



ਪੰਜਾਬ ਪ੍ਰਦੂਸ਼ਣ ਰੋਕਥਾਮ ਬੋਰਡ
PUNJAB POLLUTION CONTROL BOARD



No. 2092

Dated: 11/5/23

To

Registrar General,
National Green Tribunal
Faridkot House, Copernicus Marg,
New Delhi-110001

Subject: Action taken report in O.A No. 105 of 2023 titled as M.L. Dhiman v/s State of Punjab.

Ref: Order dated 16.3.2023 passed by the Hon'ble National Green Tribunal.

Sir,

Briefly stated, the Hon'ble National Green Tribunal has taken cognizance of the subject cited case against the grievance of the applicant for discharge of industrial chemical effluent by M/s AKUMS Life science Ltd., Village Sundran, Tehsil Dera Bassi, District Mohali, Punjab.

2) The Hon'ble National Green Tribunal was pleased to dispose of the matter vide order dated 16.3.2023 thereby directing the State Pollution Control Board and District Magistrate Mohali to look into the matter with reference to mode of disposal of effluents as per consent to operate granted and take remedial action with further direction to file action taken report with the Registrar General, National Green Tribunal by email at judicial-ngt@gov.in within two months.

3) The action taken report of Joint Committee comprising of District Magistrate, Mohali and Environmental Engineer, Punjab Pollution Control Board, Regional Office, Mohali is enclosed herewith in compliance to order dated 16.3.2023 passed by the Hon'ble National Green Tribunal in O.A No. 105 of 2023 titled as M.L. Dhiman v/s State of Punjab.

DA/As above.

Submitted by

(Gursharan Dass Garg)
Environmental Engineer
Punjab Pollution Control Board
Regional Office, Mohali

Action taken report

Compliance of order dated 16.3.2023 passed by the Hon'ble National Green Tribunal in Original Application No. 105 of 2023 titled as M.L Dhiman v/s State of Punjab.

Background of the case

Sh. M.L Dhiman has filed a complaint by post / email, with the grievance of discharge of industrial chemical effluent by M/s AKUMS Life science Ltd., Village Sundran, Tehsil Dera Bassi, District Mohali, Punjab which has lead to death of many animals and is also source of diseases. The applicant has requested to take action against M/s AKUMS Life science Ltd., Village Sundran, Tehsil Dera Bassi, District Mohali, Punjab. The Hon'ble National Green Tribunal has registered the complaint as Original Application No. 105 of 2023 titled as M.L Dhiman v/s State of Punjab.

Vide order dated 16.3.2023, State Pollution Control Board and District Magistrate Mohali were directed to look into the matter particularly with reference to mode of disposal of effluents as per consent to operate and take remedial action following due process of law. Directions were also issued for filing of action taken report with the Registrar General, National Green Tribunal by email at judicial-ngt@gov.in. within two months.

Interaction

The matter was discussed by the Joint Committee comprising the District Magistrate Mohali and the Environmental Engineer, Punjab Pollution Control Board, Regional Office, Mohali in order to make compliance of the order dated 16.3.2023 of the Hon'ble National Green Tribunal. The Environmental Engineer, apprised the Deputy Commissioner that the Punjab Pollution Control Board is already taking action against the industrial unit namely M/s AKUMS Life science Ltd., Village Sundran, Tehsil Dera Bassi, District Mohali in the background of the complaints received from the residents of Village Sundran. The details of the action taken by the Punjab Pollution Control Board are given herein below.

Brief Facts

The industry M/s AKUMS Life science Ltd., Village Sundran, Tehsil Dera Bassi, District Mohali, Punjab is engaged in manufacturing of bulk-drugs Cefepime Hydrochloride @ 30 Kgs/day Cefrozil @ 20 Kgs/day Cefpodoxim e Proxetil @ 100 Kgs/day Ceftioxone Sodium @ 100 Kgs/day Cefixime @ 80 Kgs/day Cefdinir @ 10 Kgs/day Cefuroxime Axetil Amorphous @ 126.67 Kgs/day and had obtained Consents of the Board under the provisions of the Water (Prevention & Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981 vide no. CTOW/Renewal/SAS/2021/15742230 dated 21.07.2021 and vide no. CTOA/Renewal/SAS/2021/

15742187 dated 20.07.2021 valid till 31.03.2022 subject to certain conditions mentioned therein.

