

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

M.A. No. 88/2023

in

O.A. No. 116/2023

**In the matter of:**

Gopal Sharma

.....Applicant

Versus

State of H.P. & ors.

....Respondents

**Report of Himachal Pradesh State Pollution Control Board  
(HPPCB) in compliance to the order dated 15.02.2024.**

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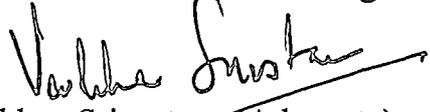
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Dated: 21/5/2024

Filed through  
  
 Sh. Vaibhav Srivastava (Advocate)  
 K-6 LGF, Jungpura Extension  
 New Delhi 110014  
 Ph. 9599314169

**Report of Himachal Pradesh State Pollution Control Board (HPSPCB) in compliance of the order dated 15.02.2024 passed in M.A. No. 88 of 2023 in O.A. No. 116/2023; Gopal Sharma V/s State of H.P. & Ors.**

**1. Background and Orders of Hon'ble National Green Tribunal:**

A Supplementary Report in the matter related to violation of environmental norms by a Pharmaceutical Company namely M/s Acme Formulation Ltd in OA No. 116/2023; Gopal Sharma V/s State of HP & Ors. was filed by Regional Officer, HPSPCB, in terms of the directions of Hon'ble Tribunal contained in the Order 15/12/2023. The said report was found to be deficient by the Hon'ble National Green Tribunal, on the following issues:

- i. Details of water intake by the unit.
- ii. Details of effluent generated from the unit.
- iii. Details of the ETP/STP that was established to treat the above effluent.
- iv. Details of upgradation of the ETP to treat the additional waste water that is generated on account of proposed expansion.
- v. Quantity of effluent that is being transported to the CETP from 21.11.2023.
- vi. Quantity and details of treated waste water that is utilized/discharged prior to 21.11.2023.
- vii. In the Consent to Operate dated 02.01.2024 the typographical error indicated at the table titled details of "effluent treatment plant to be rectified".
- viii. Waste water quality analysis to indicate the analysis report of various pollutant chemicals and other pharmaceutical compounds used by the units both at inlet and outlet point.
- ix. The HSPCB will also provide details of the CETP which is treating the effluent transported from the unit. The capacity of the CETP and water quality analysis.

The following directions were made by Hon'ble National Green Tribunal vide order dated 15/02/2024 :

*"3. Hence, we direct the State PCB to file a fresh detail report covering the above aspect within a period of four weeks. It will also be open to respondent No. 4 to file objection/response to the said report with two weeks thereafter."*

**2. Compliance of the Orders of Hon'ble National Green Tribunal:**

The directions were also issued by Member Secretary, HPSPCB vide letter dated 22/02/2024, to Regional Officer, Baddi, for compliance of the Orders of Hon'ble National Green Tribunal.

Accordingly, in compliance to the Orders of Hon'ble NGT and aforesaid direction received from the Member Secretary, HPSPCB, the detailed report covering all the points/aspects of Hon'ble National Green Tribunal with regard to the Industrial Unit under reference namely M/s Acme formulation Pvt. Limited is submitted as follows:

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## Detailed and Point-wise Report by Regional Officer, Baddi, HSPCB

### 2.1. Consent Status:

The unit M/s Acme formulation Pvt. Limited is located at Gogharwal, Ropar Road Nalagarh, Tehsil Nalagarh, Distt. Solan (HP). The unit have been engaged in the pharmaceutical formulation for the manufacturing of tablets and capsules. The Consent to Operate (CTO) granted to the Unit by HPSPCB under the Provision of Water Act, 1974 and Air Act, 1981 were renewed for the period from 01/04/2022 to 31/03/2027 vide Consent No. CTO/BOTH/RENEW/RO/2022/6580249 dated 01/11/2022 in response to the Application no. 6580249 (**Annexure-1**). The Unit was permitted to produce 1033300000 Nos. Capsules and 10666600000 Nos. Tablets as per above CTO granted by HPSPCB.

Further, the Unit has implemented expansion after obtaining the Consent to Establish (CTE) for the following capacity of Capsules and Tablets: Capsules: 1,03,33,00,000(Existing) + 30,00,00,000 (Additional)= Total 1,33,33,00,000 Nos; Tablets : 10,66,66,00,000 (Existing) + 1,00,00,00,000 (Additional) = Total 11,66,66,00,000 Nos, besides additions in Utility Section such as DG Set and Boiler etc. The consent to operate (CTO) for the above capacity after expansion has been granted by HPSPCB vide Consent No. CTO/BOTH/EXPANSION/RO/2024/8247329 for the period from 20/05/2023 to 31/03/2024 (**Annexure-2**).

The authorization under Hazardous Waste Management Rules, 2016 granted to the Unit by HPSPCB is valid till 31.03.2027 copy **Annexed as Annexure-3**.

### 2.2 Details of Water Intake by the Unit:

The fresh water is used by the Unit in various process steps namely mixing purpose, washing of vessels, floors, cooling purpose and also for domestic purpose.

The Unit has installed one bore-well (**Photograph 1 of Annexure-A**) with water extraction capacity of 72 m<sup>3</sup>/Day, after obtaining the permission of Himachal Pradesh Ground Water Authority, Shimla vide No.HPGWA-EU-27099 of 2021-22 dated 29.12.2021 (**Annexure-4**).

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The total maximum fresh water requirement of the Unit before and after inspection is 26 m<sup>3</sup>/day and 72 m<sup>3</sup>/day respectively, the break-up of which is summarized in the following Table 1:

**Table 1: Details of total water requirement in the plant before and after expansion:**

S. No.	Process/Section	Before Expansion(m <sup>3</sup> /day)	After Expansion(m <sup>3</sup> /day)
1	Industrial process	9	12
2	Boiler Cooling/industrial Cooling	11	30
3	Domestic purpose	6	30

The Unit has provided water meters for recording the quantity of the water abstracted from the borewell (Photograph 2 of Annexure-A). The examination of the water meter data before and after the expansion of the Unit for the last three years (2021-22, 2022-23 and 2023-24) indicates that Unit has been abstracting ground water @ 23- 25 m<sup>3</sup>/day and 50-65 m<sup>3</sup>/day before and after the expansion respectively (Annexure-5). This is within the limit of 72 m<sup>3</sup>/day as per permission granted by Himachal Pradesh Ground Water Authority, Shimla.

### 2.3.Details of effluent generated from the Unit:

The maximum effluent generation from the Unit before and after expansion is 15 m<sup>3</sup>/day and 60 m<sup>3</sup>/day respectively and break-up of the same is given in the following Table 2.

**Table 2:Details of waste water generated from the plant and mode of disposal before and after Expansion.**

S. No.	Process/Section	Before Expansion		After Expansion	
		Waste water generated (m <sup>3</sup> /day)	Mode of Disposal	Waste water generated (m <sup>3</sup> /day)	Mode of Disposal
1	Industrial process	8	Gardening	15	CETP, Baddi
2	Boiler Cooling/industrial Cooling	3	Gardening	25	CETP, Baddi
3.	Domestic purpose	4	Gardening	20	CETP Baddi
<b>Total</b>		<b>15</b>		<b>60</b>	

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The Unit has provided flow meter for recording the quantity of the waste water generation and disposal (Photograph 3 of Annexure-A). *The examination of the waste water flow meter data before and after the expansion of the Unit for the last three years (2021-22, 2022-23 and 2023-24) indicates that Unit has been generating waste water @ 15- 16 m<sup>3</sup>/day and 35-38 m<sup>3</sup>/day before and after the expansion respectively (Annexure-6).* This is within the limit of 15 m<sup>3</sup>/day and 60 m<sup>3</sup>/day before and after expansion respectively, as per Consent to Operate (CTO) granted by HPSPCB.

**2.4. Details of the ETP/STP that was established to treat the above effluent:**

*The Unit had established an ETP cum STP of 20 KLD Capacity based on Physico-Chemical Treatment (Physical Treatment) followed by Secondary Treatment (Aerobic Biological Treatment) and Final Tertiary Treatment, for treatment of around 15 m<sup>3</sup> waste water per day, prior to expansion.*

**The Primary Treatment** involved Effluent Collection, Sewage Collection, Equalization, Flash Mixing cum Flocculation and Primary Clarification. **The Secondary Treatment** involved Biological Treatment in Aerobic Tank followed by Secondary Clarification and Secondary Outlet Tank besides 04 Sludge Drying beds for treatment of excess activated sludge. **The Tertiary Treatment** involved Pressure Sand Filter followed by Activated Carbon Filter and Treated water storage tank. Details of the 20 KLD ETP cum STP along with Flow Chart is attached as Annexure-7.

*The treated effluent was used for Gardening within the premises of the Unit prior to expansion.*

**2.5. Details of upgradation of the ETP to treat the additional waste water that is generated on account of proposed expansion.**

In order to treat the additional water that is generated on account of expansion, *the Unit has upgraded the capacity of existing 20 KLD ETP cum STP to 80 KLD ETP cum STP by incorporating: One additional Primary Clarifier, One additional Aeration Tank, One additional Secondary Clarifier and Two additional Sludge Drying Beds.*

The component wise details of upgraded 80 KLD ETP cum STP, clearly showing the additions made to upgrade the capacity from 20 KLD to 80 KLD, are summarized in the following Table 3.

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**Table 3: Component wise details of 80 KLD ETP cum STP, showing additions made in the existing 20 KLD ETP cum STP, to treat additional waste water generated on account of Expansion.**

S.No.	Component	Existing ETP cum STP (20 KLD)	New additions made to upgrade the existing 20 KLD ETP cum STP to 80 KLD ETP cum STP	Upgraded ETP cum STP (80 KLD)
	Name	Qty/Nos.	Qty/Nos	Qty/Nos
1	Effluent Collection Tank	01		01
2	Sewage Collection Tank	01		01
3	Equalization Tank	02		02
4	Flash Mixer cum Flocculation	01		01
5	Primary Clarifier	02	01	03
6	Aeration Tank	02	01	03
7	Secondary Clarifier	02	01	03
8	Secondary Outlet Tank	01		01
9	Pressure Sand Filter	01		01
10	Activated Carbon Filter	01		01
11	Treated Water Tank	01		01
12	Sludge Drying Beds	04	02	06

In the upgraded 80 KLD ETP cum STP, while sewage is fully treated, whereas Industrial Effluent is given primary treatment and both treated sewage and primary treated Industrial Effluent are mixed and the mixed effluent complying with the standards prescribed for CETP Inlet is sent to the CETP through Tankers for further treatment as per agreement signed by the Unit with the CETP.

The details of the upgraded 80 KLD ETP cum STP along with Capacities of individual components and flow chart of Effluent Treatment process is attached as **Annexure-8**.

#### **2.6. Quantity of effluent that is being transported to the CETP from 21.11.2023:**

The Unit is transporting the entire quantity of effluent generated, to CETP from 21/11/2023, for further treatment. The Unit has installed a new flow meter to record the quantity of effluent that is being transported to CETP and as per flow meter data, *the Unit has transported average 27.3 m<sup>3</sup>/day, 35.4 m<sup>3</sup>/day, 34.3 m<sup>3</sup>/day and 37.8 m<sup>3</sup>/day effluent in the month of November, 2023, December, 2023, January, 2024 and February, 2024 respectively. As per Consent to Operate*

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(CTO) granted to the Unit by HPSPCB, the Unit is permitted to send 60 m<sup>3</sup> effluent/day to CETP.

**2.7. Quantity and details of treated waste water that is utilized/discharged prior to 21.11.2023:**

*The Unit was generating average 15-16 m<sup>3</sup> effluent per day and the entire treated effluent was being used for Gardening, as permitted in the Consent to Operate granted by HPSPCB. Month-wise initial and final reading of the flow meter for the effluent generated during 2021-22, 2022-23 and 2023-24 (Upto October, 2023) along with total effluent generated/month and per day is attached as Annexure-9. No effluent was sent to CETP during this period.*

**2.8. In the Consent to Operate dated 02.01.2024 the typographical error indicated at the table titled details of “effluent treatment plant to be rectified”.**

*The typographical error in the table titled “Details of the Effluent Treatment Plant” has been rectified and the corrigendum issued in this regard is attached as Annexure- 10. Regional Officer, Baddi, HPSPCB has also requested the HPPCB Head Office, Shimla to make necessary changes in the software, to avoid recurrence of this error, in CTOs to be issued in future (Annexure-11).*

**2.9. Waste water quality analysis to indicate the analysis report of various pollutant chemicals and other pharmaceutical compounds used by the units both at inlet and outlet point:**

The grab effluent samples both from the Inlet point (Untreated) and Outlet Point (Treated) of ETP cum STP were taken on 16/03/2024 and analyzed for the applicable Parameters at HPSPCB Laboratory, Parwanoo. The results of the analysis of the samples taken from the Inlet and Outlet Point of ETP cum STP are summarized in the following Table 4:

**Table 4: Results of Analysis for the Samples collected at the Inlet and Outlet of ETP cum STP**

S.No.	Parameters	Units	Results of Analysis		Prescribed Limits (For Outlet of ETP and Inlet of CETP)
			Inlet	Outlet	
1	pH		8.37	8.26	
2	COD	mg/l	2720	1024	1000

1.2 4.2

3	TSS	mg/l	992	137	250
4	Total Phosphate	mg/l	1.86	1.15	5
5	Oil and Grease	mg/l	8.8	4.8	15
6	Phenolic Compounds (as C <sub>6</sub> H <sub>5</sub> OH)	mg/l	0.292	BDL	5
7	BOD	mg/l	1100	360	350
8	Arsenic	mg/l	BDL	ND	
9	Hexavalent Chromium	mg/l	BDL	BDL	2
10	Lead	mg/l	BDL	ND	
11	Sulphide	mg/l	1.2	BDL	5
12	Ammonical Nitrogen	mg/l		39.76	50
13	FDS	mg/l		1133	2100

*The Unit was generally found to be complying with the prescribed standards for outlet of ETP (i.e Inlet norms prescribed for CETP) for all the parameters except COD and BOD, which were found to be marginally higher than prescribed norms for Inlet to CETP (COD: 1024 mg/l > 1000 mg/l and BOD: 360 mg/l > 350 mg/l). The necessary instructions have been issued to the unit to comply with the CETP inlet norms notified by the State Board and to submit action taken report within 15 days.*

Further, the Baddi Barotiwala Nalagarh Industrial Association (BBNIA) has filed a petition in the High Court of Shimla (CWP No. 4961 of 2021), wherein the CETP inlet norms as per notification dated 26/12/2019 issued by Govt. of HP (Department of Environment Science & Technology) in compliance of MoEF&CC Notification dated January 1, 2016, have been challenged, taking a plea that the environmental clearance has specified condition of treatment and inlet norms which may be specified by State Pollution Board for units discharging more than 200 KLD and direction has been issued to the State Pollution Control Board Hon'ble High Court vide orders dated 01/09/2021 and 10/11/2021, had directed not to take coercive action against them. The copies of petition filed by the industries, Hon'ble High Court Order dated 1/09/2021 and order dated 10/11/2021 and the reply filed by HPPCB before the Hon'ble High Court are enclosed as **Annexure-12**.

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Earlier prior to discharge of effluent to CETP Baddi unit was fully treating the effluent and was meeting the standards for pharmaceutical industry as notified by the MOEF&CC vide notification dated 06.08.2021. The results of the analysis of the samples taken from the final Outlet Point of ETP cum STP are summarized in the following **Table 5**:

**Table 5: Results of Analysis for the Samples collected at Final Outlet of ETP cum STP prior to discharge of effluent to CETP Baddi**

S.No.	Parameters	Units	Results of Analysis	Prescribed Limits
1	pH		7.79	6.0-8.5
2	COD	mg/l	48.0	250
3	Bio-Assy Test	%	90%	90% survival of fish after first 96 hours in 100 % effluent
4	BOD	mg/l	5.2	30
5	Oil & grease	mg/l	0.0	10
6	Phenolic compounds(C6H5OH)	mg/l	0.0	1
7	TSS	mg/l	65.0	100
8	Ammonical Nitrogen	mg/l	0.0	10
9	Total Phosphate	mg/l	0.05	0
10	SAR	mg/l	0.20	Less than 26
11	Hexavalent Chromium	mg/l	0.0	0.1
12	Zinc	mg/l	0.026	5
13	Total Chromium	mg/l	0.0	2
14	Sulphide	mg/l	0.0	2
15	Lead	mg/l	0.0	0.1
16	Copper	mg/l	0.0	3

**2.10. The HSPCB will also provide details of the CETP which is treating the effluent transported from the unit. The capacity of the CETP and water quality analysis:**

The CETP, Baddi is treating the effluent transported from the Unit. The CETP, Baddi is having a capacity to treat 25 MLD effluent, however, CETP is presently receiving around 18 MLD effluent. The effluent treatment process at CETP Baddi mainly comprised of equalization tank, primary settlers, aeration tanks, reaction tanks, secondary and tertiary clarifiers. The treatment process for each stream is **Annexed as Annexure-13**

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The grab sample of CETP Outlet was also taken on 19/03/2024 and analyzed at HPSPCB Laboratory, Parwanoo. The results of analyses as received from HPSPCB Laboratory, Parwanoo are summarized in following Table 6:

**Table 6: Results of Analysis for the Samples collected from the final outlet of CETP, Baddi.**

S.No.	Parameters	Units	Results	Prescribed Limits
1	pH		7.56	6.0-9.0
2	COD	mg/l	192	250
3	Bio-assay Test	%	0	90-100
4	BOD	mg/l	22	30
5	Sulphide	mg/l	BDL	2
6	TSS	mg/l	91	100
7	Fluoride	mg/l	0.36	2
8	Ammonical Nitrogen	mg/l	46.48	50
9	Total Phosphate	mg/l	0.53	5
10	FDS	mg/l	1405	2100
11	Arsenic	mg/l	BDL	0.2
12	Hexavalent Chromium	mg/l	BDL	0.1
13	Cadmium	mg/l	BDL	0.05
14	Iron	mg/l	0.680	3
15	Nickel	mg/l	BDL	3
16	Zinc	mg/l	0.490	5
17	Lead	mg/l	BDL	0.1
18	Oil and Grease	mg/l	1.6	10
19	Phenolic Compounds (as C <sub>6</sub> H <sub>5</sub> OH)	mg/l	BDL	1

*The CETP, Baddi was found to be complying with the prescribed limits for all the parameters except Bio-assay Test.*

The above detailed report covering all the aspects of the Order dated 15/02/2024, in the matter of M.A. No. 88/2023 in O.A. No. 116/2024, is being filed for the consideration of Hon'ble National Green Tribunal.

Dated: 01.04.2024

  
 Chief Environmental Engineer  
 HPSPCB, Regional Office Baddi

1.2



## H.P.STATE POLLUTION CONTROL BOARD

HIM PARIVESH, PHASE-III, NEW SHIMLA-171009

HPSPCB No : 1759

Date: 01/11/2022

Industry Registration ID: 10290

Application No : 6580249

To,

Acme Formulation Private Limited  
Ghogarwal, Ropar Road, Nalagarh Tehsil Nalagarh, District Solan, H.P.Ghogarwal  
Nalagarh  
Solan Baddi  
174101

Subject: Renewal of 'Consent to Operate' u/s 25/26 of Water (Prevention & Control of Pollution) Act, 1974 and u/s 21 of Air (Prevention & Control of Pollution) Act, 1981.

With reference to your application for obtaining Renewal of 'Consent to Operate' u/s 25/26 of Water (Prevention & Control of Pollution) Act, 1974 and u/s 21 of Air (Prevention & Control of Pollution) Act, 1981, you are hereby, authorized to operate an industrial unit subject to the Terms and Conditions as mentioned in this Consent letter.

### 1.Particulars of Consent to Operate under Water Act, 1974 and Air Act, 1981 granted to the industry

Consent No.	CTO/BOTH/RENEW/RO/2022/6580249
Consent valid from:	01/04/2022
Consent valid upto:	31/03/2027
Certificate Type :	RENEW
Previous CTE/CTO No. & Validity :	

### 2. Particulars of the Industry

Name & Designation of the Applicant	Viral Shah, (Managing Director)
Address of Industrial premises	Acme Formulation Private Limited, Ghogarwal, Ropar Road, Nalagarh Tehsil Nalagarh, District Solan, H.P.Ghogarwal, Nalagarh,Solan Baddi-174101
Capital Investment of the Industry	3440.92 lakhs
Category of Industry	Orange
Type of Industry	2074-Pharmaceutical formulation and for R & D purpose (For sustained release/ extended release of drugs and not for commercial purpose)
Scale of the Industry	Large
Office District	Solan Baddi
Capacity	RCTO

Raw Materials (Name with quantity per day)

Raw Materials	Quantity	Unit
API	600	M.T./Year
Excipients	500	M.T./Year
Solvents	50	K.L./Year

Products (Name with quantity per day)

Name of Products	Unit	Quantity	Intermediate Product	Principal Use
Capsules	Number/Year	1033300000	NA	Pharmaceutical
Tablet	Number/Year	10666600000	NA	Pharmaceutical

Details of the Effluent Treatment Plant

Type of Effluent	Capacity	Quantity
ETP-cum-STP	20 KLD	1 KLD

Mode of Disposal

Description	Quantity(in KLD)	Method of Treatment	Method of Disposal
Domestic	4	ETP-cum-STP	Irrigation/Gardening
Industrial Process	8	ETP-cum-STP	Other
Boiler Cooling	3	ETP-cum-STP	Other

Quantity of fuel required (in TPD) and capacity of boilers/ Furnace/Thermo heater etc.

Type	No.of Boiler/'Heater /Evaporator/Incinerator/D G Set/Other	Capacity	Type of Boiler/'Heaters/Evaporators/Incinerator/D G Sets/Others	Type of Fuel	Fuel consumption rate in MT/hour or KL/hour or M3 /hour
Boilers	01	1 MT	Shell and Tube	HSD	50 Ltr/Hr
DG Sets	01	500 KVA	Silent Radiator Cooled	HSD	90 Ltr/Hr
DG Sets	01	350 KVA	Silent Radiator Cooled	HSD	70 Ltr/Hrs
Boilers	01	850 Kg/Hr (Removed)	Shell and Tube	HSD	40 Ltr/Hr

Type of Air Pollution Control Devices installed

Equipment Type	Equipment Name	Date/proposed date of installation	Efficiency(% reduction)	Final concentration of pollution being emitted
Wet Scrubber	Boilers	Sat Jan 01 00:01:00 IST 2022	99 %	PM:- 12.50 mg/Nm <sup>3</sup> , SO <sub>2</sub> :- 4.2 mg/Nm <sup>3</sup> , Nox:- 18.2 mg/Nm <sup>3</sup> , CO:- <0.2 % VN, O <sub>2</sub> :- 19.8 %, CO <sub>2</sub> :- 2.0 %
Acoustic Enclosure	DG Sets	Sat Jan 01 00:01:00 IST 2022	90 %	52.2 dB



Apoorv Devgan, IAS  
Member Secretary  
For & on behalf of  
( H. P. State Pollution Control Board)

Endst. No.:

Copy To:-

1. The Regional Officer, HPSPCB, Baddi for information and to ensure the operation of the unit as per consent conditions & with adequate pollution control devices.



Digitally signed  
by APOORV  
DEVGAN  
Date: 2022.11.14  
22:51:35 +05'30'

Apoorv Devgan, IAS  
Member Secretary  
For & on behalf of  
( H. P. State Pollution Control Board)

## TERMS AND CONDITIONS

### A. SPECIFIC CONDITIONS

1. This 'Renewal of Consent to Operate' is only for the purpose and under the provision of Water Act, 1974 and Air Act, 1981 as the case may be, and will not construed as substitute for mandatory clearances required for the project under any other law/regulation/direction/order and the applicant shall obtain any such mandatory clearance before taking any steps to establish industry/ industrial plant, operation or process or any treatment and disposal system or an extension or addition thereto.
2. Nothing in this Consent shall be deemed to neither preclude the institution of any legal action nor relieve the applicant from any responsibilities, liabilities or penalties to which the applicant is or may be subjected to under this or any other Act.
3. The unit shall apply for further renewal/extension in the validity of the Consent, before the expiry of this 'Renewal of Consent to Operate'.
4.
  - i) The unit shall ensure compliance of Waste Management Rules i.e. Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016/ Plastic Waste Management Rules, 2016/ E-Waste (Management) Rules, 2016/Construction & Demolition Waste Management Rules, 2016 and Manufacture, Storage & Import of Hazardous Chemical Rules, 1989 and provisions made thereunder, as amended from time to time, without any adverse effect on the environment, in any manner (As Applicable).
  - ii) The unit shall made provisions for the compliance Solid Waste Management Rules, 2016 and provisions made thereunder and unit shall also not practice burning activity of solid waste/waste generated from fuel within/outside premises, to avoid public nuisance.
5. This 'Renewal of Consent to Operate' is for:-
  - i) The emissions from all sources conforming to the norms as prescribed in Schedule-I of Environment (Protection) Rules, 1986 as amended from time to time.
  - ii) Noise and Ambient Air Quality shall be maintained within Ambient Air Quality Standards for noise as specified in Schedule-III of Environment (Protection) Rules, 1986 and Noise Pollution (Regulation and Control) Rules, 2000, as amended from time to time.
  - iii) The effluent (Domestic/Industrial) shall conform to the limits as prescribed in Schedule-I or Schedule-VI or Industry specific standards of Environment (Protection) Rules, 1986 as amended from time to time.
  - iv) Sewage and sullage generated from the unit to be disposed-off in a properly designed septic tank system/Sewage Treatment Plant/ Public Sewer System (as applicable).
6. The unit shall ensure regular operation and maintenance of Pollution Control Devices to achieve the norms as prescribed in Environment (Protection) Act, 1986 and the achievement of the adequacy and efficiency of the effluent treatment plant/pollution control devices/re-circulation system installed shall be the entire responsibility of the unit.
7. The unit shall ensure regular operation and maintenance of separate energy meter/flow meter for running pollution control devices and shall also maintain record with respect to operation of air pollution control device/effluent treatment plant, so as to the satisfy the Board regarding the regular operation of air pollution control device/effluent treatment plant and shall maintain log book for the monthly reading / record.
8. **CONDITIONS UNDER WATER (PREVENTION & CONTROL OF POLLUTION) ACT, 1974.**
  - a) The unit shall maintain the record regarding the daily water consumption as per flow meter installed.
  - b) The unit shall ensure that terminal manhole(s) at the end of each collection system and a manhole upstream of final outlet (s) out of the premises of the industry for measurement of flow and for taking samples.

