner,
LudhianaADD (19) / ADD (1) / MA
Suਡਿਪਟੀ ਕਮਿਸ਼ਨਰ,
ਲੁਧਿਆਣਾ 23/8

Subject: OA no. 225/2022 titled "Nitin Dhiman Vs State of Punjab & Others"

With respect to above stated subject, It is stated that, A meeting was held under the chairmanship of Secretary to Govt. of Punjab, Department of Science Technology & Environment on dated 11.08.2023 to discuss the fresh status report in Compliance of Hon'ble NGT Order dated 26.05.2023 in OA no. 225/2022 titled "Nitin Dhiman Vs State of Punjab & Others" in which officials of District Administration, Department of Water Resources, Department of Soil & Water Conservation, Punjab Pollution Control Board etc. were present in which the threadbare discussion took place on the matter that why the Project prepared for utilizing the treated wastewater of STP's for the purpose of irrigation in 2012 was not implemented. Officials from various departments shared their opinion which is pointed out as under:

- In the Project of 2012, it was proposed to transform Lower Buddha Nallah into a irrigation distributary which was to be done by raising Bed level of Lower Buddha Nallah, which would cause obstruction to the natural sheet flow of the surface runoff.
- Lower Budha Nallah also receives discharge from 6 No. of small drains. So, raised bed level will cause the head up (Daaf) of water thus resulting in backflow into these drains.
- Also, During 1988 Floods, Satluj river changed its course which pushed the Dhussi Bandh of the river thus encroaching the Lower Budha Nallah in some of its reach. If it is proposed to realign this drain in this encroached reach along Dhussi Bandh, it would involve the tedious process of land acquisition.
- Another matter of discussion was that whether the farmers will use the treated water for the purpose of irrigation.

This is for your information and necessary action please.

Executive Engineer/Ludhiana
Drainage-cum-Mining & Geology
Division WRD Punjab.

233/060
30/8/23

Email

DC Ludhiana

Letter

From : xenldhrg@gmail.com

Tue, Aug 22, 2023 04:33 PM

Subject : Letter

1 attachment

To : DC Ludhiana <dc.ldh@punjabmail.gov.in>

PFA

DC letter.pdf
386 KB