Visits performed by the officers of the Board.

The industry is being visited and inspected by the officers of the Board from time to time. Visits were performed on 5.7.2022, 8.9.2022, 27.9.2022 and 28.12.2022. Notices were also issued to the industry from time to time on 22.7.2022, and 17.1.2023 with opportunities of hearing before the Chairman of the Board.

Imposition of Environmental Compensation

During the hearing held before the Chairman of the Board on 4.8.2022, Environmental Compensation of Rs. 2.0 lakhs was imposed upon the industry and during the hearing on 27.1.2023, Environmental Compensation amounting to Rs. 10.0 lakhs was imposed upon the industry, for violation of environmental norms. The industry has deposited the amount of Environmental Compensation imposed by the Board.

Observations of the visiting officer

The industry was visited by the officer of the Board on 08.09.2022 in reference to a new item published in the Danik Jagarn on 2.8.2022 and observed that overall slope or gradient of the entire industry is towards the main gate as shown in the news item and the industry has no provision or option other than to discharge the rain water in the rainy season outside its premises through main gate. The industry was found to be upgrading the existing ETP and the approach road had been made pucca with interlocking tiles.

Grant of further consents after compliance

Upon verification of compliance, the industry was granted Consent under the provisions of the Water (Prevention & Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981 vide no. CTOW/Fresh/SAS/2022/19895187 dated 18.11.2022 valid till 31.03.2023 and vide no. CTOA/Fresh/SAS/2022/19894899 dated 18.11.2022 valid till 31.03.2023 respectively.

Receipt of further complaint in December, 2022

A complaint was received in the office of Board at Mohali on 26.12.2022 whereby it was informed that the industry was caught by nearby residents discharging its effluent through mobile tanker on 23.12.2022. The industry was visited by the officers of the Board on 28.12.2022 but no tanker was found during visit and the representative informed that there was choking of pipeline of canteen therefore tanker was brought on 23.12.2022 for cleaning of choked pipeline.



Issuance of notices

Upon observations that the industry has not made any arrangement for preventing froth generated in aeration tanks of ETP to travel to adjoining agricultural and fields and other violations of the environmental norms observed. The industry was issued show cause notice for the revocation/cancellation of Consent to Operate under Water (Prevention & Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981 with an opportunity of personal hearing before Chairman of the Punjab Pollution Control Board on 27.01.2023 vide letter no. 328 dated 17.01.2023. Apart from that notice u/s 5 of Environmental (Protection) Act, 1986 for violation of the provisions of the Hazardous & Other Wastes (Management & Trans boundary Movement) Rules, 2016 was also issued vide letter no. 330 dated 17.01.2023 with an opportunity of personal hearing before Chairman, Punjab Pollution Control Board for the same date on 27.01.2023.

Hearing before the Chairman and decisions taken therein

The hearing before the Chairman of the Board was attended by the Assistant Vice President of the industry alongwith Environmental Head. After hearing the representative of the industry and the officers of the Board, following decisions were taken.

- On the basis of best assessment and judgment, an environmental compensation of Rs. 10.0 Lacs is imposed to the industry. The industry shall deposit Rs.10.0 Lacs as environmental compensation within one week in the office of Environmental Engineer, Regional Office, SAS Nagar.
- The consent to operate earlier granted to industry under the Water (Prevention & Control of Pollution) Act, 1974 be revoked and Air (Prevention & Control of Pollution) Act, 1981 be cancelled immediately.
- The industry shall operate its pollution control devices regularly and efficiently so as to achieve prescribed standards.
- The industry shall not discharge any effluent/wastewater from its premises.
- The industry shall comply with the SOP framed for such type of industries as it has installed Solvent Recovery Plant.
- Notice to issue directions u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 for closure of the unit shall be issued to the industry with an opportunity of personal hearing before the Chairman of the Board.
- The Environmental Engineer, Regional Office, SAS Nagar shall visit the industry immediately to verify the statements of the representative of the industry made during the hearing, mode of disposal and compliance of various environmental laws/rules and send his report/recommendations in the matter. In case any violation is observed during the visit, strict action as per law including imposition