- c) The pollution control devices shall be interlocked with the manufacturing process of the industry (if applicable) and the authorized outlet and mode of disposal shall not be changed without the prior written permission of the Board. Unit shall not use any unauthorized out-let(s) for discharging effluents from its premises.
- d) Solids, sludge, filter backwash or other pollutant removed from or resulting from treatment or control of waste waters shall be disposed-off in scientific manner.
9. **CONDITIONS UNDER AIR (PREVENTION & CONTROL OF POLLUTION) ACT, 1981.**
- a) The unit shall ensure port-holes, platforms and/or other necessary facilities as may be required for collecting samples of emissions from any chimney, flue or duct or any other outlets as per the specifications.
- b) The unit shall discharge air emissions through a stack of minimum height as specified in 'Consent to Establish' and shall follow standards laid down from time to time.
- c) For industrial furnaces and kilns, the criteria for selection of stack height would be based on fuel used for the corresponding steam generation & as per specification.
- d) Unit shall ensure Stack height for diesel generating sets as per specification.
- e) The unit shall ensure regular operation and maintenance of installed canopy and stack of the D.G sets so as to control the noise & air pollution in order to comply with the provision of notification No GSR-371 E dated 17-5-2002 or direction as issued by MOEF from time to time, under Environment (Protection) Act, 1986.
- f) The unit shall ensure disposal of boiler ash/fuel ash through authorized person or within premises in a scientific manner (as the case may be) and shall maintain proper record for the same, if applicable.
- g) The unit shall ensure regular operation and maintenance of air pollution control arrangements for control emission from its coal/fuel handling area and from handling, transportation and processing of raw material & product of the industry.
10. The unit shall ensure valid and approved on-site and off-site emergency plan, approved by the Chief Inspector of Factories, Himachal Pradesh (If applicable).
11. The unit shall ensure regular operation and maintenance of real time online monitoring equipment's and provisions for the un-interrupted transfer of data as per guidelines of CPCB (if applicable).
12. The unit shall provide adequate arrangements for fighting the accidental leakages/ discharge of any air pollutant/gas/liquids from the vessels, mechanical equipment's etc. which are likely to cause environmental pollution.
13. The unit shall plant & maintain minimum three layer of trees so far possible as per plantation guide (may be download from the website <http://hppcb.nic.in/plantationguide.pdf>) all along the boundary of the industrial premises and check air/water/noise pollution at source.
14. Any guidelines issued by the Central Government/State Government/MoEF/CPCB/SPCB/any other authority concerned, shall be binding.
15. This 'Renewal of Consent to Operate' is subject to orders on any litigation pending in any Court of Law. Any direction/order issued by any court shall be binding (if any).
16. The Board reserves the right to revoke the 'Renewal of Consent to Operate' granted to the industry at any time, in case the industry is found violating the provisions of Water (Prevention & Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981 as amended from time to time.
17. The unit shall comply with any other conditions laid down or directions issued in due course by the Board under the provisions of the Water (Prevention & Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981.
- B. OTHER CONDITIONS**
1. The unit shall comply with the conditions imposed by the MoEF/State Level Environment Impact Assessment Authority/ District Level Environment Impact Assessment Authority in the environmental clearance granted to it as required under EIA notification dated 14-9-06, if applicable.

2. The issuance of this consent does not convey any property right in either real or personal property, or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of Central, State or Local Laws or Regulations.
3. Stone Crusher units shall comply with the provisions of guidelines notified by the State Government vide Notification No. STE-E(3)-11/2012, dated 29-05-2014 (If Applicable).
4. Brick Kiln units shall comply with the provisions of guidelines notified by the MoEF vide Notification No. G.S.R.233.(E), dated-15-03-2018 and by the State Government vide Notification No. STE-E(5)-6/2013, dated-07-03-2014 (If Applicable).
5. Hydroelectric Projects shall install Online Real Time Monitoring System for the measurement of 15% of minimum discharge in lean season as per orders of Court/Government. The unit shall also ensure provisions for the regular and uninterrupted transfer of data from the real time online monitoring system for 15% of minimum discharge of flow to SPCB, failing which unit shall be liable for action on account of violation of the directions issued by Court/Government/SPCB in this regard (If Applicable).
6. Unit shall strictly adhere to the capacity approved by the Industries Department/ Department of Tourism & Civil Aviation/any other concerned Authority (As Applicable).
7. The unit shall not cause any nuisance/traffic hazard in vicinity of the area.
8. The unit shall ensure that there will not be significant visible dust emissions beyond the property line.
9. The unit shall obtain and submit Insurance cover as required under the Public Liability Insurance Act, 1991.
10. Unit shall submit all the annual/quarterly returns, as per timeline.
11. The industry shall submit a yearly certificate to the effect that no addition/up-gradation/modification/ modernization has been carried out during the previous year otherwise the industry shall apply for the varied consent.
12. The unit shall maintain record regarding the operation of effluent treatment plant i.e. record of quantity of chemicals and energy utilized for treatment and sludge generated from treatment so as to satisfy the Board regarding regular and proper operation of pollution control equipment.
13. Any amendments/revisions made by the Board/CPCB/MOEF in the emission/stack height standards shall be applicable to the industry from the date of such amendments/revisions.

### C. SPECIAL CONDITIONS

1. The Unit shall neither change the type of products nor shall exceed the production beyond the approved capacity without obtaining consent of the state Board.
2. This consent of the State Board shall be only for the purpose and under the provisions of the Water Act, 1974, Air Act, 1981 shall not be considered as substitute or pre-requisite clearances required from other departments.
3. This consent is subject to ratification of State Board or any litigation pending at any Court of Law.
4. Pollution Control devices provided by the unit shall comply with norms as prescribed under Environment protection rules, 1986
5. Regional Officer to ensure that unit doesn't attract the provisions of EIA, 2006.
6. Unit shall comply with the fuel policy of the State Government as notified from time to time and as per various directives of the Hon'ble National Green Tribunal for use of fuel in the unit furnace.
7. Unit shall submit action plan duly endorsed by UDD Govt. of HP within 8 weeks from the date of notification of SOP/EPR framed by the UD Department Govt. of HP failing which this consent so granted shall be deemed withdrawn and further regulatory action shall be taken.

By Order  
Member Secretary



( H. P. State Pollution Control Board)



## H.P.STATE POLLUTION CONTROL BOARD

HIM PARIVESH, PHASE-III, NEW SHIMLA-171009

HPSPCB No : 1759

Date: 02/01/2024

Industry Registration ID: 10290

Application No : 8247379

To,

Acme Formulation Private Limited  
Ghogarwal, Ropar Road, Nalagarh Tehsil Nalagarh, District Solan, H.P.Ghogarwal  
Nalagarh  
Solan Baddi  
174101

Subject: Consent to Operate (Expansion) u/s 25/26 of Water (Prevention & Control of Pollution) Act, 1974 and u/s 21 of Air (Prevention & Control of Pollution) Act, 1981.

With reference to your application for obtaining 'Consent to Operate (Expansion)' u/s 25/26 of Water (Prevention & Control of Pollution) Act, 1974 and u/s 21 of Air (Prevention & Control of Pollution) Act, 1981, you are hereby, authorized to operate an industrial unit subject to the Terms and Conditions as mentioned in this Consent letter.

### 1.Particulars of Consent to Operate (Expansion) under Water Act, 1974 and Air Act, 1981 granted to the industry

Consent No.	CTO/BOTII/EXPAN/RO/2024/8247379
Date of issue :	20/05/2023
Date of expiry :	31/03/2024
Certificate Type :	EXPAN
Expansion Cost :	1926.05
Previous CTE/CTO No. & Validity :	

### 2. Particulars of the Industry

Name & Designation of the Applicant	Viral Shah, (Managing Director)
Address of Industrial premises	Acme Formulation Private Limited, Ghogarwal, Ropar Road, Nalagarh Tehsil Nalagarh, District Solan, H.P.Ghogarwal, Nalagarh,Solan Baddi-174101
Capital Investment of the Industry	3440.92 lakhs
Category of Industry	Orange
Type of Industry	2074-Pharmaceutical formulation and for R & D purpose (For sustained release/ extended release of drugs and not for commercial purpose)
Scale of the Industry	Large
Office District	Solan Baddi
Capacity	

Raw Materials (Name with quantity per day)

Raw Materials	Quantity	Unit
Excipients	500	M.T./Year
Solvent	50	K.L./Year
API	600	M.T./Year

Products (Name with quantity per day)

Name of Products	Unit	Quantity	Intermediate Product	Principal Use
Tablets (Existing)	Number/Year	10666600000	NA	Pharmaceutical
Capsules (Existing)	Number/Year	1033300000	NA	Pharmaceutical
Capsules (Proposed)	Number/Year	300000000	NA	Pharmaceutical
Tablets (Proposed)	Number/Year	1000000000	NA	Pharmaceutical

Details of the Effluent Treatment Plant

Type of Effluent	Capacity	Quantity
ETP-cum-STP	60(Proposed) KLD	1 KLD
ETP-cum-STP	20(Existing) KLD	1 KLD

Mode of Disposal

Description	Quantity(in KLD)	Method of Treatment	Method of Disposal
Domestic	20	ETP	CETP
Boiler Cooling	25	ETP	CETP
Industrial Process	15	ETP	CETP

Quantity of fuel required (in TPD) and capacity of boilers/ Furnace/Thermo heater etc.

Type	No.of Boiler/'Heater /Evaporator/Incinerator/D G Set/Other	Capacity	Type of Boiler/'Heater s/Evaporators /Incinerator/D GSets/Others	Type of Fuel	Fuel consumption rate in MT/hour or KL/hour or M3 /hour
Boilers	01	1 MT (Existing)	Shell and Tube	HSD	50 Ltr/hr
DG Sets	01	500 KVA (Proposed)	Silent Radiator Cooled	HSD	90 Ltr/Hrs
DG Sets	01	500 KVA (Existing)	Silent Radiator Cooled	HSD	90 Ltr/Hrs
DG Sets	01	350 KVA (Existing)	Silent Radiator Cooled	HSD	70 Ltr/Hr
Boilers	01	1.5 MT (Existing)	Shell and Tube	Briquettes	180 Kg/Hr

## Type of Air Pollution Control Devices installed

Equipment Type	Equipment Name	Date/proposed date of installation	Efficiency(%reduction)	Final concentration of pollution being emitted
Wet Scrubber	Boilers	Fri Jan 01 00:01:00 IST 2021	99 %	PM:- 12.50 mg/Nm <sup>3</sup> , SO <sub>2</sub> :- 4.2 mg/Nm <sup>3</sup> , Nox:- 18.2 mg/Nm <sup>3</sup> , CO:- <0.2 %VN, O <sub>2</sub> :- 19.8 %, CO <sub>2</sub> :- 2.0 %
Acoustic Enclosure	DG Sets	Fri Jan 01 00:01:00 IST 2021	90 %	52.2 dB



Approved By  
Chairman  
( H. P. State Pollution Control Board)

**Endst. No.:**

Copy To:-

1. The Regional Officer, HPSPCB, Baddi for information and to ensure the operation of the unit as per consent conditions & with adequate pollution control devices.



**RAM KUMAR GAUTAM** Digitally signed by  
RAM KUMAR GAUTAM  
Date: 2024.01.02  
17:25:29 +05'30'

**Ram Kumar Gautam, IAS**  
**Member Secretary**  
**For & on behalf of**  
**( H. P. State Pollution Control Board)**

## TERMS AND CONDITIONS

### A. SPECIFIC CONDITIONS

1. This 'Consent to Operate (Expansion)' is only for the purpose and under the provision of Water Act, 1974 and Air Act, 1981 as the case may be, and will not construed as substitute for mandatory clearances required for the project under any other law/regulation/direction/order and the applicant shall obtain any such mandatory clearance before taking any steps to establish industry/ industrial plant, operation or process or any treatment and disposal system or an extension or addition thereto.
2. Nothing in this Consent shall be deemed to neither preclude the institution of any legal action nor relieve the applicant from any responsibilities, liabilities or penalties to which the applicant is or may be subjected to under this or any other Act.
3. The unit shall apply for further renewal/extension in the validity of the Consent, before the expiry of this 'Consent to Operate (Expansion)'.
4.
  - i) The unit shall ensure compliance of Waste Management Rules i.e. Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016/ Plastic Waste Management Rules, 2016/ E-Waste (Management) Rules, 2016/Construction & Demolition Waste Management Rules, 2016 and Manufacture, Storage & Import of Hazardous Chemical Rules, 1989 and provisions made thereunder, as amended from time to time, without any adverse effect on the environment, in any manner (As Applicable).
  - ii) The unit shall made provisions for the compliance Solid Waste Management Rules, 2016 and provisions made thereunder and unit shall also not practice burning activity of solid waste/waste generated from fuel within/outside premises, to avoid public nuisance.
5. This 'Consent to Operate (Expansion)' is for:-
  - i) The emissions from all sources conforming to the norms as prescribed in Schedule-I of Environment (Protection) Rules, 1986 as amended from time to time.
  - ii) Noise and Ambient Air Quality shall be maintained within Ambient Air Quality Standards for noise as specified in Schedule-III of Environment (Protection) Rules, 1986 and Noise Pollution (Regulation and Control) Rules, 2000, as amended from time to time.
  - iii) The effluent (Domestic/Industrial) shall conform to the limits as prescribed in Schedule-I or Schedule-VI or Industry specific standards of Environment (Protection) Rules, 1986 as amended from time to time.
  - iv) Sewage and sullage generated from the unit to be disposed-off in a properly designed septic tank system/Sewage Treatment Plant/ Public Sewer System (as applicable).
6. The unit shall ensure regular operation and maintenance of Pollution Control Devices to achieve the norms as prescribed in Environment (Protection) Act, 1986 and the achievement of the adequacy and efficiency of the effluent treatment plant/pollution control devices/re-circulation system installed shall be the entire responsibility of the unit.
7. The unit shall ensure regular operation and maintenance of separate energy meter/flow meter for running pollution control devices and shall also maintain record with respect to operation of air pollution control device/effluent treatment plant, so as to the satisfy the Board regarding the regular operation of air pollution control device/effluent treatment plant and shall maintain log book for the monthly reading / record.
8. **CONDITIONS UNDER WATER (PREVENTION & CONTROL OF POLLUTION) ACT, 1974.**
  - a) The unit shall maintain the record regarding the daily water consumption as per flow meter installed.
  - b) The unit shall ensure that terminal manhole(s) at the end of each collection system and a manhole upstream of final outlet (s) out of the premises of the industry for measurement of flow and for taking samples.

- c) The pollution control devices shall be interlocked with the manufacturing process of the industry (if applicable) and the authorized outlet and mode of disposal shall not be changed without the prior written permission of the Board. Unit shall not use any unauthorized out-let(s) for discharging effluents from its premises.
- d) Solids, sludge, filter backwash or other pollutant removed from or resulting from treatment or control of waste waters shall be disposed-off in scientific manner.
9. **CONDITIONS UNDER AIR (PREVENTION & CONTROL OF POLLUTION) ACT, 1981.**
- a) The unit shall ensure port-holes, platforms and/or other necessary facilities as may be required for collecting samples of emissions from any chimney, flue or duct or any other outlets as per the specifications mentioned in 'Consent to Establish'.
- b) The unit shall discharge air emissions through a stack of minimum height as specified in 'Consent to Establish' and shall follow standards laid down from time to time.
- c) For industrial furnaces and kilns, the criteria for selection of stack height would be based on fuel used for the corresponding steam generation & as per specification.
- d) Unit shall ensure Stack height for diesel generating sets as per specification mentioned in 'Consent to Establish'.
- e) The unit shall provide proper and adequate air pollution control arrangements for control emission from its coal/fuel handling area and emissions from handling, transportation and processing of raw material & product of the industry, as applicable.
- f) The unit shall ensure regular operation and maintenance of installed canopy and stack of the D.G sets so as to control the noise & air pollution in order to comply with the provision of notification No GSR-371 E dated 17-5-2002 or direction as issued by MOEF from time to time, under Environment (Protection) Act, 1986.
- g) The unit shall ensure disposal of boiler ash/fuel ash through authorized person or within premises in a scientific manner (as the case may be) and shall maintain proper record for the same, if applicable.
- h) The unit shall ensure that terminal manhole(s) at the end of each collection system and a manhole upstream of final outlet (s) out of the premises of the industry for measurement of flow and for taking samples.
10. The unit shall ensure valid and approved on-site and off-site emergency plan, approved by the Chief Inspector of Factories, Himachal Pradesh (If applicable).
11. The unit shall ensure regular operation and maintenance of real time online monitoring equipment's and provisions for the un-interrupted transfer of data as per guidelines of CPCB (if applicable).
12. The unit shall provide adequate arrangements for fighting the accidental leakages/ discharge of any air pollutant/gas/liquids from the vessels, mechanical equipment's etc. which are likely to cause environmental pollution.
13. The unit shall plant & maintain minimum three layer of trees so far possible as per plantation guide (may be download from the website <http://hppcb.nic.in/plantationguide.pdf>) all along the boundary of the industrial premises and check air/water/noise pollution at source.
14. Any guidelines issued by the Central Government/State Government/MoEF/CPCB/SPCB/any other authority concerned, shall be binding.
15. This 'Consent to Operate (Expansion)' is subject to orders on any litigation pending in any Court of Law. Any direction/order issued by any court shall be binding (if any).
16. The Board reserves the right to revoke the 'Consent to Operate (Expansion)' granted to the industry at any time, in case the industry is found violating the provisions of Water (Prevention & Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981 as amended from time to time.
17. The unit shall comply with any other conditions laid down or directions issued in due course by the Board under the provisions of the Water (Prevention & Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981.

**B. OTHER CONDITIONS**

1. The unit shall comply with the conditions imposed by the MoEF/State Level Environment Impact Assessment Authority/ District Level Environment Impact Assessment Authority in the environmental clearance granted to it as required under EIA notification dated 14-9-06, if applicable.
2. The issuance of this consent does not convey any property right in either real or personal property, or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of Central, State or Local Laws or Regulations.
3. Stone Crusher units shall comply with the provisions of guidelines notified by the State Government vide Notification No. STE-E(3)-11/2012, dated 29-05-2014 (If Applicable).
4. Brick Kiln units shall comply with the provisions of guidelines notified by the MoEF vide Notification No. G.S.R.233.(E), dated-15-03-2018 and by the State Government vide Notification No. STE-E(5)-6/2013, dated-07-03-2014 (If Applicable).
5. Hydroelectric Projects shall install Online Real Time Monitoring System for the measurement of 15% of minimum discharge in lean season as per orders of Court/Government. The unit shall also ensure provisions for the regular and uninterrupted transfer of data from the real time online monitoring system for 15% of minimum discharge of flow to SPCB, failing which unit shall be liable for action on account of violation of the directions issued by Court/Government/SPCB in this regard (If Applicable).
6. Unit shall strictly adhere to the capacity approved by the Industries Department/ Department of Tourism & Civil Aviation/any other concerned Authority (As Applicable).
7. The unit shall not cause any nuisance/traffic hazard in vicinity of the area.
8. The unit shall ensure that there will not be significant visible dust emissions beyond the property line.
9. The unit shall obtain and submit Insurance cover as required under the Public Liability Insurance Act, 1991.
10. The unit shall put display Board indicating environmental data in the prescribed format at the main entrance gate.
11. The unit shall maintain record regarding the operation of effluent treatment plant i.e. record of quantity of chemicals and energy utilized for treatment and sludge generated from treatment so as to satisfy the Board regarding regular and proper operation of pollution control equipment.
12. Any amendments/revisions made by the Board/CPCB/MOEF in the emission/stack height standards shall be applicable to the industry from the date of such amendments/revisions.

### C. SPECIAL CONDITIONS

1. The Unit shall neither change the type of products nor shall exceed the production beyond the approved capacity without obtaining consent of the state Board.
2. This consent of the State Board shall be only for the purpose and under the provisions of the Water Act, 1974, Air Act, 1981 shall not be considered as substitute or pre-requisite clearances required from other departments.
3. This consent is subject to ratification of State Board or any litigation pending at any Court of Law.
4. Pollution Control devices provided by the unit shall comply with norms as prescribed under Environment protection rules, 1986
5. Regional Officer to ensure that unit doesn't attract the provisions of EIA, 2006.
6. Unit shall comply with the fuel policy of the State Government as notified from time to time and as per various directives of the Hon'ble National Green Tribunal for use of fuel in the unit furnace.
7. Unit shall ensure compliance under PWMR, 2016.

By Order



Chairman  
( H. P. State Pollution Control Board)



## H.P.STATE POLLUTION CONTROL BOARD

HIM PARIVESH, PHASE-III, NEW SHIMLA-171009.

Ph. No. 0177-2673766,2673276, Fax No. 2673018

HPSPCB/HWMR/10290

Date : 24/09/2022

To, M/s  
Acme Formulation Private Limited  
Ghogarwal, Ropar Road, Nalagarh Tehsil Nalagarh, District Solan, H.P.Ghogarwal  
Nalagarh, Distt.Solan Baddi(HP)

Subject: Renewal of Authorization for operating a facility for generation, storage and disposal of Hazardous Wastes.

1. (a) Number of authorization : SOL-NAL-176  
(b) Period of Authorization : 5 years  
(c) Valid from : 01/04/2022  
(d) Date of Expiry : 31/03/2027

### Details Of Authorization

S.No	Categories/ Waste Streams of Hazardous Waste	Type of Hazardous Waste	Quantity of Hazardous Waste	Mode of Disposal/ recycling/ utilization/ co-processing etc.
1	33. Handling of hazardous chemicals and wastes	33.1 Empty barrels/containers/ iners contaminated with hazardous chemicals /wastes	120 Numbers/year	SSWML TSDF, Dabhota
2	5. Industrial operations using mineral or synthetic oil as lubricant in hydraulic systems or other applications	5.1 Used or spent oil	500 Ltr/year	SSWML TSDF, Dabhota

3	35. Purification and treatment of exhaust air/gases, water and waste water from the processes in this schedule and common industrial effluent treatment plants (CETP's)	35.3 Chemical sludge from waste water treatment	15 MT/year	SSWML TSDF, Dabhota
4	28. Production/formulation of drugs/pharmaceutical and health care product	28.3 Spent carbon	1 MT/year	SSWML TSDF, Dabhota
5	28. Production/formulation of drugs/pharmaceutical and health care product	28.6 Spent solvents	2 KL/year	SSWML TSDF, Dabhota
6	28. Production/formulation of drugs/pharmaceutical and health care product	28.1 Process Residue and	5 MT/year	SSWML TSDF, Dabhota
7	28. Production/formulation of drugs/pharmaceutical and health care product	28.4 Off specification products	40 MT/year	SSWML TSDF, Dabhota
8	28. Production/formulation of drugs/pharmaceutical and health care product	28.5 Date-expired products	10 MT/year	SSWML TSDF, Dabhota

**Recyclable hazardous wastes procured per annum**

S.No	Hazardous Wastes Type	Passbook Type	Quantity	Source (Domestic/Imported)
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Schedule	Name of Process	Name of Process Waste	Passbook Type	Quantity	Mode Of Disposal	Source of generation of waste)
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2. The Authorization/ Renewal of Authorization shall be in force for a period up to 31, March 2027 subject to concurrent validity of the Consent/ Renewal of Consent under Water (Prevention & Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981 or any other authorization required from the State Board.
3. Acme Formulation Private Limited, is hereby granted authorization/ renewal of authorization under Rule 6 of the Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016 of Environment (Protection) Act, 1986 to operate a facility for generation and storage of hazardous waste in the premises situated at above mentioned address.
4. The authorization/ renewal of authorization is subjected to the terms & conditions as given in over leaf. You shall maintain the records of hazardous waste handled by you in Form-3 and submit;
  - i) Annual return in Form-4 on or before the 30th day of June of every year.
  - ii) Apply for the renewal of authorization on prescribed Form-I through concerned Regional Office before the expiry of this authorization.
  - iii) The unit shall submit manifest in Form-10 to the concerned Regional Office regularly for the disposal of hazardous waste to the authorized facility.
5. This authorization/ renewal of authorization is without prejudice to any action, which may be due against the unit for violation of any other Environmental Act/ Rule.
6. The occupier, importer/ exporter and operator of TSDF shall be liable for all damages caused to the environment & shall be liable to pay financial penalties as levied by HP State Pollution Control Board & CPCB for violation of provisions of Hazardous and Other Wastes (Management & Transboundary Movement) Rules, 2016 as per Rule 23 (1) & (2).
7. The industry shall send its waste i.e. Used/ Spent Oil to the authorized recycler through authorized transporter on regular basis along with contaminated containers to the facilities authorized by State Board for its treatment and disposal and shall submit manifest in Form-10 regularly to the concerned Regional Office of the State Board.
8. There exists a Common Treatment Storage & Disposal Facility (TSDF) at Village Majra, PO Dhabota, Tehsil Nalagarh, Distt. Solan (HP). The industry shall comply with the provisions of the Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016 w.r.t. management and handling of hazardous wastes in letter and spirit.
9. The unit shall not store the hazardous waste at their premises for more than the period prescribed as per office order No. HPSPCB/ 63rd Board Meeting/ Notification/ 11-9907-50 dated 02.08.2011 available in the State Board Website [http://hppcb.nic.in/Notification/HWM/HWM\\_Notification.pdf](http://hppcb.nic.in/Notification/HWM/HWM_Notification.pdf).
10. The utilization of hazardous and other wastes as a resource or after pre-processing either for co-processing or for any other use, including within the premises of the generator, shall be carried out only after obtaining authorization from the State Pollution Control Board in respect of waste on the basis of standard operating procedures or guidelines provided by the central Pollution Control Board.
11. Unit shall comply with the provisions of Rule 20(2) of the Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016, failing which authorization granted to the unit, shall stand cancelled.



**Apoorv Devgan, IAS**  
**Member Secretary**  
**For & on behalf of**  
**( H. P. State Pollution Control Board)**

Copy to:

1. The Consent Branch, Head Office for information please.
2. Case File.
3. The Regional Officer, HP State Pollution Control Board, Baddi, Distt. Solan for information in reference to case recommended by you and you are directed to ensure the compliance of conditions of Authorization and assess the quantum of hazardous waste generated by the unit and submit report thereof to this office.
4. M/s Shivalik Solid Waste Management Ltd., Village Majra, P.O. Dhabota, Tehsil Nalagarh Distt. Solan (H.P.) for information and necessary action.



Digitally signed  
by APOORV  
DEVGAN  
Date:  
2022.09.28  
23:44:54 +05'30'

**Apoorv Devgan, IAS**  
**Member Secretary**  
**For & on behalf of**  
**( H. P. State Pollution Control Board)**

### TERMS AND CONDITIONS OF AUTHORISATION

1. The authorized person shall comply with the provisions of the Environment (Protection) Act 1986 and the rules made there under.
2. The authorization or its renewal shall be produced for inspection at the request of an officer authorized by the H.P. State Pollution Control Board.
3. The pers on authorized shall not rent, lend, sell, dispose, transfer or otherwise transport the hazardous wastes without obtaining prior permission of the Board.
4. Any unauthorized change in personnel, equipment and working conditions as mentioned in the application by the person authorized shall constitute a breach of his authorization.
5. It is the duty of the authorized person to take prior permission of the State Pollution Control Board to close down the facility.
6. An application for the Renewal of Authorization shall be made as per Rule 6 of the Hazardous and Other Wastes (Management and Transboundary Movement)Rules, 2016 i.c. in Form-I before expiry of authorization.
7. The occupier authorized for generation, handling, collection, reception, treatment, transport, storage, recycling, reprocessing, recovery, reuse and disposal of hazardous wastes and shall maintain records of such operations along with data on environmental surveillance in Form-3 and shall submit Annual Returnsto the Board in Form-4 by on or before the 30th day of June of every year.
8. The authorized person shall report about the accident which occurs at the hazardous waste storage site immediately to HPSPCB
9. Before transferring ownership or operation of a facility/unit during its operating life or of a disposal facility during the post closure period, the owner/ operator of the unit must seek prior permission of the State Board and must notify the near occupier or operator in writing of the requirements of this authorization. An occupier or operator of the requirements of this authorization in no way relieves the new occupier or operator of his obligation to comply with all applicable requirements.
10. Before the hazardous waste is stored or dumped in the facility, he (she) must conduct a detailed physical and chemical analysis of hazardous waste sample collected from the site and to report to the State Board.
11. An occupier/ generator shall not store hazardous wastes in open ground. It must be stored in an isolated site away from plant operational area.
12. The storage tank/container of the hazardous waste should be in good condition and made of (or lined with) an appropriate material which does not react with the waste contained in it and can with-stand the physical and environmental conditions during storage and handling.
13. The occupier generating hazardous waste shall mark each container holding hazardous waste with the marking "HAZARDOUS WASTE" both in English and Hindi.
14. The storage area should be fenced properly and a SIGN/ NOTICE Board indicating "DANGER" and "HAZARDOUS WASTE" sign & nature of the waste with quantum of storage, generation shall be placed at storage site.
15. The occupier generating hazardous waste shall provide the required safety devices like safety mask, goggles, hand-gloves, gumboots etc. to the workers for handling the hazardous waste. The occupier shall impart training to the personnel/ workers for handling and storage of hazardous waste.
16. Non-compatible hazardous waste and material shall not be mixed in the same storage container.
17. The industry shall store the hazardous waste in lined pits provided within the industry premises for the period as prescribed by the State Board. The pit(s) should be covered from the top. The storage area shall be demarcated by a barbed fencing with a "DANGER" and "HAZARDOUS WASTE" sign. The unit shalltransfer the hazardous waste to TSDF at Village Majra, PO Dhabota, Tehsil Nalagarh, Distt. Solan (HP).
18. There should be sufficient & efficient provisions to avoid under ground water contamination due to waste storage and disposal. The quality of ground water where the waste has been stored shall be monitored by the industry.
19. The occupier shall be responsible for any damage of life/or property during storage of his waste and will obtain Public Liability Insurance, wherever applicable.
20. The industry shall take steps wherever feasible, for reduction in hazardous waste generated or recycled or reused and submit the report along with application for renewal of authorization.
21. The occupier who is generating hazardous waste shall draw an Emergency Plan for meeting any emergency due to On Site Storage of Hazardous Waste inside its premises.

22. The occupier shall obtain 'No Objection Certificate' from the State Pollution Control Board of both the States in case of transport of hazardous wastes for final disposal to a facility for treatment, storage and disposal existing in a State other than the State where the hazardous waste is generated. The occupier shall intimate the concerned State Pollution Control Boards before he hands over the hazardous wastes to the transporter in case of transportation of hazardous wastes through a State other than the State of origin or destination
23. The hazardous waste should be transported through a transporter having valid authorization of the HPSPCB.
24. No transportation of hazardous wastes shall be undertaken unless it is accompanied by five copies of the manifest (Form-10) as per the color codes. The transporter shall give a copy of the manifest duly signed with date to the occupier and retain the remaining four copies to be used as prescribed in condition no. 26
25. The occupier shall provide the transporter with six copies of the manifest in Form 10 as per the color codes indicated below:
  - Copy 1 (White) To be forwarded by the sender to the State Pollution Control Board after signing all the seven copies.
  - Copy 2 (Yellow) To be retained by the sender after taking signature on it from the transporter and rest of the five signed copies to be carried by the transporter.
  - Copy 3 (Pink) To be retained by the receiver (actual user or treatment storage and disposal facility operator) after receiving the waste and the remaining four copies are to be duly signed by the receiver.
  - Copy 4 (Orange) To be handed over to the transporter by the receiver after accepting waste.
  - Copy 5 (Green) To be sent by the receiver to the State Pollution Control Board.
  - Copy 6 (Blue) To be sent by the receiver to the sender.
  - Copy 7 (Grey) To be sent by the receiver to the State Pollution Control Board of the sender in case the sender is in another State.
26. The occupier shall provide the transporter with relevant information in Form-9, regarding the hazardous nature of the wastes and measures to be taken in case of an emergency and shall label the hazardous and other wastes containers as per Form-8.
27. The industry shall get registered with MoEF under Battery (M&H) Rules, 2001 along with authorization from HPSPCB under Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016 for recycling/ reprocessing the battery scrap, lead dross etc., if applicable.
28. The industry shall ensure that E-waste generated if any, by them is channelized to authorized collection centre/ registered dismantler or recycler or is returned to the pickup or take back services provided by the producer
29. The occupier generating hazardous waste specified in Schedule-IV may sell it only to recycler having a valid authorization from State Pollution Control Board for recycling or reprocessing.
30. Bulk Consumer & Auctioneer of used lead acid batteries shall file return in Form-VIII & IX respectively of Batteries (M&H) Rules 2001.
31. The unit shall be required to display quantum, storage of hazardous wastes on a Sign Board of size 6'x4' at main gate;
32. The occupier, importer, transporter and operator of the facility shall be liable for all the damages caused to the environment or third party due to improper handling of hazardous wastes or disposal of hazardous wastes.
33. The utilization of hazardous and other wastes as a resource or after pre-processing either for co-processing or for any other use, including within the premises of the generator, shall be carried out only after obtaining authorization from the State Pollution Control Board in respect of waste on the basis of standard operating procedures or guidelines provided by the central Pollution Control Board.
34. RO rejects, if generated by the industries shall be disposed off to in MEE or to TSDF.
35. Utilization of hazardous waste as a supplementary resource or for energy recovery or after processing shall be carried out by the units only after obtaining approval from CPCB if applicable.
36. Import of hazardous wastes shall be made in accordance to the provisions of Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016.
37. The firm shall get the sample of sludge/ slag / or process solid waste, if any, analysed for Hazardous Waste constituents/ leachate properties and inform this office accordingly.

38. The authorization is subjected to the conditions mentioned above and also to such conditions as may be specified in the rules from time to time in force under the Environment (Protection) Act 1986.



By Order

Member Secretary  
( H. P. State Pollution Control Board)



## FORM -6

{See rule 25(2)}

## CERTIFICATE OF REGISTRATION OF THE GROUND WATER SOURCE

## THE HIMACHAL PRADESH GROUND WATER AUTHORITY SHIMLA

Certified that the GROUND WATER SOURCE known as Existing Well located at N 31° 02' 36.08" & E 76° 42' 06.78" in area Mauza/ Khatta No 141/143, Khatauni No. 114/39, Khasra No. 204/121 in Ghogarwal, Tehsil, Nalagarh, Distt. Solan and the water extracted there from is being used for the purpose of Industrial use is registered with this Authority in favour of MS/MR/MESSRS Acme Formulation Pvt Ltd Vill.-Ghogarwal, Teh, - Nalagarh, Distt Solan (H.P) vide REGISTRATION/Application NO. HPGWA-EU- 27099 of 2021 - 22 subject to the following terms and conditions: -

- The applicant is allowed to extract maximum 72KL/Day ltrs/day of ground water from above mentioned well.
- The applicant shall construct a rainwater harvesting structure for the conservation and re-charge of ground water in his/her/their premises as per section-15 of the Himachal Pradesh Ground Water (Regulation and Control of Development and Management) Act, 2005 and as per Guidelines to Regulate and Control Ground Water extraction in the State of Himachal Pradesh notified vide Notification No.IPH-B(A)3-1/2019-II dated. 03.05.2021, within six months of issuance of this CERTIFICATE OF REGISTRATION and intimation will be given to the EXECUTIVE ENGINEER, JSV Division Nalagarh on its completion.
- The applicant shall install a water meter/bulk meter on the ground water extraction pipe so as to check the water drawl at any time and will maintain its log book.
- The applicant shall have to pay royalty based on the quantum of ground water extraction through EXECUTIVE ENGINEER, JSV Division Nalagarh for the use of ground water to the MEMBER SECRETARY, HIMACHAL PRADESH GROUND WATER AUTHORITY as per the Himachal Pradesh Ground Water (Regulation and Control of Development and Management) Rules 2007 or the rules which may, subsequently, be made applicable by the State of HP.
- In case of Industrial connection, the firm shall not use waste water of the Industry for recharging of Ground Water.
- That the permission/sanction can be withdrawn or the quantity of water to be extracted can be restricted in case the ground water in the area is adversely affected in terms of quantity and/or quality.
- Actual water requirement be computed taking into account recycling/reuse of treated water for flushing etc.
- Certificate regarding non/partial availability of water supply from the public water supply agency.
- The firm/applicant shall be required to adopt latest water efficient technologies so as to reduce dependence on ground water resources.
- The firm/applicant drawing water more than 10m<sup>3</sup> /day of ground water shall construct piezometer, equipped with DWLR of latest version within six months in consultation with the Sr. Hydrogeologist, GWO, JSV, Una (HP) and monthly water level date shall be submitted to the Ground Water Organization and Himachal Pradesh Ground Water Authority.
- All stakeholders abstracting ground water in excess of 100m<sup>3</sup> /d shall be required to undertake annual water audit through Confederation of Indian Industries (CII)/ Federation Indian Chamber of Commerce and Industry (FICCI)/National Productivity Council (NPC) certified auditors and submit audit reports within three months of completion of the same to Himachal Pradesh Ground Water Authority. All such stakeholders shall be required to reduce their ground water use by at least 20% over the next three years through appropriate means.

The holder of the registration of certificate shall be duly bound to maintain the aforementioned source in an efficient, coordinated and economical manner and to use the water only for the purpose for which certificate of registration has been given. The applicant shall abide by all provisions contained in the Himachal Pradesh Ground Water (Regulation and Control of Development and Management) Act- 2005 (Act No. 31 of 2005) and the rules framed there under; and the conditions of the registration certificate issued or specified by this Authority, failing which, the Authority shall have the full powers to withdraw the registration and initiate the action under HP GROUND WATER ACT 2005.



# Single Window Clearance System

HP Ground Water Authority Shimla  
Govt. of Himachal Pradesh

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[Digitally Signed by Member Secretary HPGWA on 29-12-2021 14:18:31]

<b>Borewell Water Meter Reading 2021-22</b>				
<b>Months</b>	<b>Initial Reading</b>	<b>Final Reading</b>	<b>Total Water intake</b>	<b>Average/Day</b>
Apr-21	6895	7598	703	23.4
May-21	7598	8307	709	22.9
Jun-21	8307	9014	707	23.6
Jul-21	9014	9723	709	22.9
Aug-21	9723	10481	758	24.5
Sep-21	10481	11184	703	23.4
Oct-21	11184	11917	733	23.6
Nov-21	11917	12618	701	23.4
Dec-21	12618	13334	716	23.1
Jan-22	13334	14059	725	23.4
Feb-22	14059	14748	689	24.6
Mar-22	14748	15483	735	23.7

<b>Borewell Water Meter Reading 2022-23</b>				
<b>Months</b>	<b>Initial Reading</b>	<b>Final Reading</b>	<b>Total Water intake</b>	<b>Average/Day</b>
Apr-22	15483	16183	700	23.3
May-22	16183	16916	733	23.6
Jun-22	16916	17619	703	23.4
Jul-22	17619	18385	766	24.7
Aug-22	18385	19123	738	23.8
Sep-22	19123	19736	613	25.0
<b>Meter Out of Order (New Meter Installed)</b>				
Sep-22	0	144	144	23.4
Oct-22	144	869	725	
Nov-22	869	1576	707	23.6
Dec-22	1576	2292	716	23.1
Jan-23	2292	3001	709	22.9
Feb-23	3001	3688	687	24.5
Mar-23	3688	4447	759	24.5

<b>Borewell Water Meter Reading 2023-24</b>				
<b>Months</b>	<b>Initial Reading</b>	<b>Final Reading</b>	<b>Total Water intake</b>	<b>Average/Day</b>
Apr-23	4447	5816	1369	45.6
May-23	5816	7381	1565	50.5
Jun-23	7381	8952	1571	52.4
Jul-23	8952	10510	1558	50.3
Aug-23	10510	12173	1663	53.6
Sep-23	12173	13963	1790	59.7
Oct-23	13963	15962	1999	64.5
Nov-23	15962	17886	1924	64.1
Dec-23	17886	19913	2027	65.4
Jan-24	19913	21914	2001	64.5
Feb-24	21914	23780	1866	64.3

ETP Water Meter Reading 2021-22				
Months	Initial Reading	Final Reading	Total Water intake	Average/Day
Apr-21	700.1	1154.9	454.8	15.2
May-21	1154.9	1618.5	463.6	15.0
Jun-21	1618.5	2063.1	444.6	14.8
Jul-21	2063.1	2528.5	465.4	15.0
Aug-21	2528.5	2999.1	470.6	15.2
Sep-21	2999.1	3455.3	456.2	15.1
Oct-21	3455.3	3911	455.7	14.7
Nov-21	3911	4366	455.0	15.2
Dec-21	4366	4842.2	476.2	15.4
Jan-22	4842.2	5303.3	461.1	14.9
Feb-22	5303.3	5724.1	420.8	14.0
Mar-22	5724.1	6197.7	473.6	15.3

ETP Water Meter Reading 2022-23				
Months	Initial Reading	Final Reading	Total Water intake	Average/Day
Apr-22	6197.7	6652.5	454.8	15.2
May-22	6652.5	7116.1	463.6	15.0
Jun-22	7116.1	7560.7	444.6	14.8
Jul-22	7560.7	8026.1	465.4	15.0
Aug-22	8026.1	8432	405.9	15.7
Meter Out of Order (New Meter Installed)				
Aug-22	0.8	81.2	80.4	15.1
Sep-22	81.2	534	452.8	
Oct-22	534	991.7	457.7	14.8
Nov-22	991.7	1446	454.3	15.1
Dec-22	1446	1922.9	476.9	15.4
Jan-23	1922.9	2384.2	461.3	14.9
Feb-23	2384.2	2806.2	422	15.1
Mar-23	2806.2	3279.6	473.4	15.3

ETP Water Meter Reading 2023-24				
Months	Initial Reading	Final Reading	Total Water intake	Average/Day
Apr-23	3279.6	3735.5	455.9	15.2
May-23	3735.5	4230	494.5	16.0
Jun-23	4230	4713.4	483.4	16.1
Jul-23	4713.4	5197.8	484.4	15.6
Aug-23	5197.8	5686.8	489	15.8
Sep-23	5686.8	6167.9	481.1	16.0
Oct-23	6167.9	6671.7	503.8	16.3
Nov-23	6671.7	7289.8	618.1	27.3
(New Meter Installed FOR CETP Tanker)				
Nov-23	0.8	201.1	200.3	35.4
Dec-23	201.1	1300.3	1099.2	
Jan-24	1300.3	2364.1	1063.8	34.3
Feb-24	2364.1	3429.6	1095.5	37.8

# **FEASIBILITY REPORT**

OF

**POLLUTION CONTROL MEASURES  
(ETP cum STP – 20 KLD)**

Of

**ACME FORMULATION PRIVATE LIMITED**

AT

**Village: Ghogarwal**

**Tehsil – Nalagarh, District - Solan (HP)**

## Content

CHAPTER NO.	TITLE	PAGE NO.
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2	Waste Water Generation	4
3	Raw Effluent Characteristics	5
4	Characteristics of ETP Treated Effluent	6
5.	Treatment scheme for ETP cum STP	7-10
6	ETP cum STP Flow Diagram	11
7	Air Pollution Control Measures	12

**CHAPTER- 1****GROUND WATER CONSUMPTION**

<b>Sr. No.</b>	<b>Category</b>	<b>Unit</b>	<b>Qty</b>
<b>1</b>	Process & Washing, KLD	KLD	09
<b>2</b>	Boiler & Cooling, KLD	KLD	11
<b>3</b>	Domestic , KLD	KLD	06
<b>Total</b>		<b>KLD</b>	<b>26</b>

## CHAPTER- 2

## WASTE WATER GENERATION

Sr. No.	Category	Unit	Qty
1	Process & Washing,	KLD	5
2	Boiler & Cooling	KLD	10
3	Domestic	KLD	5
<b>Total</b>		<b>KLD</b>	<b>20</b>

## CHAPTER -3

## RAW EFFLUENT CHARACTERISTICS

Sr.NO.	PARAMETER	UNIT	QTY/CONCENTRATION
1	Flow Rate	m <sup>3</sup> /d	20
2	pH	-	8 to 9
3	BOD	mg/l	250
4	COD	mg/l	650
5	TDS	mg/l	1200-1500
6	TSS	mg/l	150-200

## CHAPTER - 4

## ETP TREATED WATER CHARACTERISTICS

SR.NO.	PARAMETER	UNIT	CONCENTRATION	HPPCB STD
1	pH	-	6.5 to 8.5	5.5 to 9
2	BOD	mg/l	10-20	<30
3	COD	mg/l	150-200	<250
4	TDS	mg/l	500-700	<2100
5	TSS	mg/l	60-90	<100

## CHAPTER - 5

### TREATMENT SCHEME FOR ETP CUM STP:

With the above input parameters to meet discharge standards of State Pollution Control Board & Central Pollution Control Boards is proposed to go for Physico-Chemical treatment followed by Secondary (aerobic) treatment and Tertiary treatment, after which following parameters shall be achieved to meet the discharge standards of SPCB.

**Treatment shall be done in following three sequential steps:-**

1. Primary Treatment.
2. Secondary Treatment.
3. Tertiary Treatment.

#### **Treatment Scheme**

Based on above Scheme the following steps for treatment of Effluent would be provided:-

- (i) Effluent Collection Tank
- (ii) Sewage Collection Tank
- (iii) Equalization Tank – 1
- (iv) Equalization Tank - 2
- (v) Flash Mixer cum Flocculation
- (vi) Primary Clarifier -1
- (vii) Primary Clarifier -2
- (viii) Aeration Tank – 1
- (ix) Aeration Tank – 1
- (x) Secondary Clarifier -1
- (xi) Secondary Clarifier -2
- (xii) Secondary Outlet Tank
- (xiii) Pressure Sand Filter
- (xiv) Activated Carbon Filter
- (xv) Treated Water Tank
- (xvi) Sludge Drying Beds

#### **1. Collection of Raw Effluent**

The raw effluent from different sources like Process & Operations shall collect in Effluent Collection Tank.

#### **2. Collection of Sewage water**

Sewage water from different sources like canteen, washrooms shall collect in Sewage collection Tank.

**PRIMARY TRETMENT:-****1. Neutralization**

Raw effluent shall be transfer into Equalization tanks no. 1 & 2 from effluent collection tank. Where effluent shall neutralize by 10% concentrated Lime solution. Effluent shall be transfer to further chemical treatment after meeting the desired pH (8-9). Neutralization shall be done batch wise. Both Equalization tanks shall use one by one.

**2. Coagulation & Flocculation**

After Neutrillization effluent shall transfer in to flash mixture through pump from Equalization tanks. Where coagulation shall be done with 2% concentrated of Alum solution & then flocculation shall be done with 0.1% Poly electrolyte solution. Chemical sludge shall decant by this treatment. Which shall be drained in to sludge drying beds. After drying this sludge shall be sent for disposal to authorized TSDF (Treatment, Storage and Disposal Facility) by State pollution control board.

**3. Sedimentation**

Effluent shall be transfer into Primary clarifier -1 & Primary clarifier 2 one by one by gravity. Where floated chemical sludge shall be settled down & drained in to sludge drying beds. After drying this sludge shall be sent for disposal to authorized TSDF (Treatment, Storage and Disposal Facility) by State pollution control board. Effluent shall transfer for Secondary treatment for further treatment.

**SECONDARY TRETMENT:-****4. Biological Treatment:**

The clarified effluent from primary Clarifier will be sent to aeration tank -1 & aeration tank -2 one by one by gravity. In aeration tank bio mass culture (Activated Sludge Provided) to reduce the organic load. That bio culture shall developed by cow dung. For organic matter degradation through the bacteria the dissolved oxygen will be required in aeration tank which will be supplied through air blower. The diffused aeration system will be the heart of the aeration system. The non-Clog type fine bubble air diffusers and twin lobe type Air Blower. Nutrients like Urea and DAP and jaggery will be added for the bacteria growth as & when required. The organic load shall reduce by activated sludge process

### 5. Secondary Clarifier:

The biologically treated effluent will be allowed to pass to secondary clarifier 1 & secondary clarifier 2 one by one through pumps. Where solids bio culture will settle down and get separated and clear treated effluent. Settled culture shall recirculate in to aeration tank through the recirculation pump. Clear treated water shall transfer into Filter feed tanks for tertiary tank.

### 6. Tertiary Treatment:

Treated effluent would pass through Pressure Sand Filter & Activated Carbon Filter, where final filtration will take place. The graded media will be added in the Pressure Sand Filter which reduce the suspended solids & activated carbon will be added in Activated Carbon Filter which reduce color & odour from effluent. The Final treated Effluent shall be utilizes for in house garden area & water spraying on in house roads for road side dust settling.

### ETP TANKS DETAILS

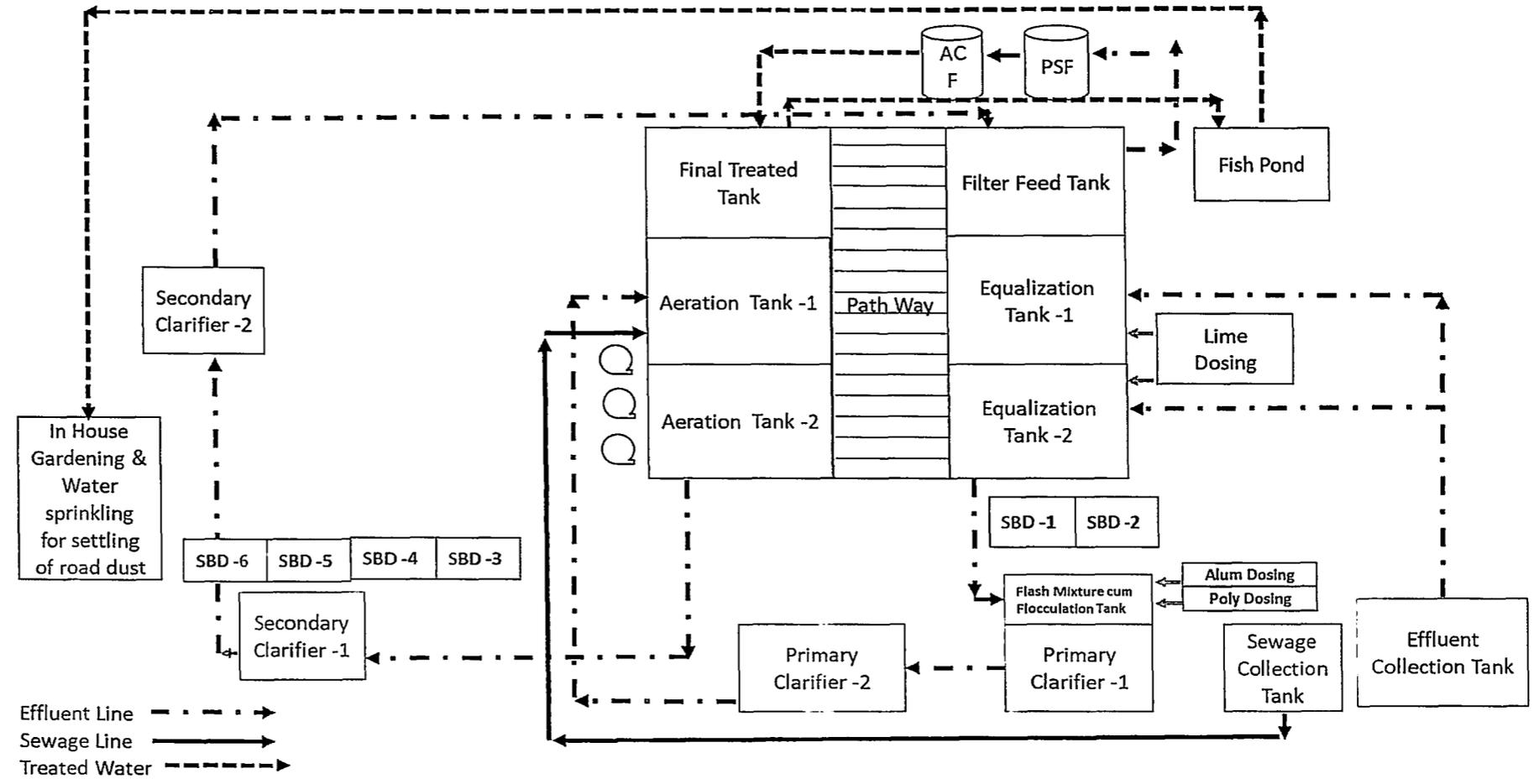
RCC Tanks Details		
Tank Name	Capacity in (KL)	Dimensions in (meters)
Collection Tank	50	3.5 x 3.5 x 4.1
Sewage Storage Tank	15	2 x 2 x 4
Equalization-1	31.5	3 x 3 x 3.5
Equalization-2	31.5	3 x 3 x 3.5
Aeration Tank -1	31.5	3 x 3 x 3.5
Aeration Tank -2	31.5	3 x 3 x 3.5
Filter Feed Tank	22	2.5 x 2.5 x 3.5
Final Treated Tank	22	2.5 x 2.5 x 3.5
Sludge Drying Beds (2 nos)	16	4.4 x 2 x 0.9
Sludge Drying Beds (2 nos)	6	2.5 x 2.5 x 0.9
Fish Pond	2.6	1.9 x 2.0 x 0.7

MS Tanks	
Tank Name	Capacity in KL
Flash Mixture	4
Primary -1	11
Primary -2	11
Secondary Tank-1	8
Secondary Tank-2	8

**CHAPTER- 6****Proposed Flow Diagram**

- a. ETP cum Flow Diagram
- b. Air Pollution Control Measures

### ETP CUM STP FLOW DIAGRAM (20 KLD) – ACME FORMULATION PRIVATE LIMITED



## CHAPTER - 7

## AIR POLLUTION CONTROL MEASURES

Sr. No.	Particulars	Capacity	Fuel	NPCD/APCD Device
1	DG	750 KVA	HSD	Acoustic Enclosure
2	DG	500 KVA	HSD	Acoustic Enclosure
3	Boiler	1 Ton	HSD	Common Wet Scrubber & Chimney 30 mtr for Both Boiler
4	Boiler	1.5 Ton	Briquette	

# **FEASIBILITY REPORT**

OF

**PROPOSED POLLUTION CONTROL  
MEASURES (ETP – 60 KLD)**

Of

**ACME FORMULATION PRIVATE LIMITED**

AT

**Village: Ghogarwal**

**Tehsil – Nalagarh, District - Solan (HP)**

## Content

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7	Air Pollution Control Measures	13

## CHAPTER- 1

## GROUND WATER CONSUMPTION

Sr. No.	Category	Unit	Qty
1	Process & Washing, KLD	KLD	12
2	Boiler & Cooling, KLD	KLD	30
3	Domestic , KLD	KLD	30
<b>Total</b>		<b>KLD</b>	<b>72</b>

## CHAPTER- 2

## PROPOSED WASTE WATER GENERATION

Sr. No.	Category	Unit	Qty
1	Process & Washing,	KLD	15
2	Boiler & Cooling	KLD	25
3	Domestic	KLD	20
<b>Total</b>		<b>KLD</b>	<b>60</b>

**CHAPTER -3****RAW EFFLUENT CHARACTERISTICS**

<b>Sr.NO.</b>	<b>PARAMETER</b>	<b>UNIT</b>	<b>QTY/CONCENTRATION</b>
1	Flow Rate	m <sup>3</sup> /d	50-55
2	pH	-	6.5 to 8
3	BOD	mg/l	150-200
4	COD	mg/l	350-450
5	TDS	mg/l	1200-1500
6	TSS	mg/l	100-500

**CHAPTER - 4****ETP TREATED WATER CHARACTERISTICS**

<b>SR.NO.</b>	<b>PARAMETER</b>	<b>UNIT</b>	<b>CONCENTRATION</b>	<b>HPPCB STD</b>
1	pH	-	6.5 to 8.5	5.5 to 9
2	BOD	mg/l	20-30	<30
3	COD	mg/l	150-200	<250
4	TDS	mg/l	1000-1200	<2100
5	TSS	mg/l	50-70	<100

## CHAPTER - 5

### TREATMENT SCHEME FOR ETP CUM STP:

With the above input parameters to meet discharge standards of State Pollution Control Board & Central Pollution Control Boards is proposed to go for Physico-Chemical treatment followed by Secondary (aerobic) treatment and Tertiary treatment, after which following parameters shall be achieved to meet the discharge standards of SPCB.