of environmental compensation from the earlier date of violation i.e. 30.12.2022 shall be initiated.

- The industry shall immediately apply for authorization under the provisions of HWM Rules.
- The industry shall phase out all the existing storage cum collection tanks containing highly contaminated effluent after treating the same in MEE within 07 days and hazardous waste so generated shall be disposed off to the TSDF, Nimbuan.

The proceedings of the hearing were conveyed to the industry vide letter no. 1189 dated 14.02.2023 and letter no. 1365 dated 24.02.2023.

Revocation of consents

The consents granted to the industry under the provisions of the Water (Prevention & Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981 were revoked & cancelled vide letter no. 1260 dated 22.02.2023 and letter no. 1262 dated 22.02.2023 respectively, in compliance of the hearing decisions dated 27.01.2023.

Hearing on 13.3.2023

The industry was given an opportunity of personal hearing before Chairman, PPCB on 13.03.2023 and during hearing it was decided as under:

1. The industry shall stop the production/ operation of the industry immediately, upto 31/3/2023. If the industry is found in operation in this period i.e. upto 31/3/2023, then directions u/s 33-A of the Water (Prevention and Control of Pollution) Act, 1974 be confirmed without any further opportunity/ notice.
2. They industry shall apply for consent to operate of the Board required under the Water (Prevention and Control of Pollution) Act, 1974 and the Air (Prevention and Control of Pollution) Act, 1981, immediately.
3. The Environmental Engineer, Punjab Pollution Control Board, RO, SAS Nagr shall keep a vigil on the operation of the industry, during the period upto 31/3/2023, if the industry is found in operation, then sent the report immediately.

Visit on 28.03.2023

The industry was visited by the officer of the Board on 28.03.2023 and observed that the industry was in operation in contravention of decision of hearing dated 13.03.2023



Directions issued

Thereafter, industry was issued following directions u/s 33-A of the Water Act, 1974 vide letter no. 2767-68 dated 21/4/2023:

1. The industry shall take all necessary steps to close down its operations and stop forthwith discharging any effluents/ wastewater into sewer/ into storm water drain/ inland surface water/ onto land for stagnation/ irrigation or through any mode.
2. The industry shall stop forthwith discharging any effluent/ emissions from its industrial premises or through any mode.
3. The industry will immediately stop its activities and will not restart the same unless all necessary water and air pollution control measures are taken and it obtains valid consents to operate of the Board as required under the provisions of the Water (Prevention & Control of Pollution) Act 1974 and the Air (Prevention & Control of Pollution) Act, 1981.
4. The Punjab State Power Corporation Ltd. authorities shall be directed to disconnect the supply of electricity available to the industry.
5. DG set installed by the industry shall be sealed.

Disconnection of power supply

The electricity supply of the industry was disconnected vide TDCO no. 100021386075 dated 10.05.2023.

Application for fresh consents

The industry has applied for fresh consent to operate on 27.04.2023 under the Water (Prevention and Control of Pollution) Act, 1974 and the Air (Prevention and Control of Pollution) Act, 1981 and the same are under consideration of the Board.

Conclusion

The Punjab Pollution Control Board is taking appropriate action against M/s AKUMS Life science Ltd., Village Sundran, Tehsil Dera Bassi, District Mohali from time to time for violation of environmental norms. The Punjab Pollution Control Board shall ensure the compliance of the provisions of the environmental laws from time to time.



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(Aashika Jain, IAS)
Deputy Commissioner, SAS Nagar