**Treatment shall be done in following three sequential steps:-**

1. Primary Treatment.
2. Secondary Treatment.
3. Tertiary Treatment.

#### Treatment Scheme

Based on above Scheme the following steps for treatment of Effluent would be provided:-

EXISTING	PROPOSED
Effluent Collection Tank	Primary Clarifier
Sewage Collection Tank	Aeration Tank
Equalization Tank – 1	Secondary Clarifier
Equalization Tank – 2	Sludge Drying Beds 2 nos
Flash Mixer cum Flocculation	
Primary Clarifier -1	
Primary Clarifier -2	
Aeration Tank – 1	
Aeration Tank – 2	
Secondary Clarifier – 1	
Secondary Clarifier – 2	
Secondary Outlet Tank	
Pressure Sand Filter	
Activated Carbon Filter	
Treated Water Tank	
Sludge Drying Beds 4 nos	

**ETP PROCESS (PROPOSED + EXISTING)****1. Collection of Raw Effluent**

The raw effluent from different sources like Process & Operations shall collect in Effluent Collection Tank.

**2. Collection of Sewage water**

Sewage water from different sources like canteen, washrooms shall collect in Sewage collection Tank.

**PRIMARY TRETMENT:-****1. Neutralization**

Raw effluent shall be transfer into Equalization tanks no. 1 & 2 from effluent collection tank. Where effluent shall neutralize by 10% concentrated Lime solution. Effluent shall be transfer to further chemical treatment after meeting the desired pH (8-9). Neutralization shall be done batch wise. Both Equalization tanks shall use one by one.

**2. Coagulation & Flocculation**

After Neutrilation effluent shall transfer in to flash mixture through pump from Equalization tanks. Where coagulation shall be done with 2% concentrated of Alum solution & then flocculation shall be done with 0.1% Poly electrolyte solution. Chemical sludge shall decant by this treatment. Which shall be drained in to sludge drying beds. After drying this sludge shall be sent for disposal to authorized TSDF (Treatment, Storage and Disposal Facility) by State pollution control board.

**3. Sedimentation**

Effluent shall be transfer into two parts. **First part in exiting Primary Clarifier -1 & exiting Primary clarifier - 2** one by one by gravity. **Second Part** of effluent shall transfer to **Proposed Primary Clarifier 3**. Where floated chemical sludge shall be settled down & drained in to sludge drying beds. After drying this sludge shall be sent for disposal to authorized TSDF (Treatment, Storage and Disposal Facility) by State pollution control board. Effluent shall transfer for Secondary treatment for further treatment.

## SECONDARY TRETMENT:-

### 4. Biological Treatment:

The clarified effluent from **existing Primary Clarifier - 2** will be sent to **existing Aeration Tank -1 & Aeration Tank -2** one by one by gravity. The clarified effluent from **Proposed Primary Clarifier - 3** will be sent to **Proposed Aeration Tank – 3**. In aeration tank bio mass culture (Activated Sludge Provided) to reduce the organic load. That bio culture shall developed by cow dung. For organic matter degradation through the bacteria the dissolved oxygen will be required in aeration tank which will be supplied through air blower. The diffused aeration system will be the heart of the aeration system. The non-Clog type fine bubble air diffusers and twin lobe type Air Blower. Nutrients like Urea and DAP and jaggery will be added for the bacteria growth as & when required. The organic load shall reduce by activated sludge process.

### 5. Secondary Clarifier:

First part of biologically treated effluent shall transfer from **existing Aeration Tank - 2** to **Secondary Clarifier 1 & Secondary Clarifier 2** one by one through pumps. **Second part** of biologically treated effluent shall transfer from **proposed Aeration Tank -3** to **Secondary Clarifier-3** through gravity. Here solids bio culture will settle down and get separated and clear treated effluent. Settled culture shall recirculate in to aeration tank through the recirculation pump. **Clear treated water shall transfer from existing Secondary clarifier -2 & proposed Secondary clarifier 3** into Filter feed tanks for tertiary tank.

### 6. Tertiary Treatment:

Treated effluent would pass through Pressure Sand Filter & Activated Carbon Filter, where final filtration will take place. The graded media will be added in the Pressure Sand Filter which reduce the suspended solids & activated carbon will be added in Activated Carbon Filter which reduce color & odour from effluent. The Final treated Effluent shall be utilizes for in house garden area & water spraying on in house roads for road side dust settling.

**ETP TANKS DETAILS - EXISTING**

<b>RCC Tanks Details</b>		
<b>Tank Name</b>	<b>Capacity in (KL)</b>	<b>Dimensions in (meters)</b>
Collection Tank	50	3.5 x 3.5 x 4.1
Sewage Storage Tank	15	2 x 2 x 4
Equalization-1	31.5	3 x 3 x 3.5
Equalization-2	31.5	3 x 3 x 3.5
Aeration Tank -1	31.5	3 x 3 x 3.5
Aeration Tank -2	31.5	3 x 3 x 3.5
Filter Feed Tank	22	2.5 x 2.5 x 3.5
Final Treated Tank	22	2.5 x 2.5 x 3.5
Sludge Drying Beds (2 nos)	16	4.4 x 2 x 0.9
Sludge Drying Beds (2 nos)	6	2.5 x 2.5 x 0.9
Fish Pond	2.6	1.9 x 2.0 x 0.7

<b>MS Tanks</b>	
<b>Tank Name</b>	<b>Capacity in KL</b>
Flash Mixture	4
Primary -1	11
Primary -2	11
Secondary Tank-1	8
Secondary Tank-2	8

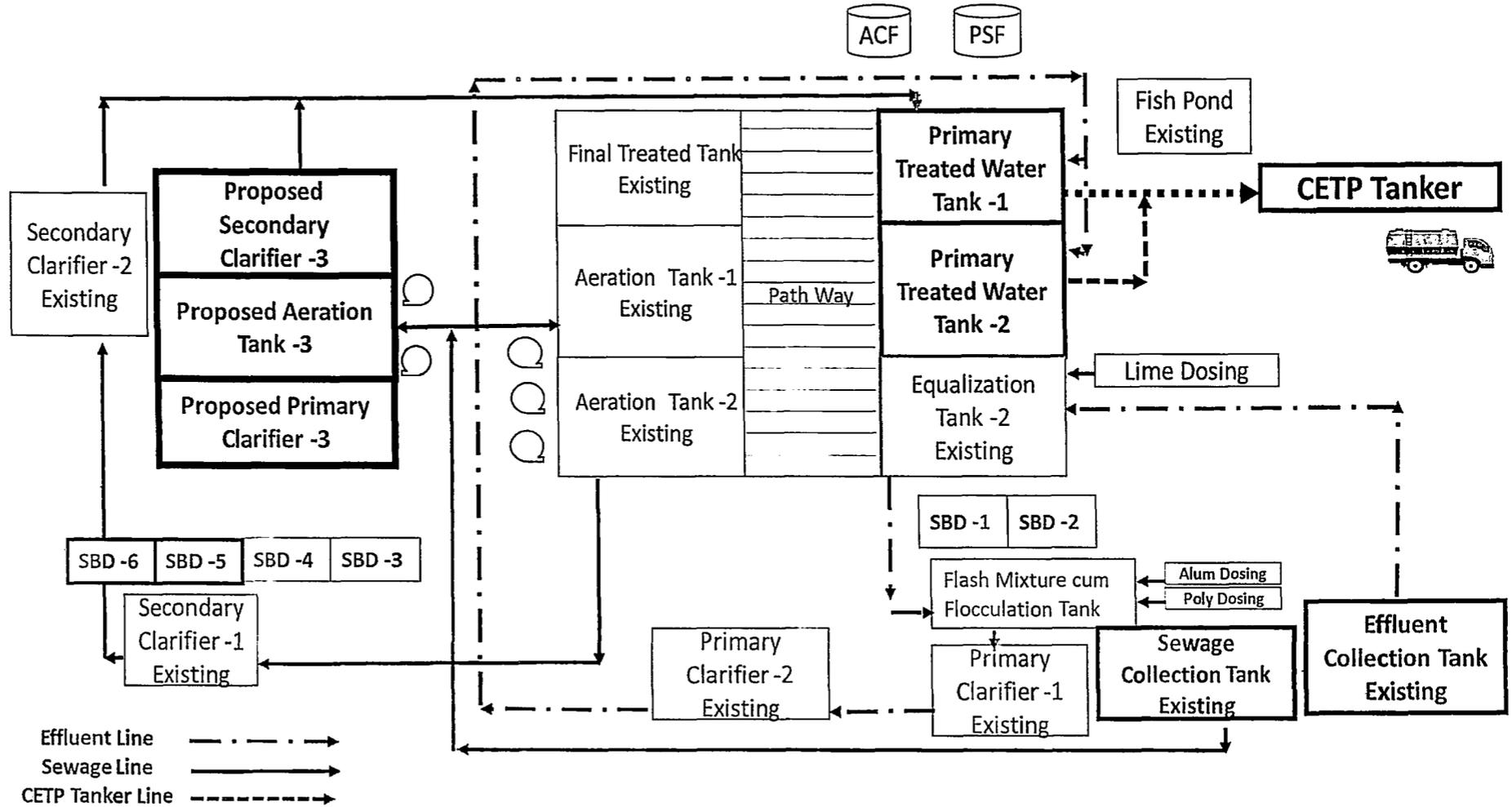
**ETP TANKS DETAILS - PROPOSED**

<b>MS Tanks</b>			
<b>Tank Name</b>	<b>Design Flow (m<sup>3</sup>/Day)</b>	<b>Type</b>	<b>Capacity in KL</b>
Primary - 3	60	Tube Settler	7
Aeration Tank -3		Aerobic	20
Secondary Tank-3		Tube Settler	9

**CHAPTER- 6****Proposed ETP Flow Diagram**

- a. Proposed ETP Flow Diagram
- b. Air Pollution Control Measures

**PROPOSED ETP FLOW DIAGRAM (60 KLD) – ACME FORMULATION PRIVATE LIMITED**



## CHAPTER - 7

## AIR POLLUTION CONTROL MEASURES

Sr. No.	Particulars	Capacity	Fuel	NPCD/APCD Device
1	DG	750 KVA Existing	HSD	Acoustic Enclosure
2	DG	500 KVA Existing	HSD	Acoustic Enclosure
3	DG	500 KVA Proposed	HSD	Acoustic Enclosure
3	Boiler	1 Ton	HSD	Common Wet Scrubber & Chimney 30 mtr for Both Boiler
4	Boiler	1.5 Ton	Briquette	

ETP Water Meter Reading 2021-22				
Months	Initial Reading	Final Reading	Total Water intake	Average/Day
Apr-21	700.1	1154.9	454.8	15.2
May-21	1154.9	1618.5	463.6	15.0
Jun-21	1618.5	2063.1	444.6	14.8
Jul-21	2063.1	2528.5	465.4	15.0
Aug-21	2528.5	2999.1	470.6	15.2
Sep-21	2999.1	3455.3	456.2	15.1
Oct-21	3455.3	3911	455.7	14.7
Nov-21	3911	4366	455.0	15.2
Dec-21	4366	4842.2	476.2	15.4
Jan-22	4842.2	5303.3	461.1	14.9
Feb-22	5303.3	5724.1	420.8	14.0
Mar-22	5724.1	6197.7	473.6	15.3

ETP Water Meter Reading 2022-23				
Months	Initial Reading	Final Reading	Total Water intake	Average/Day
Apr-22	6197.7	6652.5	454.8	15.2
May-22	6652.5	7116.1	463.6	15.0
Jun-22	7116.1	7560.7	444.6	14.8
Jul-22	7560.7	8026.1	465.4	15.0
Aug-22	8026.1	8432	405.9	15.7
Meter Out of Order (New Meter Installed)				
Aug-22	0.8	81.2	80.4	15.1
Sep-22	81.2	534	452.8	
Oct-22	534	991.7	457.7	14.8
Nov-22	991.7	1446	454.3	15.1
Dec-22	1446	1922.9	476.9	15.4
Jan-23	1922.9	2384.2	461.3	14.9
Feb-23	2384.2	2806.2	422	15.1
Mar-23	2806.2	3279.6	473.4	15.3

ETP Water Meter Reading 2023-24				
Months	Initial Reading	Final Reading	Total Water intake	Average/Day
Apr-23	3279.6	3735.5	455.9	15.2
May-23	3735.5	4230	494.5	16.0
Jun-23	4230	4713.4	483.4	16.1
Jul-23	4713.4	5197.8	484.4	15.6
Aug-23	5197.8	5686.8	489	15.8
Sep-23	5686.8	6167.9	481.1	16.0
Oct-23	6167.9	6671.7	503.8	16.3

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**H.P. STATE POLLUTION CONTROL BOARD**  
**"HIM PARIVESH", PHASE III,**  
**NEW SHIMLA-171009.**

**CORRIGENDUM**

In continuation to this office consent letter No. HPSPCB No.1759 dated 02/01/2024, vide which Consent to Operate Expansion u/s 25/26 of Water (Prevention & Control of Pollution) Act, 1974 and u/s 21 of Air (Prevention & Control of Pollution) Act, 1981 has been issued in favour of M/s Acme Formulation Private Limited, Village Ghogarwal, Ropar Road, Nalagarh, Distt Solan, HP for the Expansion for the products Tablets & Capsules.

Now, Regional Officer, Baddi has requested vide letter no. HPSPCB/RO(Baddi) AN-9 9Acme Formulation (P) Ltd./ 2024-7519 dated 30.03.2024 that there is a typographical error in the heading "Details of the Effluent Treatment Plant" of the consent order at page-2 of 8. The reason for amendment is variance in the online detail filed by the unit vis-à-vis the consent Order. .

In view of above facts and detail of case which stands verified at Head Office, the heading "Details of the Effluent Treatment Plant" at page-2 of 8 of the Consent to Operate (expansion) certificate issued vide letter no. 1759 dated 02/01/2024 may please be read as i.e.

Detailed of the Effluent Treatment Plant		
Installed	Capacity	Quantity
ETP-Cum-STP	60 (Proposed) KLD	1
ETP-Cum-STP	20 (Existing) KLD	1

All other conditions of the Consent to Operate (expansion) will remain un-changed.

Anil Joshi, IFS  
**Member Secretary**  
 HP State Pollution Control Board

Endst No. PCB/ (1759)/ M/s Acme Formulation Pvt. Ltd/2024- 70-71 Dated 4.4.2024

Copy forwarded to the following for information please:-

1. The Regional Officer, HP State Pollution Control Board, Regional Office Baddi, District Solan, HP.
2. M/s Acme Formulation Private Limited, Village Ghogarwal, Ropar Road, Nalagarh, Distt Solan, HP.
3. Case file.

  
 Anil Joshi, IFS  
**Member Secretary**  
 HP State Pollution Control Board  
 B



**HP STATE POLLUTION CONTROL BOARD**  
**HIMUDA COMPLEX, Phase -I, Baddi**  
**Tehsil Baddi, Distt. Solan (HP) Phone-01795- 245374**



No.HPSPCB/RO (Baddi) AN-9 (Acme Formulation (P) Ltd.)/2024- 7519

Dated: 30-03-2024

To

The Member Secretary,  
H.P. State Pollution Control Board,  
Phase-III, New Shimla-171009.

**Subject: Regarding amendment in Consent letter/ corrigendum letter.**

Sir,

Please find enclosed herewith the copy of Consent to Operate (Expansion) granted vide Head Office HPSPCB No.1759 to M/s Acme Formulation Private Limited, Ghogarwal Ropar Road Nalagarh, Distt. Solan HP vide application No.8247379 dated 02.01.2024. There is typographical error which has been pointed out by Hon'ble National Green Tribunal in the order dated 15.02.2024 passed in M.A. No. 88 of 2023 in O.A. No. 116/2023; Gopal Sharma V/s State of H.P. & Ors.

The typographical error is in the table at page 2 of 8 of the Consent Order titled "Details of the Effluent Treatment Plant". There is variation in the online detail filled by the unit and the Consent Order which has been issued. The detail is as under:

Detail filled in the PCD's Details in the Water Effluent Details:

Installed	Capacity	Quantity	Unit
ETP-cum-STP	60 (Proposed)	1	KLD
ETP-cum-STP	20 (Existing)	1	KLD

Detail in the existing consent order which has been issued:

Details of the Effluent Treatment		
Type of Effluent	Capacity	Quantity
ETP-Cum-STP	60 (Proposed) KLD	1 KLD
ETP-Cum-STP	20 (Existing) KLD	1 KLD

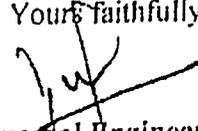
Corrigendum required in the existing consent order:

Details of the Effluent Treatment		
Installed	Capacity	Quantity
ETP-Cum-STP	60 (Proposed) KLD	1
ETP-Cum-STP	20 (Existing) KLD	1

It is therefore requested to kindly issue the corrigendum and to pass the directions to IT wing for making necessary amendment in the OCMMS software. This is for kind information and necessary action please.

Encl: As Above.

Your faithfully,

  
**Chief Environmental Engineer**  
**HPPCB, Baddi-173205**  
**Tel. No. 01795-245374**

**IN THE HON'BLE HIGH COURT OF  
HIMACHAL PRADESH AT SHIMLA**

CWP No. 4961/2021

**IN THE MATTER OF:-**

Baddi Barotiwala Nalagarh Industries Association  
(BBNIA)

.....Petitioner

Versus

State of HP &ors.

.....Respondents

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5.	Annexure R-2/3 Copy of judgment dated 22-2-2017 passed by Hon'ble Supreme Court of India in WP No. 375/2012.	27-35

Reply handed  
Over to  
Sh. V. D. Verma Adv  
on -23-10-2021

6.	<b>Annexure R-2/4</b> Copy of Public Notice issued by State Board to all Industries /organizations/Municipal local bodies/HPSEBL etc. alongwith true typed and translated copy.	36-41
7.	<b>Annexure R-2/5</b> Copy of report of the Joint Committee submitted to Hon'ble NGT in compliance to order dated 27-9-2019 passed in OA No. 801/2018.	42-50
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10.	<b>Annexure R-2/8(colly)</b> Copies of Board's notices dated 31-8-2019, 28-12-2020 and 19-4-2021.	66-72
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13.	<b>Annexure R-2/11</b> Copy of minutes of 14 <sup>th</sup> meeting of Empowered Committee on Trade Infrastructure for Export Scheme (TIES).	79-89
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**Respondent No. 2&3**

Place: Shimla

Dated:- 22-10-2021

Through Counsel

**IN THE HON'BLE HIGH COURT OF  
HIMACHAL PRADESH AT SHIMLA**

**CWP No. 4961/2021**

**IN THE MATTER OF:-**

Baddi Barotiwala Nalagarh Industries Association  
(BBNIA) with its registered office at EPIP, Phase-I,  
Jhadmajjri, Baddi, District Solan HP. 1741003,  
through its executive head Sh. Rajeev Satya and its  
duly Authorised Representative.

.....**Petitioner**

**Versus**

1. The State of HP through Principal Secretary,  
Environment Science & Technology to the  
Government of HP (also ex-Officio Chairman of  
the HP State Pollution Control Board) Civil  
Secretariat, Shimla 171002.
2. HP State Pollution Control Board through its  
Member Secretary, Him Parivesh Phase -III, New  
Shimla-171009.
3. The Member Secretary, Himachal Pradesh State  
Pollution Control Board Him Parivesh Phase -III,  
New Shimla-171009.
4. Municipal Council Baddi, District Solan through its  
Executive Officer.

.....**Respondents**

  
Member Secretary,  
HP State Pollution Control Board  
Shimla

**Reply to the petition on behalf of  
Respondents No.2 and 3.**

**May it please your Lordships:-**

**Preliminary Submissions:-**

1. That the Common Effluent Treatment Plant Baddi (CETP) through its operator i.e. Baddi Infrastructure has not been arrayed as party in this matter which is a necessary party for adjudication of this matter.
  
2. That the petitioners have obtained the interim order dated 1-9-2021 by misrepresenting before the Hon'ble Court wherein replying respondent has been restrained from taking coercive action against all the petitioner Industrial Association. It is submitted that in fact, present petition is confined only to those member industries (connected to CETP Baddi) which have effluent discharge of less than 200 KLD whereas petitioner is an Association of the Industries wherein both categories of the units are members (whether they are having discharge of more than 200 KLD or less than 200 KLD). Therefore, order dated 1-9-2021 is required to be modified and present petition deserves to be dismissed.

  
Member Secretary,  
HP State Pollution Control Board  
Shimla

**Reply on merits :-**

1. Contents of para 1 relate to petitioner's status as Society registered under the HP Societies Registration Act 2006, its objectives to promote industries in BBN area and authorisation of its Executive head to file present petition are a matter of record and need no reply.
2. In reply to para-2-3 it is submitted that Respondent No. 1 i.e. Additional Chief Secretary Environment, Science and Technology Government of HP is admittedly holding charge of Chairman of State Board. Rest of the contents of paras are wrongly portrayed and are denied. The State Board is duly constituted as per section 4 of the Water Act 1974 and as per Hon'ble Supreme Court's directions and presently the State Government vide notification dated 19-10-2020 has nominated members of the Board for a period of three years. Copy of notification dated 19-10-2020 is annexed as **Annexure R-2/1**.
- 4-6 In reply to para 4-6 it is submitted that a Common Effluent Treatment Plant (CETP) was established at Baddi by the Department of Industries, Government of HP which came into operation in the year 2015 for treatment of effluent generated by the industries falling in the catchment area of CETP. As per the State Government order dated 27-10-2010.

  
Member Secretary,  
HP State Pollution Control Board  
Shimla

all the industries located in the catchment area of the CETP were required to send their waste water to CETP for further treatment (copy at **Annexure-P-3**). In the meanwhile, Ministry of Environment, Forest and Climate Change, Government of India issued a notification dated 01-01-2016 (**Annexure R-2/2**) which stated that :- "*For each Common Effluent Treatment Plant (CETP), the State Board will prescribe inlet quality standards for General Parameters, Ammonical - Nitrogen and heavy metals as per design of the Common Effluent Treatment Plant (CETP) and local needs and conditions.*"

Subsequently, the Hon'ble Supreme Court of India vide order dated 22-2-2017 in WP No. 375/2012 titled Paryavaran Surksha Samiti v/s UOI, (copy annexed **Annexure-2/3**) made it mandatory for the all member industries connected to CETP to revive and operate their ETPs upto primary treatment level, before sending the effluent to CETP. In compliance to directions of the Hon'ble Supreme Court the respondent State Board published/issued public notice in news papers dated 7-4-2017 and 11-4-2017 (copy annexed as **Annexure-R-2/4**) informing all industries irrespective of their connectivity with CETP to make their primary effluent treatment plants fully operational within three months.

  
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HP State Pollution Control Board  
Shimla

As there were no inlet standards prescribed for the primary treatment of the industries hence in compliance to notification dated 1-1-2016 issued by Ministry of Environment, Forest and Climate Change, Government of India and Hon'ble Supreme Court orders dated 22-2-2017, the State Board initially proposed/prescribed and recommended to the State Government, the inlet quality standards for waste water after primary treatment which shall be entered into the CETP for final disposal/treatment. On the recommendations of the State Board, initially the Department of Environment S&T, Government of HP vide notification dated 17-3-2018 (**Annexure -P-10**) notified three inlet quality standards for members industries connected to CETP i.e. TSS, Oil and Grease and pH. Later on Hon'ble NGT took cognizance of the functioning of the CETP Baddi in OA No. 801/2018 and vide order dated 27-9-2019, constituted a joint committee of Central Pollution Control Board, HP State Pollution Control Board and District Magistrate Solan to examine the performance status of discharge of effluents by industries and efficacy of the CETP. The committee submitted its report on 16-11-2019 (**Annexure R-2/5**) which recommended that the State Board needs to review the notification dated 17-3-2018 and include other parameters like TDS, BOD, Chloride and Sulphide.

  
Member Secretary,  
HP State Pollution Control Board  
Shimla

Accordingly the State Board prepared and recommended to the State Government additional parameters for inlet quality standards of the member industries. On the recommendations of the State Board, the notification dated 26-12-2019 (**Annexure P-13**) was issued by the Department of Environment S&T, Government of HP as per design of CETP and local needs and conditions.

As regard to the judgment passed by Hon'ble Supreme Court of India in Civil Appeal No. 1359 / 2017 titled as TechI Tagi Tara vs Rajender Singh Bhandari and others, it is submitted that compliance to the directions passed in said judgment have been made by the State of HP and guidelines for the appointment of Chairman of the State Board have been prepared. Presently the State Board has been constituted by the State Government under section 4 of the Water Act 1974 vide notification dated 19-10-2020 for a period of three years. It is pertinent to submit here that in pending Contempt Petition (Civil) No. 655 of 2020 with regard to compliance to the judgment passed in Tech Tagi Tara vs Rajender Singh Bhandari case vide order dated 8-2-2021, Hon'ble Supreme Court observed that the State of HP has complied with the directions. Copy of order annexed as **Annexure R-2/6**. Hence there are no violations of the Water Act, 1974 or Hon'ble Supreme Courts directions as alleged.

  
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HP State Pollution Control Board  
Shimla

7. Contents of para 7 relate to establishment of Special Purpose Vehicle (SPV) namely Baddi Infrastructure for operation of CETP Baddi and order dated 20-8-2010 passed by the Hon'ble High Court of HP in CWPI 13/2006 which are a matter of record. As regard to the issue of setting up of CETP in two phases as per detailed project report the same pertain to the Baddi Infrastructure which needs to be arrayed as necessary party/respondent in this matter. The issue of funding of CETP also does not pertain to the replying respondent.
8. Contents of para 8 relate to Environment Clearance dated 8-1-2013 granted to the CETP Baddi by the Ministry of Environment, Forests and Climate Change, Government of India which is a matter of record. It is submitted that the petitioner is wrongly interpreting the conditions of Environment Clearance that only members industries having load of more than 200 KLD are required to treat effluent at their existing onsite effluent treatment plant before sending to CETP for further treatment. As already submitted in paras supra, Hon'ble Supreme Court of India vide judgment dated 22-2-2017 in WP No. 375/2012 had made it mandatory for all member industries connected to CETP to revive and operate their ETPs upto primary treatment level, before sending the effluent to CETP. Further inlet parameters need

  
Member Secretary,  
HP State Pollution Control Board  
Shimla

to be complied with by member industries as per notification 26-12-2019 (at Annexure P-13). It is further submitted that the Hon'ble NGT vide order dated 23-6-2021 (Annexure R-2/7) in OA No. 801/2021 directed the HPSPCB that "...We also find that merely keeping an eye on units discharging more than 200 KLD is not enough. Violation by those discharging less than 200 KLD is not less serious violation nor less harmful for the environment and public health.....". Therefore, in view of the above position it is not possible to exempt the units having discharge less than 200 KLD from applicability of notification dated 26-12-2019.

9. In reply to para -9 it is submitted that neither the State Board nor the State Government ever issued any direction or letter of exemption to any member industry from the requirement of primary treatment but rather issued public notices in daily news papers dated 7-4-2017 and 11-4-2017 informing all the member industries of CETP to make their primary effluent treatment plants fully operational within three months. Moreover the terms and conditions of tripartite agreement referred to by the petitioner (at Annexure-P-8) also do not in specific terms say so and the State Board is not a party to it.

  
Member Secretary,  
HP State Pollution Control Board  
Shimla

10. Contents of para 10 relate to suo-moto cognizance taken by the Hon'ble High Court of HP on the issue of connectivity of member industries with the CETP in CWPIIL No. 11/2016 which are a matter of record.

11-12. Contents of pars 11-12 are denied as stated. The petitioner is giving an incorrect presentation of conditions of Environment Clearance and minutes of meeting dated 3-4-2017. As the CETP was consistently found violating the outlet discharge norms, notified by MoEF & CC vide notification dated 1-1-2016 for Fixed Dissolved Solids standards in the absence of advance treatment system, it is a must for individual units to treat their effluent at their own ETPs before sending the same to the CETP. Moreover, as already submitted in para supra as per directions of the Hon'ble Supreme Court of India dated 22-2-2017 passed in WP No. 375/2012, directions of the Hon'ble NGT dated 23-6-2021 passed in OA No. 801/2018 and in compliance to MoEF & CC, Government of India's notification prescribing inlet quality standards, all member industries are required to adhere to the prescribed inlet quality standards as notified in notification dated 26-12-2019.

13-14 Contents of para 13-14 relate to design and conditions of CETP to treat category I to category IV type of effluents

  
Member Secretary,  
H.P. State Pollution Control Board  
Shimla

which are a matter of record. On the issue of establishment of second phase of project by the CETP Baddi, the State Board had issued notices on 31-8-2019, 28-12-2020 and 19-4-2021 (copies annexed as **Annexure R-2/8**). The petitioner has wrongly mentioned that order dated 27-10-2010 (**Annexure P-3**) was issued by the respondent No. 1 i.e. Department of Environment S&T. In fact it was issued by the Department of Industries and not by the respondent No.1.

15. Contents of para 15 relate to inlet quality norms notified by the Government of HP on the recommendation of respondent Board which are matter of record. The petitioner has made wrong claims. It is denied that there was no violation of the norms notified and it is also denied that neither the CETP nor member industries can be said to be polluting or discharging effluent in violation of norms. Presently the CETP has not provided advance treatment system to treat the Fixed Dissolved Solids (FDS) which can help it to achieve its outlet parameters as per MoEF&CC notification dated 01.01.2016. All the member industries as per directions of the Hon'ble Supreme Court of India and Hon'ble NGT are required to comply with inlet parameters before sending their effluent to CETP. Further, it is submitted that the CETP was found consistently non-

  
Joint Secretary  
to State Pollution Control Board  
Shimla

compliant to the prescribed norms, as per sampling results details of CETP outlet discharge given at **Annexure R-2/9**, therefore Environmental Compensation of Rs. One crore eighty seven lakhs ninety thousand was levied on the CETP by the State Board on 15-10-2019 and 18-10-2019 (Copies annexed as **Annexure R-2/10**). A Criminal Complaint No. 148/2 of 2019 was also filed against the operators of the CETP before the Ld. Judicial Magistrate First Class, Nalagarh Distt Solan HP.

- 16 Contents of para 16 relate to order dated 27-9-2019 passed by the Hon'ble NGT in OA No. 801/2018 (**Annexure P-11**) and the report filed by the joint committee dated 16-11-2019 (**Annexure P-12**) which are a matter of record. However, it is submitted that vide report dated 16-11-2019 (**Annexure P-12**) the joint committee recommended that the State Board needs to review the notification dated 17-3-2018 and include other parameters like TDS, BOD, Chloride and Sulphide. Accordingly on the recommendations of the State Board, the notification dated 26-12-2019 was issued by Government of HP. With regard to the issue of providing advance treatment system by the CETP, the State Board has issued notices to the CETP Baddi on 31-8-2019, 28-12-2020 and 19-4-2021 (**Annexure R-2/8**). In addition continuous follow up was also done and the State Board also took up

Member Secretary,  
HP State Pollution Control Board  
Jhimsa

this matter with State Government in meetings under the Chairmanship of Chief Secretary Government of HP held on 26-2-2021 and 4-8-2021 (**Annexure P-18**) wherein it was directed that until CETP upgrades its existing treatment system and consistently complies with the norms for outlet discharge norms, the industries with hydraulic loading of less than 200 KLD cannot be exempted for the inlet parameters. As the CETP was constantly violating the norms with regard to FDS parameter, therefore it was decided that the issue will be considered once the CETP ensures consistent compliance in terms of providing adequate treatment as the compliance by the CETP currently is on the basis of mass balancing which is only a short term measure undertaken by the CETP. It is further submitted that with regard to the textile units discharging more than 200 KLD effluent i.e. M/s Vardhman Textile and M/s Winsome Textile, it is submitted that M/s Vardhman Textile has only recently installed their Reverse Osmosis system and is presently not sending its category-IV effluent to the CETP. Although, M/s Winsome Textile has also installed the Reverse Osmosis systems pursuant to the directions of the Hon'ble NGT in OA No. 801/2018 for control of FDS and directions of the State Board and the State Government, however it is still under trial.

  
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17. Contents of para 17 relate to submission of detail project report (DPR) to the Director Industries regarding installation of 3 MLD Refractory management and TDS Reduction in CETP which are matter record. In this regard as per information received from the Department of Industries approval for setting up of Refractory management and TDS Reduction in CETP has been accorded by the Ministry of Commerce and Industry, Government of India in 14<sup>th</sup> meeting of empowered committee of Trade Infrastructure and Import Scheme (TIES) on 2<sup>nd</sup> August 2021. Copy of minutes of meeting are annexed as **Annexure R-2/11**.
18. Contents of para 18 relate to notification dated 26-12-2019 issued by the Department of Environment S&T, Government of HP which are a matter of record. However it is denied that such notification was issued without any statutory authority, jurisdiction and powers. The said notification was issued by the Respondent No.1, pursuant to judgment of the Hon'ble Supreme Court and orders passed by the Hon'ble NGT on the recommendation of the respondent Board.
- 19-21. In reply to para 19-21 it is submitted that the matter regarding exemption from State Government notification dated 26-12-2019 for units having less than 200 KLD load,

  
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was taken up with the State Government. However, as the CETP was constantly violating the norms with respect to FDS parameter, therefore it was decided that the issue will be considered once the CETP ensures the compliance. Copy of communication received from the State Government is already annexed at **Annexure P-16** of the CWP and copies of minutes of meetings held under Chairmanship of Chief Secretary Government of HP are annexed at **Annexure P-18 Colly.**

22. Contents of para 22 are denied as stated. The grounds taken up stand controverted and the petitioner association has no cause of action and is not entitled to any relief and the petition deserves to be dismissed.

22(A) Contents of para 22(A) are denied as stated. It is submitted that under section-18(b) of Water Act 1974, the State Government is empowered to issue directions or such notification. State Government is also empowered to frame Rules under section 64 of the Water Act, 1974 to carry out the purposes of the Act.

22(B-D) Contents of para 22(B-D), to the extent of the State Board's functions under section 17 of the Water Act 1974, are a matter of record. However under Rule-3(2), (3) and (3A) of Environment Protection Rules 1986, the State Board can

  
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also specify more stringent standards, than the standards provided in Schedule I-IV of the Environment Protection Rules, 1986. It is denied that respondent No. 1 has issued the notification dated 26-12-2019 without any jurisdiction under the Water Act 1974. As already submitted in paras supra it is also denied that the State Board has not been constituted under section 4 of the Water Act 1974.

22(E) Contents of para 22(E) are denied as stated. As already submitted in paras supra the Board has been duly constituted by the State Government vide notification dated 19-10-2020. However it is further submitted that constitution of the State Board and appointment of its members is the prerogative of the State Government which is empowered to do so under section 4 of the Water Act 1974.

22(F) In reply to para 22(F) it is submitted that as per judgment dated 22-9-2017 passed by Hon'ble Supreme Court of India (**Annexure P-19**) the guidelines have been framed by the State of HP regarding appointment of Chairman of the State Board. According to these guidelines the Secretary (Environment) to the Government of HP will be ex-officio Chairman of the State Board till a person is selected for nomination/appointment as Chairman of the State Board or

  
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the post falls vacant due to any other reason. Copy of guidelines dated 23-01-2019 annexed as **Annexure R-2/12**.

22(G) Contents of para 22(G) are denied. It is submitted that connectivity issue of sewerage line with CETP needs action from the Jal Shakti Department and Municipal Council Baddi, although the State Board is regularly taking up this issue with these concerned departments. However, as already submitted in paras supra, as per directions of the Hon'ble Supreme Court of India, all industries are required to comply with inlet parameters before disposing its effluent to the CETP.

22(H) In reply to para 22(H) it is submitted that as the CETP is not meeting the norms with regard to FDS and the Hon'ble NGT has taken cognizance of the issue and as per directions of Hon'ble Supreme Court of India, petitioner industries are required to comply with inlet parameters before discharging its effluent to the CETP for treatment of other parameters.

22(I) Contents of para 22(I) are wrong and denied as stated. Not only the CETP is to be compliant, but the member industries are also required to be compliant to the prescribed environmental norms. Contents of the para relating to implementation of phase-II project of CETP Baddi calls for reply of M/s Baddi Infrastructure. As already submitted in

  
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paras supra the State Board has issued notices to the CETP Baddi for providing advance treatment, as it was consistently non-complying to the FDS parameter. Further, as per information from Industries Department the proposal for providing advance treatment facility for improvement in the functioning of the CETP Baddi was submitted to Department of Commerce, Govt. of India for funding the project under Trade Infrastructure for Govt. of India Expert Scheme, wherein the proposal has been approved.

- 22(J) Contents of para 22(J) stand controverted in view of the submissions made in paras supra. It is not the SPCB but the CETP owner/management (a special purpose vehicle created by the Department of Industries) which is responsible for making upgradations to effectively treat the effluent for which notices were duly issued by the State Board as a regulator. Further, as per directions of Hon'ble Supreme Court of India, all industries are required to comply with inlet parameters before disposing its effluent to the CETP. It is submitted that notification dated 26.12.2019 was issued by the Govt. in compliance to MoEF& CC's notification dated 01-01-2016. It is also denied that the CETP is to act merely as post office, as the inlet quality standards notified for industries discharging to CETP are higher compared to

  
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the outlet discharge norms prescribed for the CETP and by way of treatment, the standards are required to be achieved by the CETP. The comparison of some of these parameters are as below:-

Parameter	Inlet quality norms prescribed for CETP on 26-12-2019 to be followed by member industries.	Outlet discharge norms prescribed for CETP by MoEF &CC on 01-01-2016.
BOD	350	30
COD	1000	250
Lead	1	0.1
TSS	250	100
Oil & Grease	15	10
Sulphide	5	2

The CETP has achieved compliance to outlet norms only recently in May 2021 after constant follow up by the State Board.

22(K) In reply to para 22(K) as already submitted, State Board has issued notices to the CETP for installation of advance treatment system from time to time as it was non-complying

  
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to the norms in respect of MoEF &CC notification dated 1-1-2016. With regard to the matter of member industries discharging less than 200 KLD, the matter was taken up with State Government. The State Government has conveyed vide communication dated 9-11-2020 (**Annexure P-16**) that as the CETP was constantly violating the norms with regard to FDS parameter therefore once CETP Baddi upgrades and provides adequate treatment the issue can be considered. The matter was also discussed in the meeting under chairmanship of Chief Secretary Government of HP on 26-2-2021 and 4-8-2021 (**Annexure P-18**). However as the CETP was constantly violating the norms with regard to FDS parameter, therefore it was decided that the issue will be considered once the CETP ensures compliance to effluent norms.

23-25 Contents of paras 23-25 are denied as stated. It submitted that impugned order passed by the respondent Board is appealable before the Hon'ble National Green Tribunal under section 16 of NGT Act 2010.

**Prayer:-**

In view of the detailed submissions made hereinabove and facts and circumstances of the case, it is therefore prayed that the aforesaid petition may kindly be dismissed qua the

  
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replying respondent. Any other order which this Hon'ble Court deems fit, may kindly be passed in the interest of justice.

**Respondent No.2&3**  
Member Secretary,  
HP State Pollution Control Board  
Shimla

Date:  
Place: - Shimla

Through Counsel

**IN THE HON'BLE HIGH COURT OF  
HIMACHAL PRADESH AT SHIMLA**

CWP No. 4961/2021

**IN THE MATTER OF:-**

Baddi Barotiwala Nalagarh Industries Association  
(BBNIA)

.....Petitioner

Versus

State of HP &ors.

.....Respondents

**AFFIDAVIT**

I, Apoorv Devgan, son of late Sh. Bharat Bhushan, aged 33 years, presently working as Member Secretary, H.P. State Pollution Control Board, Him Parivesh, Phase-III, BCS, New Shimla, Himachal Pradesh, do hereby solemnly declare and affirm on oath as under: -

1. That the accompanying reply has been drafted at my instance and under my instructions.
2. That the contents of preliminary submissions para 1-2 and reply paras 1-25 are true and correct to the best of my knowledge, derived from official record, no part of it is false and nothing material has been concealed therefrom.

  
Member Secretary,  
HP State Pollution Control Board  
Shimla

3. I further affirm that the contents this affidavit of mine are true and correct to my knowledge and belief, no part of it is false and nothing material has been concealed therefrom.

Verified at Shimla on \_\_\_ day of October, 2021.

**DEPONENT**

Member Secretary,  
HP State Pollution Control Board  
Shimla

Government of Himachal Pradesh  
Department of Environment, Science & Technology

No. STE-A(1)-4/2001-I-L

Dated Shimla-2, the

19<sup>th</sup> October, 2020.**NOTIFICATION**

In supersession to this Department's Notification of even No. dated 3<sup>rd</sup> July, 2017, the Governor, Himachal Pradesh, in exercise of the powers conferred under clause (b) and clause (c) of sub-section (2) of Section 4 of the Water (Prevention and Control of Pollution) Act, 1974, is pleased to nominate the following official Members to the Board of Directors of H.P. State Pollution Control Board for a period of three years, with immediate effect.

- |  |        |
|--|--------|
| 1. The Additional Chief Secretary (Industries) to the Govt. of H.P.  | Member |
| 2. The Additional Chief Secretary (MPP & POWER) to the Govt. of H.P. | Member |
| 3. The Additional Chief Secretary (Finance) to the Govt. of H.P.     | Member |
| 4. The Secretary (Env., S&T) to the Govt. of H.P.                    | Member |
| 5. The Secretary (Urban Development) to the Govt. of H.P.            | Member |
| 6. The Managing Director, HP Road Transport Corporation, Shimla.     | Member |
| 7. The Chief Executive Officer, HIMURJA, Shimla.                     | Member |

By Order

Rajneesh

Secretary (Env., Sci. & Tech.)  
to the Government of Himachal Pradesh.

Dated: Shimla-2, the 19<sup>th</sup> October, 2020.

Ends. No. STE-A (1)-4/2001-I-L

Copy forwarded for information to:

1. The Secretary to the Governor, HP, Shimla-2
2. All the Administrative Secretary to the Govt. of H.P., Shimla-2.
3. The Pr. Secretary to the Chief Minister, H.P.
4. The Director, Environment, Science & Technology, Shimla.
5. The Member Secretary, H.P. State Pollution Control Board, Him Parivesh, New Shimla-9.
6. The Dy. Secretary to the Chief Minister, Himachal Pradesh.
7. The P.S. to the Chief Secretary to the Govt. of H.P., Shimla-2.
8. All the Official members of the Board of Directors of the H.P. State Pollution Control Board, Shimla-9.
9. The Controller, Printing & Stationary, HP Govt. Press, Shimla-3 for publishing in the Rajpatra.
10. Guard File

(Satpal Dhillon) 19-10-2020  
Jt. Secretary (EST) to the  
Govt. of Himachal Pradesh

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[भाग II-खण्ड 3-(ii)]

भारत का राजपत्र : असाधारण

ANNEXURE - R2/2

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सा.का.नि. सं. 446(अ), तारीख 13 जून, 2011; सा.का.नि. सं. 152(अ), तारीख 16 मार्च, 2012; सा.का.नि. सं. 266(अ), तारीख 30 मार्च, 2012; सा.का.नि. सं. 277(अ), तारीख 31 मार्च, 2012; सा.का.नि. सं. 820(अ), तारीख 9 नवंबर, 2012; सा.का.नि. सं. 176(अ), तारीख 18 मार्च, 2013; सा.का.नि. सं. 535(अ), तारीख 7 अगस्त, 2013; सा.का.नि. सं. 771(अ), तारीख 11 दिसंबर, 2013; सा.का.नि. सं. 2(अ), तारीख 2 जनवरी, 2014; सा.का.नि. सं. 229(अ), तारीख 28 मार्च, 2014; सा.का.नि. सं. 232(अ), तारीख 31 मार्च, 2014; सा.का.नि. सं. 325(अ), तारीख 7 मई, 2014; सा.का.नि. सं. 612(अ), तारीख 25 अगस्त, 2014; सा.का.नि. सं. 789(अ), तारीख 11 नवंबर, 2014; और अंत में अधिसूचना का.आ. सं. 3305(अ), तारीख 7 दिसंबर, 2015 द्वारा संशोधन किए गए थे।

**MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE  
NOTIFICATION**

New Delhi, the 1st January, 2016

**S.O. 4(E).**—In exercise of the powers conferred by sections 6 and 25 of the Environment (Protection) Act, 1986 (29 of 1986), the Central Government hereby makes the following rules further to amend the Environment (Protection) Rules, 1986, namely:—

1. **Short title and Commencement.**—(1) These rules may be called the Environment (Protection) Amendment Rules, 2015.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. In the Environment (Protection) Rules, 1986, in Schedule-I,—

(a) the serial number 41 and the entries relating thereto, shall be omitted;

(b) for serial number 55 and the entries relating thereto, the following serial number and entries shall be substituted, namely:—

S. No.	Industry	Parameter	Standards		
(1)	(2)	(3)	(4)		
"55.	Common Effluent Treatment Plants (CETP)				
	A. Inlet Quality Standards	For each Common Effluent Treatment Plant (CETP), the State Board will prescribe Inlet Quality Standards for General Parameters, Ammonical-Nitrogen and Heavy metals as per design of the Common Effluent Treatment Plant (CETP) and local needs & conditions.			
	B. Treated Effluent Quality Standards		Max. permissible values (in milligram/litre except for pH and Temperature)		
			Into inland surface water	On land for irrigation	Into sea
		General Parameters			
		pH	6-9	6-9	6-9
		Biological Oxygen Demand, BOD <sub>5</sub> , 27°C	30	100	100
		Chemical Oxygen Demand (COD)	250	250	250*
Total Suspended Solids (TSS)	100	100	100		
Fixed Dissolved Solids (FDS)	2100*	2100*	NS*		

6.

THE GAZETTE OF INDIA: EXTRAORDINARY

[PART II—SEC. 3(ii)]

Specific parameters			
Temperature, °C	Shall not exceed more than 5°C above ambient water temperature	Shall not exceed more than 5°C above ambient water temperature	Shall not exceed more than 5°C above ambient water temperature
Oil & Grease	10	10	10
Ammonical Nitrogen	50	NS*	50
Total Kjeldahl Nitrogen (TKN)	50	NS*	50
Nitrate Nitrogen	10	NS*	50
Phosphates, as P	5	NS*	NS*
Chlorides	1000	1000	NS*
Sulphates, as SO <sub>4</sub>	1000	1000	NS*
Fluoride	2	2	15
Sulphides, as S	2	2	5
Phenolic compounds (as C <sub>6</sub> H <sub>5</sub> OH)	1	1	5
Total Res. Chlorine	1	1	1
Zinc	5	15	15
Iron	3	3	3
Copper	3	3	3
Trivalent Chromium	2	2	2
Manganese	2	NS*	2
Nickel	3	NS*	3
Arsenic	0.2	NS*	0.2
Cyanide, as CN	0.2	NS*	0.2
Vanadium	0.2	NS*	0.2
Lead	0.1	NS*	0.1
Hexavalent Chromium	0.1	NS*	0.1
Selenium	0.05	NS*	0.05
Cadmium	0.05	NS*	0.05
Mercury	0.01	NS*	0.01
Bio-assay test	As per industry-specific standards	As per industry-specific standards	As per industry-specific standards

\*NS-Not specified

## Notes:

- I. Discharge of treated effluent into sea shall be through proper marine outfall. The existing shore discharges shall be converted to marine outfalls. In cases where the marine outfall provides a minimum initial dilution of 150 times at the point of discharge and a minimum dilution of 1500 times at a point 100 m away from discharge point, then, the State Board may relax the Chemical Oxygen Demand (COD) limit.

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[भाग II-खण्ड 3 (ii)]

भारत का राजपत्र : असाधारण

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<p>Provided that the maximum permissible value for Chemical Oxygen Demand (COD) in treated effluent shall be 500 milligram/litre.</p> <p>2. Maximum permissible Fixed Dissolved Solids (FDS) contribution by constituent units of a Common Effluent Treatment Plant (CETP) shall be 1000 milligram/litre. In cases where Fixed Dissolved Solids (FDS) concentration in raw water used by the constituent units is already high (i.e. it is more than 1100 milligram/litre) then the maximum permissible value for Fixed Dissolved Solids (FDS) in treated effluent shall be accordingly modified by the State Board.</p> <p>3. In case of discharge of treated effluent on land for irrigation, the impact on soil and groundwater quality shall be monitored twice a year (pre- and post-monsoon) by Common Effluent Treatment Plants (CETP) management. For combined discharge of treated effluent and sewage on land for irrigation, the mixing ratio with sewage shall be prescribed by State Board.</p>	
4. Specific parameters for some important sectors, selected from sector-specific standards	
Sector	Specific Parameters
Textile	Bio-assay test, Total Chromium, Sulphide, Phenolic compounds
Electroplating Industries	Oil & Grease, Ammonia-Nitrogen, Nickel, Hexavalent Chromium, Total Chromium, Copper, Zinc, Lead, Iron, Cadmium, Cyanide, Fluorides, Sulphides, Phosphates, Sulphates,
Tanneries	Sulphides, Total Chromium, Oil & Grease, Chlorides
Dye & Dye Intermediate	Oil & Grease, Phenolic compounds, Cadmium, Copper, Manganese, Lead, Mercury, Nickel, Zinc, Hexavalent Chromium, Total Chromium, Bio-assay test, Chlorides, Sulphates,
Organic chemicals manufacturing industry	Oil & Grease, Bio-assay test, Nitrates, Arsenic, Hexavalent Chromium, Total Chromium, Lead, Cyanide, Zinc, Mercury, Copper, Nickel, Phenolic compounds, Sulphides
Pharmaceutical industry	Oil & Grease, Bio-assay test, Mercury, Arsenic, Hexavalent Chromium, Lead, Cyanide, Phenolic compounds, Sulphides, Phosphates."

[F. No. Q-15017/18/2014-CPW]

Dr. RASHID HASAN, Advisor

Note- The principal rules were published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i) vide number S.O. 844(E), dated the 19th November, 1986 and subsequently amended vide the following notifications:—

S.O. 433(E), dated the 18<sup>th</sup> April 1987; G.S.R. 176(E) dated the 2<sup>nd</sup> April, 1996; G.S.R. 97(E), dated the 18<sup>th</sup> February, 2009; G.S.R. 149(E), dated the 4<sup>th</sup> March, 2009; G.S.R. 543(E), dated the 22<sup>nd</sup> July, 2009; G.S.R. 739(E), dated the 9<sup>th</sup> September, 2010; G.S.R. 809(E), dated the 4<sup>th</sup> October, 2010; G.S.R. 215(E), dated the 15<sup>th</sup> March, 2011; G.S.R. 221(E), dated the 18<sup>th</sup> March, 2011; G.S.R. 354(E), dated the 2<sup>nd</sup> May, 2011; G.S.R. 424(E), dated the 1<sup>st</sup> June, 2011; G.S.R. 446(E), dated the 13<sup>th</sup> June, 2011; G.S.R. 152(E), dated the 16<sup>th</sup> March, 2012; G.S.R. 266(E), dated the 30<sup>th</sup> March, 2012; and G.S.R. 277(E), dated the 31<sup>st</sup> March, 2012; and G.S.R. 820(E), dated the 9<sup>th</sup> November, 2012; G.S.R. 176(E), dated the 18<sup>th</sup> March, 2013; G.S.R. 535(E), dated the 7<sup>th</sup> August, 2013; G.S.R. 771(E), dated the 11<sup>th</sup> December, 2013; G.S.R. 2(E), dated the 2<sup>nd</sup> January, 2014; G.S.R. 229 (E), dated the 28<sup>th</sup> March, 2014; G.S.R. 232(E), dated the 31<sup>st</sup> March, 2014; G.S.R. 325(E), dated the 07<sup>th</sup> May, 2014; G.S.R. 612(E), dated the 25<sup>th</sup> August, 2014; G.S.R. 789(E), dated the 11<sup>th</sup> November, 2014 and lastly amended vide notification S.O. 3305(E), dated the 7<sup>th</sup> December, 2015.

IN THE SUPREME COURT OF INDIA

CIVIL ORIGINAL JURISDICTION

WRIT PETITION (C) NO. 375 OF 2012

Paryavaran Suraksha Samiti and another. . . Petitioners

versus

Union of India and others . . . Respondents

J U D G M E N TJAGDISH SINGH KHEHAR, CJI

The petitioners have approached this Court, seeking a writ in the nature of mandamus, for a direction to the respondents, (which includes the Union Government, all the State Governments and the Union Territories) to ensure, that no industry which requires "consent to operate" from the concerned Pollution Control Board, is permitted to function, unless it has a functional effluent treatment plant, which is capable to meet the prescribed norms for removing the pollutants from the effluent, before it is discharged.

2. The Union of India, and the State Governments (including the Union Territories) have filed counter affidavits, expressing their individual positions. During the course of hearing, learned counsel representing the respondents, also made some suggestions,

which could be highly beneficial, in carrying forward the process removing pollutants, from the discharged effluent, in a systematic and co-ordinated manner.

3. During the course of hearing, it was not disputed between

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the rival parties, that the initiation of the process has to be at the individual level of the industry itself. It was suggested that each industry which requires "consent to operate" from the concerned Pollution Control Board, should be mandated to set up a functional primary effluent treatment plant. We are informed, that only when such an effluent treatment plant has been set up, the concerned Pollution Control Board grants a "no objection" to the industry, and accordingly "consent to operate", so as to allow the industry to become functional. It is therefore apparent, that all running industrial units, which require "consent to operate" from the concerned Pollution Control Board, have a functional primary effluent treatment plant, in place.

4. The question that arises for our consideration is, whether the same is maintained in good order, after the industry itself has become functional. The industry requiring "consent to operate", can be permitted to run, only if its primary effluent treatment plant, is functional. We therefore consider it just and appropriate, to direct the concerned State Pollution Control Boards, to issue notices to all industrial units, which require "consent to operate", by way of a common advertisement, requiring them to make their primary effluent treatment plants fully operational, within three months from today. On the expiry of the notice period of three months, the concerned State Pollution Control Board(s) are mandated to carry out inspections, to verify, whether or not, each industrial unit requiring "consent to operate", has a functional primary effluent treatment plant. Such of the industrial units, which have not been able to make their

primary effluent treatment plant <sup>-29-</sup> fully operational, within the notice period, shall be restrained from any further industrial activity. This direction may be implemented by requiring the concerned electricity supply and distribution agency, to disconnect the electricity connection of the defaulting industry. We therefore hereby further direct, that in case the concerned State Pollution Control Boards make a recommendation to the concerned electrical supply and distribution agency/company, to disconnect electricity supply to an industry, for the reason that its primary effluent treatment plant is not functional, it shall honour such recommendation, and shall disconnect the electricity supply to such defaulting industrial concern, forthwith.

5. Such an industrial concern, which has been disabled from carrying on its industrial activities, as has been indicated in the foregoing paragraph, is granted liberty to make its primary effluent treatment plant functional to the required capacity, and thereupon, seek a fresh "consent to operate" from the concerned Pollution Control Board. Only after the receipt of such fresh "consent to operate", the industrial activities of the disabled industry, can be permitted to be resumed. In carrying out the above exercise, we consider it just and appropriate to require, the Pollution Control Boards to carry out inspections, by prioritizing inspections of severely and critically polluted industries, so that visible results emerge at the earliest.

6. Liberty is hereby granted to private individual(s) and organizations, to address complaints to the concerned Pollution Control Board, if any industry is in default. On the receipt of any

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such complaint, the concerned Pollution Control Board, shall be obliged to verify the same, and take such action against the defaulting industry, as may be permissible in law. Such action, would be in addition to the discontinuation of industrial activity forthwith, in the manner directed hereinabove (but only after verification).

7. Having effectuated the directions recorded in the foregoing paragraphs, the next step would be, to set up common effluent treatment plants. We are informed, that for the aforesaid purpose, the financial contribution of the Central Government is to the extent of 50 per cent, that of the concerned State Government (including the concerned Union Territory) is 25 per cent. The balance 25 per cent, is to be arranged by way of loans from banks. The above loans, are to be repaid, by the industrial areas, and/or industrial clusters. We are also informed, that the setting up of a common effluent treatment plant, would ordinarily take approximately two years (in cases where the process has yet to be commenced). The reason for the above prolonged period, for setting up "common effluent treatment plants", according to learned counsel, is not only financial, but also, the requirement of land acquisition, for the same.

8. In view of the fact, that the financial position has been taken care of, as has been expressed above, we are of the view, that the setting up of "common effluent treatment plants", should be taken up as an urgent mission. With reference to common effluent treatment plants, which are already under implementation, we hope and expect, that they would be completed within the time

lines already postulated. <sup>194 5</sup> -31- With reference to common effluent treatment plants, which are yet to be set up, we consider it just and appropriate to direct, the concerned State Governments (including, the concerned Union Territories) to complete the same within a period of three years, from today. We are also of the view, that while acquiring land for the 'common effluent treatment plants', the concerned State Governments (including, the concerned Union Territories) will acquire such additional land, as may be required for setting up "zero liquid discharge plants", if and when required in the future.

9. During the course of hearing, we were informed by learned counsel, that the running of 'common effluent treatment plants', which are in place, is also a matter of serious concern. In this behalf, it was submitted, that some of the common effluent treatment plants are dis-functional, because of lack of finances, whilst some others are dis-functional, because of the requirement of repairs, which have not been carried out, again because of lack of financial resources.

10. Given the responsibility vested in Municipalities under Article 243W of the Constitution, as also, in item 6 of the 12<sup>th</sup> Schedule, wherein the aforesaid obligation, pointedly extends to "public health, sanitation conservancy and solid waste management", we are of the view, that the onus to operate the existing common effluent treatment plants, rests on municipalities (and/or local bodies). Given the aforesaid responsibility, the concerned municipalities (and/or local bodies), cannot be permitted to shy away, from discharging this onerous duty. In case there are further

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financial constraints, the remedy lies in Articles 243X and 243Y of the Constitution. It will be open to the concerned municipalities (and/or local bodies), to evolve norms to recover funds, for the purpose of generating finances to install and run, all the "common effluent treatment plants", within the purview of the provisions referred to hereinabove. Needless to mention, that such norms as may be evolved for generating financial resources, may include all or any, of the commercial, industrial and domestic beneficiaries, of the facility. The process of evolving the above norms, shall be supervised by the concerned State Government (Union Territory), through the Secretaries, Urban Development and Local Bodies respectively, (depending on the location of the respective common effluent treatment plant). The norms for generating funds, for setting up and/or operating the 'common effluent treatment plant' shall be finalized, on or before 31.03.2017, so as to be implemented with effect from the next financial year. In case, such norms are not in place, before the commencement of the next financial year, the concerned State Governments (or the Union Territories), shall cater to the financial requirements, of running the "common effluent treatment plants", which are presently dis-functional, from their own financial resources.

11. Just in the manner suggested hereinabove, for the purpose of setting up of "common effluent treatment plants", the concerned State Governments (including, the concerned Union Territories) will prioritize such cities, towns and villages, which discharge industrial pollutants and sewer, directly into rivers and water bodies.

12. We are of the view, that in the manner suggested above, the malady of sewer treatment, should also be dealt with simultaneously. We therefore hereby direct, that sewage treatment plants shall also be set up and made functional, within the time lines and the format, expressed hereinabove.

13. We are of the view, that mere directions are inconsequential, unless a rigid implementation mechanism is laid down. We therefore hereby provide, that the directions pertaining to continuation of industrial activity only when there is in place a functional "primary effluent treatment plants", and the setting up of functional "common effluent treatment plants" within the time lines, expressed above, shall be of the Member Secretaries of the concerned Pollution Control Boards. The Secretary of the Department of Environment, of the concerned State Government (and the concerned Union Territory), shall be answerable in case of default. The concerned Secretaries to the Government shall be responsible of monitoring the progress, and issuing necessary directions to the concerned Pollution Control Board, as may be required, for the implementation of the above directions. They shall be also responsible for collecting and maintaining records of data, in respect of the directions contained in this order. The said data shall be furnished to the Central Ground Water Authority, which shall evaluate the data, and shall furnish the same to the Bench of the jurisdictional National Green Tribunal.

14. To supervise complaints of non-implementation of the instant directions, the concerned Benches of the National Green Tribunal, will maintain running and numbered case files, by

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dividing the jurisdictional area into units. The above mentioned case files, will be listed periodically. The concerned Pollution Control Board is also hereby directed, to initiate such civil or criminal action, as may be permissible in law, against all or any of the defaulters.

15. Liberty is granted to private individuals, and organizations, to approach the concerned Bench of the jurisdictional National Green Tribunal, for appropriate orders, by pointing out deficiencies, in implementation of the above directions.

16. It however needs to be clarified, that the instant directions and time lines, shall not in any way dilute any time lines and directions issued by Courts or Benches of the National Green Tribunal, hitherto before, wherein the postulated time lines would expire before the ones expressed through the directions recorded above. It is clarified, that the time lines, expressed hereinabove will be relevant, only in situations where there are no prevalent time line(s), and also, where a longer period, has been provided for.

17. It would be in the interest of implementation of the objective sought to be achieved, to also require each concerned State (and each, concerned Union Territory) to make provision for "online, real time, continuous monitoring system" to display emission levels, in the public domain, on the portal of the concerned State Pollution Control Board. We are informed, that at least three State Governments have already adopted the aforesaid

measures. Such measures shall be put in place by all the concerned State Governments (including, the concerned Union Territories), within six months from today.

18. The instant writ petition stands disposed of, in the aforesaid terms.

.....CJI  
[JAGDISH SINGH KHEHAR]

.....J.  
[Dr. D.Y. CHANDRACHUD]

NEW DELHI,  
FEBRUARY 22, 2017.

.....J.  
[SANJAY KISHAN KAUL]

**H.P. STATE POLLUTION CONTROL BOARD**

HIM PARIVESH PHASE III, NEW SHIMLA - 170009

Phone No. : 0177-2673768 Fax: 0177-2673018

**NOTICE**

(To All Industries (Organizations/Municipal Local Bodies/HPSEB))

Whereas Hon'ble Supreme Court of India vide judgement dated 22.02.2017, passed in Writ Petition (C) No. 375 of 2012 dated 22.02.2017 has passed orders regarding the establishment of Primary Effluent Treatment Plant, Common Effluent Treatment Plant and Sewage Treatment Plant. Relevant contents of the said judgement are reproduced below:

2.4. .... The industry requiring consent to operate can be permitted to run, only if its primary effluent treatment plant is functional. We therefore consider it just and appropriate, to direct the concerned State Pollution Control Boards to issue notices to all industrial units, which require consent to operate, by way of a common advertisement requiring them to make their primary effluent treatment plants fully operational within three months from today. On the expiry of the notice period of three months, the concerned State Pollution Control Board(s) are mandated to carry out inspections, to verify, whether or not, each industrial unit requiring consent to operate, has a functional primary effluent treatment plant. Such of the industrial units, which have not been able to make their primary effluent treatment plant fully operational, within the notice period, shall be restrained from any further industrial activity. The direction may be implemented by requiring the concerned electricity supply and distribution agency, to disconnect the electricity connection of the defaulting industry. We therefore hereby further direct, that in case the concerned State Pollution Control Boards make a recommendation to the concerned electrical supply and distribution agency/company, to disconnect electricity supply to an industry, for the reason that its primary effluent treatment plant is not functional, it shall honour such recommendation, and shall disconnect the electricity supply to such defaulting industrial concern forthwith.

In view of above, all the industries concerned falling under the ambit of Water Act 1974, whether existing or operating with "Consent to operate" and/or whether a new industry intending to establish itself after obtaining "Consent to Establish" from the H.P. State Pollution Control Board, will have to necessarily have primary effluent treatment plant within the industry, which is functional.

In terms of the directions contained in the judgement of the Hon'ble Supreme Court cited supra, the H.P. State Pollution Control Board hereby issues caution notice to all industries/industrial units which have obtained the Consent to operate, or would require "Consent to Operate" from the Board to ensure that these industrial units make their primary effluent treatment plants fully operational within three months from 22.02.2017 i.e. on or before 22.05.2017. Thereafter, the Board will carry out mandatory inspections to verify all the industrial units requiring "Consent to Operate" including all the industrial units which are already operating with consent to operate obtained from the Board to find out whether such industrial units has a functional primary effluent treatment plant.

Please note that if any such industrial unit(s) are found having no effluent treatment plant or which are not fully operational, the same will be restrained from carry out any further industrial activity.

This is for the general information of all industrial units, as directed by the Hon'ble Supreme Court of India in the judgement referred to above.

The Hon'ble Supreme Court of India in the aforesaid judgement has further held at paragraph 8 as under:

8. In view of the fact, that the financial position has been taken care of, as has been expressed above, we are of the view that the setting up of common effluent treatment plants, should be taken up as an urgent mission. With reference to common effluent treatment plants, which are already under implementation, we hope and expect that they would be completed within the time lines already postulated. With reference to common effluent treatment plants, which are yet to be set up, we consider it just and appropriate, to direct, the concerned State Governments (including the concerned Union Territories), to complete the same within a period of three years, from today. We are also of the view, that while acquiring land for the common effluent treatment plants, the concerned State Governments (including the concerned Union Territories) will acquire such additional land, as may be required for setting up zero liquid discharge plants, if and when required in the future.

Under paragraph 10 of the said judgement, the Hon'ble Supreme Court has further categorically ordered that the onus to operate the existing common effluent treatment plants, rests on the Municipalities (and/or local bodies).

At paragraph 12 of the said judgement, the Hon'ble Supreme Court of India has observed as under: 12. We are of the view, that in the manner suggested above, the malady of sewer treatment, should also be dealt with simultaneously. We therefore hereby direct that sewage treatment plants, shall also be set up and made functional, within the time lines and the format, expressed herein above.

In view of the foregoing, the concerned authorities are hereby required to take necessary steps to forthwith implement the order of the Hon'ble Supreme Court as laid down by the Hon'ble Supreme Court in the judgement cited supra.

All concerned through this Notice of the Board shall comply with directions of the Hon'ble Supreme Court within stipulated time limit.

Member Secretary

The Tribune dated 7.4.2017





**H.P. STATE POLLUTION CONTROL BOARD**  
HIM PARIVESH, PHASE-III NEW SHIMLA-171009  
Phone. No 0177- 2673766 Fax-0177-2673018

**NOTICE**

**(To All Industries/Organizations/Municipal Local Bodies  
/HPSEBL)**

Whereas Hon'ble Supreme Court of India vide judgment dated 22-02-2017 passed in Writ Petition (C) No. 375 of 2012 dated 22-02-2017 has passed orders regarding the establishment of Primary Effluent Treatment Plant, Common Effluent Treatment Plant and Sewage Treatment Plant. Relevant contents of the said judgment are reproduced below:-

"4. .... The industry requiring "consent to operate", can be permitted to run, only if its primary effluent treatment plant, is functional. We therefore consider it just and appropriate, to direct the concerned State Pollution Control Boards, to issue notices to all industrial units, which require "consent to operate", by way of a common advertisement, requiring them to make their primary effluent treatment plants fully operational, within three months from today. On the expiry of the notice period of three months, the concerned State Pollution Control Board(s) are mandated to carry out inspections, to verify, whether or not, each industrial unit requiring "consent to operate", has a functional primary effluent treatment plant. Such of the industrial units, which have not been able to make their primary effluent treatment plant fully operational, within the notice period, shall be restrained from any further industrial activity. This direction may be implemented by requiring the concerned electricity supply and distribution agency, to disconnect the electricity connection of the

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*defaulting industry. We therefore hereby further direct, that in case the concerned State Pollution Control Boards make a recommendation to the concerned electrical supply and distribution agency/company, to disconnect electricity supply to an industry, for the reason that its primary effluent treatment plant is not functional, it shall honour such recommendation, and shall disconnect the electricity supply to such defaulting industrial concern, forthwith.*

In view of above all the industries concerned falling under the ambit of Water Act 1974 whether existing / operating with "Consent to operate" and /or whether a new industry intending to establish itself after obtaining "Consent to Establish" from the HP State Pollution Control Board will have to necessarily have primary effluent treatment plant within the industry, which is functional.

In terms of the directions contained in the judgment of the Hon'ble Supreme Court cited supra, the HP State Pollution Control Board hereby issues caution notice to all industries / industrial units which have obtained the "Consent to operate" or would require "Consent to Operate" from the Board to ensure that these industrial units make their primary effluent treatment plants fully operational within three months from 22-02-2017 i.e. on or before 22-05-2017. Thereafter the Board will carry out mandatory inspections to verify all the industrial units requiring "Consent to Operate" including all the industrial units which are already operating with consent to operate obtained from the Board to find out whether such industrial units has a functional primary effluent treatment plant.

Please note that if any such industrial unit(s) are found having no effluent treatment plant or which are not fully operational, the same will be restrained from carry out any further industrial activity.

This is for the general information of all industrial units as directed by the Hon'ble Supreme Court of India in the judgment referred to above.

The Hon'ble Supreme Court of India in the aforesaid judgment has further held at paragraph 8 as under:-

*8. In view of the fact, that the financial position has been taken care of, as has been expressed above, we are of the view, that the setting up of "common effluent treatment plants", should be taken up as an urgent mission. With reference to common effluent treatment plants, which are already under implementation, we hope and expect, that they would be completed within the timelines already postulated. With reference to common effluent treatment plants, which are yet to be set up, we consider it just and appropriate to direct, the concerned State Governments (including, the concerned Union Territories) to complete the same within a period of three years, from today. We are also of the view, that while acquiring land for the 'common effluent treatment plants', the concerned State Governments (including, the concerned Union Territories) will acquire such additional land, as may be required for setting up "zero liquid discharge plants", if and when required in the future.*

Under paragraph 10 of the said judgment, the Hon'ble Supreme Court has further categorically ordered, that the onus to operate the existing common effluent treatment plants, rests on the Municipalities (and/or local bodies).

At paragraph 12 of the said judgment, the Hon'ble Supreme Court of India has observed as under:-

*12. We are of the view, that in the manner suggested above, the malady of sewer treatment, should also be dealt with simultaneously. We therefore hereby direct, that 'sewage treatment plants' shall also be set up and made functional, within the time lines and the format, expressed hereinabove...."*

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In view of the foregoing, the concerned authorities are hereby required to take necessary steps to forthwith implement the order of the Hon'ble Supreme Court as laid down by the Hon'ble Supreme Court in the judgment cited supra:

All concerned through this Notice of the Board shall comply with directions of the Hon'ble Supreme court within stipulated time limit.

S/d  
Member Secretary  
HPPCB Shimla

-42- ANNEXURE-R-2/5  
 Status Report of Common Effluent Treatment Plant, Baddi and Textile Industries (Member Dyeing Units) of CETP-Baddi, District Solan, HP

Hon'ble National Green Tribunal in O.A. No. 801/2018, vide order dated 27<sup>th</sup> September, 2019 in the matter of Jasmeef Singh v/s State of Himachal Pradesh directed as follows:

*"we find it necessary to require latest status report in the matter from a joint committee comprising the CPCB, Himachal Pradesh State PCB and the District Magistrate, Solan. The committee may specifically examine the performance status of discharge of effluents by industries not connected to the CETP and progress of increase of connectivity of the effluent generating units to CETP instead of tankers and progress of corrective measures to bring down the high TDS levels on account of discharge of effluents by textile units. The committee may also ascertain the efficacy of the CETP and enforcement of the "Polluter Pays" principle for recovery of compensation from the defaulting units"*

In compliance to the above orders, a Committee of following members is constituted.

1. Sh. Vivek Chandel, Additional District Magistrate, Solan, Himachal Pradesh
2. Sh. Suneel Dave, Additional Director, Regional Directorate, Central Pollution Control Board, Chandigarh.
3. Sh. P. C. Gupta, Sr. Environmental Engineer, Regional Office, Himachal Pradesh Pollution Control Board, Baddi

Before proceeding for inspection and monitoring of Common Effluent Treatment Plant at Baddi (i) to assess the status of CETP and (ii) to estimate impact of discharged from CETP into River Sirsa, references were made from following three reports/ documents.

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- i) Report (dated 03-10-2019) of the monitoring committee constituted by the Hon'ble National Green Tribunal in OA.No. 916 of 2018 in the matter of Sobha Singh and others v/s State of Punjab and others. The committee had visited CETP, Baddi on 09-09-2019 and made recommendation based on the observations and samples results (Annexure I).
  - ii) Report (dated 18-10-2019) of the committee (of HPPCB) constituted vide office order no. PCB/Misc./complaint/Baddi/2019-20207-10 dated 19-09-2019. The committee had visited CETP, Baddi on 26-09-2019 and made some recommendation (Annexure II).
  - iii) Complaint application [Affidavit] (dated 24-10-2019) filed before Court of Ld. Chief Judicial Magistrate, Naagarh under Section 33, 41 & 42(d) of the Water (Prevention and Control of Pollution) Act, 1974 and Sections 15, 16 & 19 of the Environment (Protection) Act, 1986 of HPSPCB (Annexure III).

The Committee visited CETP, Baddi on 01<sup>st</sup> November, 2019 and collected samples from final outlet of CETP, discharge point of CETP, water sample from upstream and downstream of CETP discharged at River Sirsa.

The Committee has also collected effluent samples from the final outlet of following textile industries engaged in dyeing fiber, yarn and fabrics.

Table-1 List of Dyeing industries where effluent sample collected

Sr. No.	Name of unit	Address
1.	Auro Dyeing -I	Sai road Baddi Tehsil Baddi Distt Solan HP
2.	Auro Textile -I	Sai road Baddi Tehsil Baddi Distt Solan HP
3.	Auro Textile -II	Sai road Baddi Tehsil Baddi Distt Solan HP
4.	Winsome Textile	Plot No. 11A Baddi, Distt. Solan, H.P.
5.	Birla Textile	Sai Road, Bhatouli Khurd, PO Baddi, Distt. Solan HP
6.	Deepak Spinner	Plot No. 121 Ind Area Baddi Tehsil Baddi Distt Solan HP

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Sr. No.	Name of unit	Address
7.	Sobhagia Clothing	Plot No. 6 & 8, EPIP, Village Jharmajri, Tehsil Baddi Distt Solan HP
8.	Himachal Fiber	Plot No 43-44 Ind Area Barotiwala Tehsil Baddi Distt Solan HP

*The analysis of samples was under progress at the time of inscribing this report.*

#### 1.0 About CETP at Baddi

The CETP is located at Village Kainduwal on Baddi- Nalagarh Highway on right bank of River Sirsa and designed to treat 25 mld of effluent from different sector of industries, as mentioned in following para.

A total number of 449 industrial units, located at Baddi, Barotiwala and Nalagarh at the radial distance of approximately 15 km, are the members of CETP. A pipe network of 62.8 km is developed and laid by M/s Baddi Infrastructure Ltd., carrying effluent to the tune of 92% of total load reaching to CETP and remaining 8% of effluent is transported by tankers of 20 kl capacity. The CETP commenced its operation in the year 2015 while construction of CETP was started in the year 2013 after having obtained Environmental Clearance vide F. No. 10-53/2011-IA-III dated 08-10-2013 from Ministry of Environment Forest & Climate Change.

An association namely "Baddi Barotiwala Nalagarh Industrial Association" (BBNIA) is formed by the Industries operating in Baddi-Barotiwala-Nalagarh Industrial Area with its prime objective to establish this CETP for abatement and control of pollution due to industrial discharge.

To execute the objective, BBNIA formed a Special Purpose Vehicle (SPV), namely M/s. Baddi Infrastructures Ltd., wherein the SPV was responsible for construction of CETP, laying of closed conveyance system (pipe network), its operation and maintenance. The S.P.V. is also responsible to guide member

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industries for maintaining quality of effluent reaching CETP as per its design parameters.

## 2.0 Inspection of CETP- Baddi

- i) The CETP is designed to treat five different categories of effluent as tabulated under.

Sr. No.	Category	Sector of Industry <sup>a</sup>	No of Units	Consented effluent quantity (in MLD)
1.	I	Food, Paper and Textile	89	15.55
2.	II	Soap & Detergent	112	2.0
3.	III	Pharmaceutical	213	2.9
4.	IV	Dyeing	4*	2.0
5.	V	Electroplating, Metal surface finishing	31	0.042
Total			449	22.492 Say 23.00

<sup>a</sup> Out of four units three units are the sister concern of each other.

- ii) It was observed that at an average of 17 mld effluent is treated by the CETP, comprising equalization tank, primary settler, aeration tank, reaction tank, secondary and tertiary clarifier. The treatment process for each stream is appended with the report (Annexure IV).
- iii) It was noticed that effluent of category IV is not reaching to its designated equalization tank. M/s Baddi Infrastructure Ltd., has informed that the dedicated pipe network to carry the effluent of category IV is blocked. The effluent of category IV is therefore being discharged through pipe network of Category I.
- iv) It is also observed that the CETP is designed to treat category V effluent by mixing with category IV effluent to optimize the chemical consumption and to achieve effective treatment. Since, the effluent of category IV has been mixed with category I, in the pipe network itself before reaching CETP, which has resulted in formation of a new complex effluent for which the CETP was not designed. Therefore, it

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could not able to deliver the desired results w.r.t. treatment and thus, effluents was in non-conformity with the standards, as per the monitoring results of HPPCB (Annexure-V). Besides, the effluent of category V remained effectively untreated throughout the CETP process.

- v) The performance of CETP is being regularly monitored by HPPCB. The monitoring data (Annexure V) indicate that the performance of the CETP is far from satisfactory for having not met the discharged standards. The data reveal that effluent quality does not conform the standards of Chloride (limit of 1100 mg/l max.), Total Dissolved Solids (TDS) (limit of 2100 mg/l max.) and Biochemical Oxygen Demand (BOD) (limit of 30 mg/l max.).
- vi) The CETP has provided online continuous effluent monitoring system for pH, Total Suspended Solids (TSS), Chemical Oxygen Demand (COD) and Total Organic Content (TOC) and data so recorded are linked with the server of HPPCB and CPCB.  
While collecting the sample from the final outlet of tertiary clarifier and discharge point at River Sirsa, difference in colour of effluent was observed. The sample collected from the discharge point was lighter in colour than that of outlet of tertiary clarifier, giving rise to possibility of dilution. (Photograph: Plate-I)
- vii) The Committee also recorded that the Textile Units, which are generating the effluent of Category IV, were earlier operating their own effluent treatment plants prior to commencement of CETP and found it viable to operate due to their scale of production.
- viii) The designed treatment criteria of CETP are to treat effluent, stream-wise, following segregation at source. Since, effluent of Category-I is mixed with Category-IV, resulted in alternation of criteria, hence treated effluent quality does not conform to the standards.

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- ix) For increasing the connectivity, the CETP has proposed of laying conveyance (pipeline) for a total length of 5.8 kms. The status is as under.

Sr. No.	Location	Stretch In metres	Status of permission obtained	Remarks
1.	Zydus Cadilla to Legacy Food on Baddi Barotiwala road	1655	Permission granted by HPPWD	Work has been awarded by M/s Baddi Infrastructure Ltd vide letter dated 27-09-2019. (Annexure VI)
2.	Malpur-Baddi electrical substation upto Bhud near Maxtar Bio Genics Company	2250	Permission not granted by NHAI	
3.	Bhud to Lehi	1900	Permission granted by HPPWD	
Total		5805		

To safeguard the interest of environment from being deteriorated further and having understanding of pollution problem, its cause and remedial measures, the Committee recommends following:

- i) Textile industries (Sl. No. 1 to 5, Table 1) engaged in dyeing-process generating effluent of Category-IV, as mentioned above for the purpose of designing and operating CETP, should stop its operations with immediate effect, until and unless the dedicated conduits supposed to carry the said effluent, is brought to back functional.
- ii) These units shall resume operation of their ETP to impart effective treatment on effluent of Category-IV so as to meet the standards and shall pump treated effluent to the pipe network designated to carry effluent of Category-I for further treatment at CETP.

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- iii) These units shall resume operations only upon satisfactory performance of ETP which was brought back to functional and shall be monitored once in a month by HPPCB.
- iv) M/s Baddi Infrastructure Ltd. is to ensure proper maintenance of CETP and its infrastructure including pipe network designed to receive effluents from member industrial units. M/s Baddi Infrastructure Ltd. has to ensure operation of CETP as per the defined protocol and in accordance to standard operating practice which is in place. In case, any variation (beyond the designed criteria) of effluent quality is noticed by CETP, the same shall be brought to the knowledge of SPCB, in writing. The SPCB shall acknowledge the communications and shall act to identify the cause for taking all necessary steps for taking all necessary steps to eliminate/minimize such variation.
- v) M/s Baddi Infrastructure Ltd. has to install activated carbon, pressure sand filters and ozonizer before the treated effluent is discharged. This refers the Detailed Project Report of CETP-Baddi, which finds mentioned of the such system but has not been provided by M/s Baddi Infrastructure Limited.

Reference is made on the observations recorded by the Committee constituted by Hon'ble Tribunal in O.A. No.916/2018 in the matter of Sobha Singh and Others v/s State of Punjab and Others, wherein the Committee recommended that Rs.1.0 crore to be levied on CETP-Baddi as Environmental Compensation for untreated effluent discharged into River Sirsa. The CETP discharged, joining the river, has failed to meet Bio-assay Test (Toxicity on fish: 0% survival with 100% effluent for 96 hours). This would have caused impact on water and land (soil) environment, plants and vegetation, aquatic life and human health all along downstream of CETP- Baddi.

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Thus, Committee also recommends the following:

vi) Environmental Compensation (EC) to be levied to CETP- Baddi (M/s Baddi Infrastructure Ltd) for not having done effluent treatment upto the standards and to those Textile Industries (dyeing units) responsible for making CETP defunct. The EC would be proportionate as under.

- a) CETP-Baddi has to pay Environmental Compensation to the tune of Rs. 1.91 Crores for non-compliance of discharged standards, estimated based on violation recorded by HPPCB over last one and half year [19.04.2017 -01.11.2019] (Annexure VII) including compensation to the tune of Rs. 87.9 Lakh imposed by HPSPCB dated 15.10.2019 over one year [20.11.2018 to 09.09.2019] (Annexure VIII).
- b) Textile Industries (dyeing units) are to pay establishment cost of CETP and cost of pipe network which was brought to state of irreparable.

vii) HPPCB is to review the notification dated 17.03.2018 wherein Total Suspended Solids (TSS), Oil & Grease and pH have been notified as effluent quality parameters for CETP- Baddi. Other parameters like TDS, BOD, Chloride and Sulphide may also be considered for inclusion in the notification as these have critical bearing on operation and performance of CETP designed to impart effective treatment. HPPCB may undertake similar exercise as done in case of notification dated 29.06.2019 for CETP Paonta Sahib, wherein eight parameters including those referred here, have been considered. Such notification may be issued in consultation with CPCB.

viii) For optimal performance of CETP- Baddi, HPPCB is to ensure regulating and monitoring mechanism be in place by asking all member units (falling under red category) of CETP to install online continuous effluent monitoring system. The data so recorded shall be made available on SPCB and CPCB server for effective control.

*Handwritten signature*

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PRAYER

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This interim report may be considered as the final report shall be submitted on completion of sample analysis.

*PC*  
P C Gupta  
Sr. Environmental Engineer  
H P S P C B

*Suneel Dave*  
Suneel Dave  
Additional Director  
C P C B

*Vivek Chandel*  
Vivek Chandel  
Additional District Magistrate  
SOLAN, H P

ITEM NO.9 Court 4 (Video Conferencing) SECTION XVII

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

CONMT.PET.(C) No. 655/2020 in C.A. No. 1359/2017

AMITABH SRIVASTAVA Petitioner(s)

VERSUS

RAJENDRA KUMAR TIWARI AND ORS. & ORS. Respondent(s)

(FOR ADMISSION )

Date : 08-02-2021 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE UDAY UMESH LALIT  
HON'BLE MR. JUSTICE K.M. JOSEPH

For Petitioner(s) Mr. Fuzail Ahmad Ayyubi, Aor  
Mr. Ibad Mushtaq, Adv.  
Ms. Ashima Mandla Adv.  
Ms. Akanksha Rai, Adv.

For Respondent(s) Mr. V.K. Shukla, Senior advocate  
Mr. Rajeew Kumar Dubey, Advocate  
Mr. Kamendra Mishra, Aor

Mr. Mahfooz Ahsan Nazki, AOR  
Mr. Vijay Kumar G. SRKR, Secretary to  
Government EFS&T Department, Andhra Pradesh  
Mr. Polanki Gowtham, Advocate  
Mr. Shaik Mohamad Haneef, Advocate  
Mr. T. Vijaya Bhaskar Reddy, Advocate  
Mr. Amitabh Sinha, Advocate  
Mr. Shrey Sharma, Advocate

Mr. Abhimanyu Tewari, AOR

Mr. Debojit Borkakati, AOR

Mr. Samir Ali Khan, AOR

Mr. Sumeer Sodhi, AOR  
Ms. Shreya Nair, Adv.

Mr. Aniruddha P. Mayee, AOR

Mr. Ankit Goel, Aor  
Mr. R.K. Gupta, Adv.

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Mr. Abhinav Kaushik, Adv.

Mr. Abhinav Mukerji, AAG (AOR)

Mrs. Bihu Sharma, Adv.

Ms. Pratishtha Vij, Adv.

Mr. Tapesk Kumar Singh, AAG

Ms. Pallavi Langar, AOR

Mr. Kumar Anurag Singh Adv

Mr. V. N. Raghupathy, AOR

Ms. Priyanka Prakash, Adv.

Ms. Beena Prakash, Adv.

Mr. G. Prakash, AOR

Mr. Saurabh Mishra, AAG

Mr. Arjun Garg, AOR

Mr. Sandeep Sharma Adv.

Ms. Shrutika Garg, Adv.

Mr. Sachin Patil, AOR

Mr. Rahul Chitnis Adv.

Mr. Aaditya A. Parde, Adv.

Mr. Geo Joseph Adv.

Mr. Siddhesh Kotwal, Adv.

Mr. Divyansh Tiwari, Adv.

Ms. Ana Upadhyay, Adv.

Ms. Manya Hasija, Adv.

Mr. Nirnimesh Dube, AOR

Ms. K. Enatoli Sema, AOR

Mr. Amit Kumar Singh, Adv

Mr. Som Raj Choudhury, AOR

Ms. Uttara Babbar, AOR

Mr. Manan Bansal, Advocate.

Dr. Manish Singhvi, Senior Advocate

Mr. Sandeep Kumar Jha, AOR

Mr. Sameer Abhyankar, AOR

Mr. Amish Tandon, Adv.

Mr. Ayush Beotra, Adv.

Mr. Varun Tandon, Adv.

Mr. Dipin Tamang, Adv.

Mr. Jayanth Muth Raj, Sr. Adv, AAG

Mr. M. Yogesh Kanna, AOR

Mr. RajaRajeshwaran. S, Adv

Mr. Aditya Chadha, Adv

Mr. Uma Prasuna Bachu, Adv.

Mr. M. Yogesh Kanna, AOR

Mr. P. Venkat Reddy, Adv.

Mr. Prashant Tyagi, Adv.

Mr. P. Srinivas Reddy, Adv.

M/S. Venkat Palwai Law Associates, AOR

Mr. Shuvodeep Roy, AOR

Mr. Rahul Raj Mishra, Adv.

MR. RAHUL RAJ MISHRA, ADV.

Ms. Vanshaja Shukla, AOR

Ms. Anuja Pethia, Adv.

Mr. Pukhrambam Ramesh Kumar, Adv (Manipur)

Ms. Anupama Ng., Adv.

Mr. Karun Sharma, Adv.

Mr. Arun R. Pedneker, Adv.

Standing Counsel for State of Goa

Ms. Mukti Chowdhary AOR

Mr. Amit Kumar, Advocate General Meghalaya

Mr. Avijit Mani Tripathi, AOR, Standing

Counsel, Meghalaya

Mr. Shaurya Sahay, Advocate

Mr. T.K. Nayak Advocate

Mr. Som Raj Choudhury. AOR for State of Odisha.

Mr. Abhimanyu Tewari, AOR

Ms. Eliza Bar, Adv.

UPON hearing the counsel the Court made the following

O R D E R

The present contempt petition seeks enforcement of directions issued by this Court in its judgment dated 22.09.2017 in Civil Appeal No. 1359/2017.

Heard Mr. Fuzail Ahmad Ayyubi, learned advocate for the contempt petitioner. It is submitted by Mr. Ayyubi that following States have filed affidavits and have complied with the direction issued by this Court:

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1. Himachal Pradesh(R-10)
2. Karnataka(R-12)
3. Madhya Pradesh(R-14)
4. Nagaland(R-19)
5. Odisha(R-20)
6. Punjab(R-21)
7. Sikkim(R-23)
8. Tamil Nadu(R-24)
9. Tripura(R-26)
10. Uttarakhand (R-27)
11. Kerala (R-13)
12. Arunachal Pradesh(R-3)

Since the afore-stated States have complied with the directions, they stand discharged from this Contempt Petition.

It is also submitted that following nine States have filed affidavits but have not complied with the directions issued by this Court.

1. Uttar Pradesh(R-1)
2. Assam(R-4)
3. Chhattisgarh(R-6)
4. Jharkhand(R-11)
5. Maharashtra(R-15)
6. Manipur(R-16)
7. Mizoram(R-17)
8. Rajasthan(R-22)
9. Bihar (R-5)

It is submitted by the learned counsel appearing for State of Chhattisgarh (R-6) that the State has complied with the directions. However, according to Mr. Ayyubi, the compliance falls short of the directions issued by this Court. Learned counsel for State of Mizoram (R-17) has stated that the concerned Regulations have been framed but have not yet been implemented.

In the circumstances, States other than Chhattisgarh are given time of three months to frame regulations and effectuate the directions issued by this Court.

It is also submitted that the States of Telangana, Gujarat and

Haryana have filed the affidavits but Mr. Ayyubi has not been favoured with copies of the affidavits.

Similarly States of Andhra Pradesh, Meghalaya, West Bengal and Goa have also not filed any affidavits.

Mr. Tushar Mehta, learned SG submits that the appropriate affidavit on behalf of Goa State has been filed and the directions issued by this Court stand complied with.

List the matter on 10.05.2021 for further consideration.

(INDU MARWAH)  
COURT MASTER (SH)

(PRADEEP KUMAR)  
BRANCH OFFICER

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ANNEXURE-R-2/17

Item No. 02

(Court No. 1)

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

(By Video Conferencing)

Original Application No. 801/2018

(With report dated 16.06.2021)

Jasmeet Singh

Applicant

Versus

State of Himachal Pradesh

Respondent

Date of hearing: 23.06.2021

**CORAM: HON'BLE MR. JUSTICE ADARSH KUMAR GOEL, CHAIRPERSON  
HON'BLE MR. JUSTICE SUDHIR AGARWAL, JUDICIAL MEMBER  
HON'BLE MR. JUSTICE M. SATHYANARAYANAN, JUDICIAL MEMBER  
HON'BLE MR. JUSTICE BRIJESH SETHI, JUDICIAL MEMBER  
HON'BLE DR. NAGIN NANDA, EXPERT MEMBER**

Respondent: Mr. Nalin Kohli, Advocate for HPS PCB

**ORDER**

1. The issue for consideration is the remedial action against pollution of River Balad in Baddi industrial area in District Solan, on account of leakage from the Common Effluent Treatment Plant (CETP).
2. The matter was considered on several occasions earlier. On 14.01.2020, the Tribunal considered the report dated 06.11.2019 filed by the State PCB to the effect that violation of provisions of the Water (Prevention and Control of Pollution) Act, 1974 was taking place by discharge of polluted effluents in the water bodies. The same is reproduced below for ready reference:-

**"2.0 Inspection of CETP Baddi**

- i). The CETP is designed to treat five different categories of effluent as tabulated under

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Sr. No.	Category	Sector of Industry	No of Units	Consented effluent quantity (in MLD)
1.	I	Food, Paper and Textile	89	15.55
2.	II	Soap & Detergent	112	2.0
3.	III	Pharmaceutical	213	2.9
4.	IV	Dyeing	4* M/s Auro Textile Unit - I, M/s Auro Dyeing Unit - I, M/s Winsome Textile Industries	2.0
5.	V	Electroplating, Metal surface finishing	31	0.042
Total			449	22.492
				Say 23.00

- ii) It was observed that at an average of 17 mld effluent is treated by the CETP, comprising equalization tank, primary settler, aeration tank, reaction tank, secondary and tertiary clarifier. The treatment process for each stream is appended with the report (Annexure IV).
- iii) It was noticed that effluent of category IV is not reaching to its designated equalization tank. M/s Baddi Infrastructure Ltd. has informed that the dedicated pipe network to carry the effluent of category IV is blocked. The effluent of category IV is therefore being discharged through pipe network of Category I.
- iv) It is also observed that the CETP is designed to treat category V effluent by mixing with category IV effluent to optimize the chemical consumption and to achieve effective treatment. Since, the effluent of category IV has been mixed with category-I, in the pipe network itself before reaching CETP, which has resulted in formation of a new complex effluent for which the CETP was not designed. Therefore, it could not able to deliver the desired results w.r.t. treatment and thus, effluents was in non-conformity with the standards, as per the monitoring results of HPPCB (Annexure-V). Besides, the effluent of category V remained effectively untreated throughout the CETP process.
- v) The performance of CETP is being regularly monitored by HPPCB. The monitoring data (Annexure-V) indicate that the performance of the CETP is far from satisfactory for having not met the discharged standards. The data reveal that effluent quality does not conform the standards of Chloride (limit of

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1100 mg/l max.), Total dissolved Solids (TDS) (LIMIT OF 2100 MG/L Mmax) and Biochemical Oxygen Demand (BOD) (limit of 30 mg/l max.).

- vi) The CETP has provided online continuous effluent monitoring system for pH, Total Suspended Solids (TSS), Chemical Oxygen Demand (COD) and Total Organic Content (TOC) and data so recorded are linked with the server of HPPCB and CPCB.

While collecting the sample from the final outlet of tertiary clarifier and discharge point at River Sirsa, difference in colour of effluent was observed. The sample collected from the discharge point was lighter in colour than that of outlet of tertiary clarifier, giving rise to possibility of dilution. (Photograph: Plate-I)

- vii) The Committee also recorded that the Textile Units, which are generating the effluent of Category IV, were earlier operating their own effluent treatment plants prior to commencement of CETP and found it viable to operate due to their scale of production.

- viii) The designed treatment criteria of CETP are to treat effluent stream-wise, following segregation at source, effluent of Category-I is mixed with Category-IV, resulted in alternation of criteria, hence treated effluent.

- ix) For increasing the connectivity, the CETP has proposed of laying conveyance (pipeline) for a total length of 5.8 kms. The status is as under.

Sr. No.	Location	Stretch in meters	Status of permission obtained	Remarks
1.	Zydus Cadilla to Legacy Food on Baddi Barotiwala road	1655	Permission granted by HPPWD	Work has been awarded by M/s. Baddi Infrastructure Ltd vide letter dated 27-09-2019. (Annexure-VI)
2.	Maplur-Baddi electrical substation upto Bhud near Maxtar Bio Genics Company	2250	Permission not granted by NHAI	
3.	Bhud to Tehi	1900	Permission granted by HPWD	
Total		5805		

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To safeguard the interest of environment from being deteriorated further and having understanding of pollution problem, its cause and remedial measures, the Committee recommends following:

- i) **Textile industries (Sl. No. 1 to 5, Table 1) engaged in dyeing process generating effluent of Category-IV, as mentioned above for the purpose of designing and operating CETP, should stop its operations with immediate effect, until and unless the dedicated conduits supposed to carry the said effluent, is brought to back functional.**
- ii) **These units shall resume operation of their ETP to impart effective treatment on effluent of Category-IV, so as to meet the standards and shall pump treated effluent to the pipe network designated to carry effluent of Category-I for further treatment at CETP.**
- iii) **These units shall resume operations only upon satisfactory performance of ETP which was brought back to functional and shall be monitored once in a month by HPCB.**
- iv) **M/s Baddi Infrastructure including Ltd. is to ensure proper maintenance of CETP and its infrastructure including pipe network designed to receive effluents from member industrial units. M/s Baddi Infrastructure Ltd. has to ensure operation of CETP as per the defined protocol and in accordance to standard operating practice which is in place. In case, any variation (beyond the designed criteria) of effluent quality is noticed by CETP the same shall be brought to the knowledge of SPCB, in writing. The SPCB shall acknowledge the communications and shall act to identify the cause for taking all necessary steps for taking all necessary steps to eliminate/minimize such variation.**
- v) **M/s Baddi Infrastructure Ltd. has to install activated carbon, pressure sand filters and ozonizer before the treated effluent is discharged. This refers the Detailed Project Report of CETP-Baddi, which finds mentioned of the system but has not been provided by M/s Baddi Infrastructure Limited.**

Reference is made on the observations recorded by the Committee constituted by Hon'ble Tribunal in O.A. No.916/2018 in the matter of Sobha Singh and Others v/s State of Punjab and Others, wherein the Committee recommended that Rs.1.0 crore to be levied on CETP-Baddi as Environmental Compensation for untreated effluent discharged into River Sirsa. The CETP discharged, joining the river, has failed to meet Bio-assay Test (Toxicity on fish: 0% survival with 100% effluent for 96 hours). This would have caused impact on water and land (soil) environment, plants and vegetation, aquatic life and human health all along downstream of CETP-Baddi.

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Thus, Committee also recommends the following:-

- vi) Environmental compensation (EC) to be levied to CETP-Baddi (M/s. Baddi Infrastructure Ltd) for not having done effluent treatment upto the standards and to those Textile Industries (dyeing units) responsible for making CETP defunct. The EC would be proportionate as under:
- CETP-Baddi has to pay environmental Compensation t the tune of Rs. 1.91 Crores for non-compliance of discharged standards, estimated based on violation recorded by HPPCB over last one and half year [19.10.2017 - 01.11.2019] (Annexure VII) including compensation to the tune of Rs. 87.9 Lakh imposed by HSPFCB dated 15.10.2019 over one year [20.11.2018 to 09.09.2019] (annexure VII).
  - Textile Industries (dyeing units) are to pay establishment cost of CETP and cost of pipe network which was brought to state of irreparable.
- vii) HPPCB is to review the notification, dated 17.03.2018 wherein Total Suspended Solids (TSS), Oil & Grease and pH have been notified. TDS, BOD, Chloride and Sulphide may also be considered for inclusion in the notification as these have critical bearing on operation and performance of CETP designed to impart effective treatment. HPPCB may undertake similar exercise as done in case of notification, dated 29.06.2019 for CETP Paonta Sahib, wherein eight parameters including those referred here, have been considered. Such notification may be issued in consultation with CPCB.
- viii) For optimal performance of CETP-Baddi, HPPCB is to ensure regulating and monitoring mechanism be in place by asking all member units (falling under red category) of CETP to install online continuous effluent monitoring system. The data so recorded shall be made available on SPCB and CPCB server for effective control."

3. The matter was then considered on 18.06.2020 in the light of compliance report dated 11.06.2020 filed by the State PCB. It was observed:

“ xxx xxx xxx  
5. In pursuance of above, the State PCB has filed a compliance report dated 11.06.2020 to the effect that the units gave action plans which are not satisfactory as long timeline have been prescribed.

6. We do not find the report to be as per the mandate of law. If the pollution is continuing, the State PCB is under obligation to close the polluting activities by exercising its jurisdiction.

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**under the Water Act, 1974 and recover compensation from the polluters. Till pollution is stopped, polluting activities, which are punishable crime under the law, cannot continue. The State PCB has failed to take action merely on the ground that action plan was being prepared or had been prepared which was not satisfactory. None appears for the State PCB."**

4. The matter was last considered on 04.01.2021 in the light of the report of the State PCB dated 01.01.2021 mentioning the steps taken for closure and recovery of compensation. The Tribunal found that the action taken was not adequate as CETP was still non-compliant. Untreated effluents were thus being discharged into the water bodies in violation of law. Discussion and direction in the said order are reproduced below:-

"1to3...xxx.....xxx.....xxx

4. Accordingly, the State PCB has filed its report on 01.01.2021. It mentions that the State PCB issued show cause notice dated 23.06.2020 to the concerned textile units for closure and recovery of compensation against which writ petitions were filed before the Himachal Pradesh High Court. The High Court vide order dated 22.07.2020, directed that the matter be heard by the Principal Secretary, Environment and fresh order passed. The Principal Secretary, Environment passed further order on 30.12.2020 directing the State PCB to take action for enforcement of law since violation of law was established. The Principal Secretary, Environment held:

"xxx

xxx

xxx

..... **But this fact cannot be ignored that effluent discharge, FDS in particular, by these units is beyond the prescribed limits which is contributing to pollution. In the light of this discussion, I am of considered view that, keeping in view the above position, SPCB may take action strictly according to the provisions of Law and rules applicable in this case. ...."**

5. The State PCB accordingly issued fresh show cause notice on 28.12.2020 and passed further order dated 01.01.2021 as follows:

"xxx

xxx

xxx

**Whereas, the effluent of category-IV being contributed by the unit M/s Auro Textiles, Sai Road Baddi, Distt. Solan, H.P to the CETP for final disposal and treatment by unit is not complying since 25-7-2020 till date to the discharge standards as prescribed in the schedule-I of**

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**EP Rules, 1986 as well as the inlet quality standards notified by the State Government and thereby causing water pollution.**

xx

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Now, therefore, in consideration of the facts stated above, in view of the directions of Hon'ble High Courts orders, Hon'ble NGT and the orders passed by Principal Secretary (Env, S&T) Govt of HP and in exercise of the powers conferred under section 32 and 33-A of Water (Prevention & Control of Pollution) Act, 1974 M/s Auro Textiles, Sai Road Baddi, Dist. Solan, H.P. is hereby directed to:

1. Immediately shut down the dyeing process of the textile unit contributing towards the category IV effluent to CETP, Baddi, till the unit becomes compliant.
2. Pay Environment Compensation to the tune of Rs. 42 lakhs (Forty Two Lakhs only) for the violation period w.e.f. 25-07-2020 to 31-12-2020 (140 days excluding the period of compliance)."

Identical orders are said to have been passed against four textile units.

6. We have heard Shri Nalin Kohli, learned Counsel appearing for the State PCB.

7. We find that though in the show cause notice the State PCB proposed disconnecting power supply, this direction has not been given in the final order. We also find that the CETP has still not complied with the environmental norms for which remedial action needs to be taken by the State PCB, by improving quality and reducing the load of inlet so as to be consistent with the designed capacity of the CETP, or closing such units contributing to the waste for which the CETP is not designed, till the concerned units make their own arrangement for treating the effluents. The member industries may be considered non-compliant, if they do not undertake primary treatment as per EC conditions of the CETP. The industries having effluent generation more than 200 KLD may be directed to treat the effluents and recycle/reuse to the maximum extent and also reducing the FDS. Wherever required, water audit of red category non-compliant units be conducted. The requisite pipeline may also be required to be constructed by the CETP to carry the waste.

8. Let further progress report be filed before the next date by e-mail at [judicial-ngt@gov.in](mailto:judicial-ngt@gov.in) preferably in the form of searchable PDF/OCR Support PDF and not in the form of Image PDF."

5. The State PCB has filed interim report dated 06.05.2021 followed by further report dated 16.06.2021. It will suffice to refer to the last report to the effect that the samples were taken and were not found to be

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within the limits. The State PCB gave directions to the concerned industries. While some units have achieved the norms, further action is being taken in the matter. The status as mentioned in the report is reproduced below:-

*"In compliance to afore-cited order dated 04-01-2021 it is submitted that earlier the State Board had filed an Interim Report vide letter No. PCB/OA No. 801/2018 /-1549 dated 6-5-2021 wherein it was submitted that Board has taken steps to make the CETP, Baddi compliant. The FDS level was found 2364mg/ltr as per sampling conducted at that time, though not within the prescribed limits. It is further submitted that now the latest sample taken on 21-5-2021 and 7-6-2021 has been found within the prescribed limits w.r.t. FDS as the same has been reduced to the 2019mg/ltr and 2072 mg/ltr respectively. The sampling chart of the CETP Baddi is annexed as Annexure -A which reveals that there is continuous improvement and now the analysis results of latest sample taken are meeting the norms w.r.t. FDS.*

*It is further submitted that as regard to the issue of industries having effluent generation of more than 200 KLD, the State Board had identified and issued directions to 16 numbers of industries to operate their treatment plants i.e. primary, secondary and tertiary treatment system for the effluent treatment as per Environment Conditions of CETP and also directed to recycle / reuse to the maximum extent and also to reduce the FDS. Now as per report received from the Regional Office Baddi, these 16-units are operating the effluent treatment plants prior to their effluent discharge to CETP. The State Board has conducted inspection and sampling of these 16 units. The earlier results of sampling conducted on 21-1-2021, 29-1-2021, 1-3-2021, 23-3-2021 and 16-4-2021, were found within limits (except of three units of M/s Vardhman and one unit of Winsome Textile) which has already been placed on record alongwith interim report dated 6-5-2021. However, the latest results of sampling conducted on 21-5-2021 the results of three units namely M/s. P&G Home Products Baddi, M/s Torrent Pharmaceutical Ltd. Baddi and M/s Abbott Health care, Baddi were found above the prescribed limits for which notices dated 16-6-2021 has been issued to these units. Copy of sample results and notices issued are annexed as Annexure-B and Annexure-C (colly). The sample results of other units were found within the prescribed limits. It is further submitted that as reported by Regional Officer, Baddi the member industries having flow less than 200 KLD are disposing off their effluent to CETP, Baddi after primary treatment.*

*As regard to the compliance by the four textile units namely Auro Textile, Auro Textile unit -II, Auro Dyeing of Vardhman Textile and one unit of Winsome Textile, it is submitted that as per report received from the Regional Office, Baddi, the work of installation of advance treatment system by M/s Vardhman textile to reduce FDS is under progress and Reverse Osmosis system of capacity of 2 MLD shall be operational by 30-6-2021. In addition to Reverse Osmosis, M/s Vardhman Textile is also*

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installing the Multi Effect Evaporator of capacity of 370 KLD. As regard to progress of installation of advance treatment system by M/s Winsome Textile it is submitted that as per report received from Regional Office, Baddi the unit has completed the civil construction work. The installation of Reverse Osmosis system and other components is under progress. Copies of progress report of these textile units received from Regional Office are annexed as Annexure-D and E. The latest sample results of these four textile units are still not meeting the norms. Sample results are annexed as Annexure-F. As already submitted in interim progress report dated 6-5-2021, it is again submitted here that State Board had issued directions on 1-1-2021 to these four textile units under section 33-A of Water Act, 1974 for closure and levied Environmental Compensation which were challenged by these units before the Hon'ble High Court of HP vide CWP No. 414/2021, 416/2021, 417/2021 and 418/2021. The Hon'ble High Court of HP vide order dated 11-1-2021 and 15-3-2021 has stayed the operation of the directions issued by the State Board and the matter is still pending before the Hon'ble High Court of Himachal Pradesh for adjudication. Copies of order dated 15-3-2021 are annexed as Annexure-G.

It is further submitted that due to constant efforts of all stakeholders, the two consecutive latest samples of CETP outlet are meeting the norms prescribed by the MoEF & CC vide notification dated 1-1-2016. In future, the State Board shall continue to make all efforts in form of surveillance, regular monitoring and regulation on the CETP and member industries, so that the CETP remains compliant in future as well."

6. From the above, it is clear that violations are still continuing. Stay of order of closure and assessment of compensation for the past violations does not justify inaction for failure to take action for further violations after the order of stay and to initiate prosecution of the industrial units in question, including their Owners/Directors and the CETP operators. We also find that merely keeping an eye on units discharging more than 200 KLD is not enough. Violation by those discharging less than 200 KLD is not less serious violation nor less harmful for the environment and public health.

7. Accordingly, let further remedial action be taken to enforce the environmental rule of law in the interest of protection of environment and public health and a report of status of compliance filed after inspection.

H.P. STATE POLLUTION CONTROL BOARD  
HIM PARIVESH, PHASE III, SHIMLA-171 009.

No. HPSPCB/CETP (NGT)/2018

18031-33

Dated: 31/8/2019.

To

M/s Baddi Infrastructure (CETP), Baddi  
Technical Training Institute (BTI) complex,  
Opposite Opser Formulations, Kenduwal, Phase I, Jharmajri, Baddi, District- Solan (H.P).

Subject:

Show cause Notice in view of the directions issued by Central Pollution Control Board under Section 18 (1) (b) of Water (Prevention and Control of Pollution) Act, 1974, regarding non-compliance status of Common Effluent Treatment Plants (CETPs).

Whereas, the directions issued by Central Pollution Control Board under Section 18 (1) (b) of Water (Prevention and Control of Pollution) Act, 1974, regarding non-compliance status of Common Effluent Treatment Plants (CETPs) vide letter no. CPCB/IPC-VIII/CETPs/Direction/2019 dated 15<sup>th</sup> August, 2019 vide which it has been submitted that "to comply the order of Hon'ble NGT in the matter of 'Paryavaran Suraksha Samiti & Anr. In O.A. No. 393/2017, Central Pollution Control Board carried out inspection-cum-monitoring of CI CETP located in Himachal Pradesh named M/s Baddi Infrastructure, Kenduwal, Phase I, Jharmajri, Baddi, District- Solan and following Observations/Compliance Status & Recommendations/Action Points were made during the inspection-cum-monitoring are as under:

**Observations:**

1. CETP is not complying with prescribed discharge limits w.r.t. FDS and chloride.
2. CETP is receiving effluent from industrial units such as Textile, Food, Pharmaceuticals, Soap & Detergent, Metal Surface Finishing (335 units).
3. CETP has valid Consents and Authorization.
4. CETP treats effluents of 16.8 MLD as against the designed capacity of 25 MLD.
5. OCEMS are installed but connected to CPCB server but it was found out of order during visit.
6. Inlet to CETP standards is prescribed.

**Recommendations:**

1. The operator should provide adequate technology so as to meet discharge standards immediately. Thereafter, performance evaluation study of CETP is to be conducted through Government institution within four months.
2. CETP should maintain OCEMS in operational condition immediately.

Whereas, the facts stated above (observation point no. 1 & 5) tantamount to violations of the provisions of Water (Prevention and Control of Pollution) Act, 1974 constituting with cognizable offence.

Now, therefore in accordance with the provisions of above quoted law(s) the aforesaid violation render you liable for the following penal action in accordance with the provisions of

- \* Section 41, 43 and 44 of the Water (Prevention and Control of Pollution) Act, 1974 attracting with fine(s) up to Rupees Ten thousand and imprisonment up to seven years.

Whereas, the above proposed notwithstanding action for disconnection of Power Supply and closure of the unit under section 33-A of Water (Prevention and Control of Pollution) Act, 1974. However, before proceeding against you finally in the matter, you are hereby directed to show cause within 15 days as to why Consent/Renewal of Consent application as applied may not be refused and legal action as mentioned above should not be initiated against the unit, in the event of failure to comply and/or unsatisfactory deposition, actions shall be initiated as per relevant provisions of laws.

(Aditya Negi, IAS)  
Member Secretary

H.P. State Pollution Control Board  
Him Parivesh, Shimla, H.P.-171009

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Date:

No. HPS PCB/CETP (NGE)/2018

Copy forwarded to the following for information and necessary action:

1. The Sr. Environmental Engineer, H.P. State Pollution Control Board, Consent Division, H.O. Shimla for information and further necessary action.
2. The Regional Officer, HPS PCB, Baddi District, Solan, HP hereby directed to follow up with the directions issued by CPCB under Section 13 (1) (b) of Water (Prevention and Control of Pollution) Act, 1974, regarding non-compliance status of Common Effluent Treatment Plants (CETPs) and submit the compliance/ Action Taken Report to Head Quarter immediately.
3. Care File.

(Aditya Negi, IAS)  
 Member Secretary  
 H.P. State Pollution Control Board,  
 Him Parivesh, Shimla, H.P.-171005



## H.P. STATE POLLUTION CONTROL BOARD

HIM PARIVESH, PHASE-III

NEW SHIMLA-171009

No. PCB/Baddi Infrastructures/2020-21/151-51

Dated 28/12/2020

To

M/s. Baddi Infrastructure (CETP, Kenduwal),  
Baddi Technical Training Institute (BTTI) Complex,  
EPIP Phase-I, Jharmajra, Tehsil Baddi, P.O.  
Baronwala, District Solan (H.P.)

Subject: Show Cause Notice under Water (Prevention and Control of Pollution) Act, 1974.

Whereas, CETP of 25 MLD capacity has been setup at Kenduwal, Baddi which is being operated by Baddi Infrastructure. The State Board is continuously monitoring the operation of CETP with regard to the outlet discharge norms as prescribed by MoEF & CC, Government of India, vide notification dated 01-01-2016.

Whereas the Hon'ble High Court in CWP no. 1462/2019, vide order dated 16-11-19 has stayed the Environment Compensation levied on CETP for the non-compliance during the period of November 2018 to September 2019 including the EC imposed on the recommendation of NGT monitoring committee in O.A. no. 916/2018 (Sobha Singh Vs State of Punjab and Ors.)

Whereas it is again observed from sample analysis reports of the out let discharge of CETP Baddi that the CETP is consistently non-complying to the norms for the parameters FDS & Chloride since 17-11-2019 to 5-10-2020 till date. (Except one sample drawn on 29-02-2020)

Whereas Hon'ble NGT has also taken cognizance of the non-compliance of CETP, Baddi in O.A. 301/2018 filed Jasmeet Singh Vs State of HP, and vide order dated 18-06-2020, passed the following directions:

4. We do not find the report to be as per the mandate of law. If the pollution is continuing, the State PCB is under obligation to close the polluting activities by exercising its jurisdiction under the Water Act, 1974 and recover compensation from the polluters. Till pollution is stopped, polluting activities, which are punishable crime under the law, cannot continue. The State PCB has failed to take action merely on the ground that action plan was being prepared or had been prepared which was not satisfactory. None appeal for the State PCB.

5. The State PCB may take appropriate action against the CETP operator and other polluters for the violation of law and furnish a compliance report within one month from today by e-mail at judicialngt@gov.in preferably in the form of searchable PDF/OCR Support PDE and not in the form of Image PDF.

Whereas, Baddi infrastructure had to install/provide advanced treatment system and to install activated carbon, pressure sand fillers and ozoniser which was proposed by CETP, Baddi in the proposal of the project but the same has not been provided by M/s Baddi Infrastructure till date.

NY

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Now therefore, in exercise of the powers conferred under the Water (Prevention & Control of Pollution) Act, 1974 and in consideration of the facts stated above, the H.P. State Pollution Control Board hereby directs you to Show Cause returnable within 7 days as to why:

1. Penal actions may not be initiated against the unit as per the aforesaid provisions.
2. Environment Compensation may not be imposed against you in reference to Hon'ble NGT orders for the violation period.

Please note that in the event of failure to comply, actions as proposed shall be initiated against you at your own risk and cost.

Dr. Nikun Jindal  
Member Secretary

No. PCB/M/s. Baddi Infrastructures/2020-  
Copy forwarded to the following:

2/1154-55

Dated: 28.12.20

1. The Regional Officer, H.P. State Pollution Control Board, Baddi, Distt. Solan, HP for information and directed to submit ATR within stipulated period to H.C. for further action in the matter.
2. Case File.

Dr. Nikun Jindal  
Member Secretary



H.P. STATE POLLUTION CONTROL BOARD

HIM PARIVESH PHASE-III

NEW SHIMLA-171009

No. PCB/Baddi Infrastructures/2020-693-94

Dated: 19.6.2024

To

M/S. Baddi Infrastructure (CETP Kenduwal)  
 Baddi Technical Training Institute (BTI) Complex  
 EPF Phase-I, Hamajri, Tehsil Baddi, P.O.  
 Baroliwala, District Solan (H.P.)

Subject: Show Cause Notice under Water (Prevention and Control of Pollution) Act, 1974

Whereas, a CETP of 25 MGD capacity has been setup at Kenduwal, Baddi which is being operated by Baddi Infrastructure and is being monitored by SPCB for its operations. The CETP is required to comply with the effluent discharge norms as prescribed by MoEF & CC, Government of India vide notification dated 01.01.2016.

Whereas the Hon'ble High Court in CWP no. 3362/2019 vide order dated 16.11.19 has stayed the Environment Compensation levied on CETP for the non-compliance observed during the period of November 2018 to September 2019 including the EC imposed on the recommendation of NGT monitoring committee in OA no. 916/2018 (Sobha Singh Vs State of Punjab and Ors.).

Whereas, a show cause notice was issued to the unit on 28-12-2020 for the consistent non-compliance to the norms for the FDS and Chloride parameters for the violation period of 17-11-2019 to 5-10-2020 along with imposition of environmental compensation in reference to the Hon'ble NGT in OA no. 593/2017 titled Paryavaran Suraksha Samiti vs UOI dated 20-05-2020 but the compliance have still not been achieved.

Whereas, a reply to the aforesaid show cause notice was received from Baddi Infrastructure vide letter dated 2-01-2021, which is not satisfactory as there is no concrete action plan submitted for providing adequate treatment facility to achieve the discharge norms of CETP for FDS and chlorides which is consistently above prescribed norms since 2018 and the compliance of the prescribed limits as notified in the MoEF & CC, Government of India notification dated 01.01.2016 is not being achieved.

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Whereas an expert committee was constituted by Hon'ble NGT in OA no 801/2018 vide its order dated 27-09-2019 who in its report has recommended that Baddi Infrastructure has to install activated carbon, pressure sand filters and ozoniser which was proposed by CETP, Baddi in the DPR submitted at the time of establishment but the same has still not been provided yet;

Whereas an action plan for the up-gradation of operation of CETP was submitted to this office vide letter dated 02-01-2020 and 9-03-2020 which was further submitted by the State Board to Hon'ble NGT in matter of OA no. 801/2018. The action plan submitted was comprising of improvement proposed in various parameters such as color, Bio-chemical Oxygen, sulphides along with providing advance treatment technologies (Reverse Osmosis and multiple effect evaporator/dryer) for the control of high TDS/FDS waste water coming from the other small scale industrial units having effluent generation less than 200 KLD with time lines of 31-03-2021. But no progress report upon the implementation aspect of the action plan have been submitted to this office till date.

Whereas, as per the sample analysis reports of the outlet discharge of CETP Baddi, the CETP is again non complying to the norms for the parameters FDS & Chloride since 6-10-2020 to 9-02-2021 till date;

Whereas Hon'ble NGT has also taken cognizance of the non-compliance of CETP, Baddi in O.A. 801/2018 titled Jasmeet Singh V/s State of HP and vide order dated 4-01-2021 passed the following directions:

1. We also find that CETP has still not complied with the environmental norms for which remedial action needs to be taken by the State PCB, by improving quality and reducing the load of inlet so as to be consistent with the designed capacity of the CETP or closing such units contributing to the waste for which the CETP is not designed till the concerned units make their own arrangement for treating the effluents. The member industries may be considered non-compliant, if they do not undertake primary treatment as per EC conditions of the CETP."

Whereas the Hon'ble NGT in OA no. 593/2017 titled Paryavaran Suraksha Samiti v/s UoI, dated 19-02-2019 have approved the regime for environmental compensation against all the violating units on the basis of Polluter Pays Principle. The formula was devised by CPCB. The



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...shall also be primarily based on the Pollution Index (PI) of the concerned sector for levying environmental compensation on a discharging industry which is as under:

$$EC = PI \times N \times R \times S \times LF$$

The above is proposed notwithstanding action under Section 33-A of Water (Prevention & Control of Pollution) Act, 1974. Now, therefore, in exercise of the powers conferred under the Water (Prevention & Control of Pollution) Act, 1974 and in consideration of the facts stated above the H.P. State Pollution Control Board hereby directs you to Show Cause returnable within 15 days as to why:

1. Penalties as provided are not levied against the unit as per the aforesaid provisions.

2. Environmental Compensation is not levied against you in reference to Hon'ble NCGJ order vide O.A. No. 594/2017 titled Paryayaran Suraksha Samiti v/s UOI for the violation period w.e.f. 1/1/2019 to 27/02/2021 (469 days).

3. You are directed that a comprehensive plan for the remedial action needs to be submitted and implemented for improving the treated water quality to achieve the norms along with effluent. The load of effluent shall be reduced so as to be consistent with the designed capacity.

4. In case of non-compliance or failure to comply, actions as proposed shall be initiated against you as per the aforesaid provisions.

Ann. PCB/M.S. Baddi (Infr. Structure) 2020  
Copy forwarded to the following:

BD

1. The Regional Officer, H.P. State Pollution Control Board Baddi, Distt. Solan, HP for compliance and directed to submit APR within stipulated period to HQ for further action.

*Nipun* 17/4/21  
(Dr. Nipun Jindal, IAS)  
Member Secretary  
HPSPCB

Dated:

*Nipun* 17/4/21  
(Dr. Nipun Jindal, IAS)  
Member Secretary  
HPSPCB

1/2 P

CETP Outlet discharge sample analysis report (2018-19)

Sl. No.	Date of Sampling	Parameters							Remarks
		pH (5.5-9.5)	TDS (<2100 mg/L)	TSS (<100 mg/L)	COD (<250 mg/L)	BOD (<30 mg/L)	Chloride (<1000 mg/L)	Oil & Grease (<10 mg/L)	
1	18-04-2018	7.12	3012.0	220.0	340.0	80.0	1819.4	7.56	Above Limit
2	08-05-2018	7.22	2912.0	29.0	376.0	85.0	1074.66	6.0	Above Limit
3	12-06-2018	7.25	2610.0	39.0	312.0	66.0	1014.68	2.8	Above Limit
4	09-07-2018	7.27	1824.0	43.0	108.0	19.0	954.70	1.36	Within limit
5	06-08-2018	7.15	2210.0	88.0	192.0	22.0	809.76	3.44	Above Limit
6	04-09-2018	8.14	1090.0	43.0	172.0	22.0	849.73	1.12	Within limit
7	20-11-2018	7.01	3408	15.0	240	22	1309	1.42	Above Limit
8	29-12-2018	7.21	3440.0	62.0	224.0	42.0	1259.60	2.16	Above Limit
9	31-01-2019	7.01	2904.0	65.0	180.0	38.0	1121.65	1.28	Above Limit
10	25-03-2019	7.79	3434.0	68.0	260.0	50.0	1929.40	Nil	Above Limit
11	02-05-2019	7.09	3188.0	44.0	216.0	34.0	1529.52	1.92	Above Limit
12	31-05-2019	8.20	3624.0	68.0	232.0	51.0	328	3.2	Above Limit
13	05-08-2019	8.06	2604.0	58.0	216.0	44.0	1134.65	2.92	Above Limit
14	30-08-2019	7.80	2709.0	73.0	204.0	27.0	1269.61	2.64	Above Limit
15	09-09-2019	7.19	2493.6	74.0	196.0	38.0	1114.65	2.36	Above Limit
16	15-10-2019	7.10	3044.0	68.0	212.0	42.0	1232.0	2.08	Above Limit

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## CEEP Outlet discharge sample analysis report (2020-21)

S. No.	Date of Sampling	Parameters							Remarks
		pH (5.5-9.5)	FDS (<2100 mg/L)	FSS (<100 mg/L)	COD (<250 mg/L)	BOD (<30 mg/L)	Chloride (<1000 mg/L)	Oil & Grease (<10 mg/L)	
1.	18-01-2020	7.76	3010	64	204	28	1125	1.08	Above Limit
2.	18-01-2020	7.74	2952	56	184	26	1070	1.20	Above Limit
3.	25-01-2020	7.38	2780	52	200	24	1125	1.02	Above Limit
4.	7-02-2020	7.69	-	16	164	38	1069	1.52	Above Limit
5.	7-02-2020	7.68	-	26	132	26	1124.65	1.04	Above Limit
6.	29-02-2020	7.01	674	94	16	0.8	204.94	NIL	Within limit
7.	17-03-2020	6.75	3018	51	128	28	1414.56	1.12	Above Limit
8.	17-04-2020	7.28	FDS-2466	17	92	20	1099.6	-	Above Limit
9.	20-04-2020	7.42	FDS-2390	30	92	20	1124.65	0.88	Above limit
10.	16-05-2020	7.56	2626	42	120	26	1114.65	1.20	Above Limit
11.	30-05-2020	7.64	FDS-2680	32.8	128	20	1199.63	0.96	Above limit
12.	18-06-2020	7.30	FDS-2710	37.6	132	24	1232.62	0.68	Above Limit
13.	27-06-2020	7.61	FDS-2481	53.9	128	26	1209.62	1.44	Above limit
14.	22-07-2020	7.60	FDS-2510	41.2	88	20	1089.66	1.12	Above limit
15.	03-08-2020	7.30	FDS-2480	63.8	164	28	1349.58	1.60	Above limit
16.	24-08-2020	7.39	FDS-2610	31.8	120	22	2199.32	1.02	Above limit
17.	22-09-2020	7.30	FDS-2882.0	38.20	160	24	3258.99	2.04	Above limit
18.	05-10-2020	7.28	FDS-2597.0	95.8	204.0	28	1174.63	---	Above limit
19.	12-10-2020	7.37	FDS-2189	45	188	22	--	--	Above limit
20.	28-10-2020	5.60	FDS-3410	29.4	192	42	1649.48	1.64	Above limit
21.	10-12-2020	7.98	FDS-1814	31	188	41	1209.52	4.0	Above limit
22.	07-01-2021	7.79	FDS-3710	22	128	26	1574.88	0.48	Above limit

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S. No.	Date of Sampling	Parameters							Remarks
		pH (5.5-9.5)	FDS (<2100 mg/L)	TSS (<100 mg/L)	COD (<250 mg/L)	BOD (<30 mg/L)	Chloride (<1000 mg/L)	Oil & Grease (<10 mg/L)	
23	21.01.2021	8.10	FDS 2610	48.8	124	22	164.63	Above limit	
24	09.02.2021	8.15	FDS 2630	50.4	128	22		Above limit	
25	27.02.2021	7.66	FDS 3234.4	52.2	112	18		Above limit	
26	01.03.2021	8.05	FDS 2360	53.5	76	16		Above limit	
27	13.07.2021	7.82	FDS 2317	53.20	92	25		Above limit	
28	04.05.2021	7.96	FDS 2140	62.20	140	28		Above limit	
29	21.05.2021	7.81	FDS 2010	55	128	28		Above limit	

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No. PCB/NGT/ETP/CETP/STP/ CPCB Misc. Matter/19-22322-23 Dated: 18-10-2019

**URGENT**

To,

M/s Baddi Infrastructure (CETP Kenduwal),  
Baddi Technical Training Institute (BTI) Complex,  
EPIP Phase-I Jharmajri, Tehsil Baddi P.O  
Barotiwala, District Solan (H.P.).

**Sub: - DIRECTIONS UNDER SECTION 33A OF WATER (PREVENTION AND CONTROL OF POLLUTION) ACT, 1974 AND SECTION 5 OF ENVIRONMENT (PROTECTION) ACT, 1986.**

WHEREAS, Monitoring committee constituted by the Hon'ble National Green Tribunal in OA No. 916 of 2018 in the matter of Sojha Singh and Others V/s State of Punjab and others has visited common effluent treatment plant of capacity 25 MLD installed at village Kenduwal Mallpur, P.O Bhud, Tehsil Baddi, District Solan (HP) on 9<sup>th</sup> September, 2019.

WHEREAS, Monitoring committee has prepared its report (copy enclosed) and the observations and recommendations made by the monitoring committee which are as follow:-

1. Since the outlet of CETP has been maintained to discharge its effluent into Sarsa River further leading to River Sutlej and CETP is not meeting with the prescribed standards for the parameters namely BOD, TSS, TDS, Sulphide and Bioassay. As such, it degrades the quality of water of Sarsa River exorbitantly and also affects aquatic life. Therefore, an environmental compensation amounting to Rs. 1.00 crores may be imposed upon the industry..In case any Bank Guarantee earlier submitted by the CETP operator/SPV, Baddi, the same may also be encashed. Accordingly, the Chairman, Himachal Pradesh Pollution Control Board shall issue necessary orders/directions under the provisions of the Water Act, 1974 w.r.t. imposition of the said environmental Compensation and encashment of Bank guarantee. The said environmental compensation amount may be utilized for rejuvenation of water quality of River Sarsa and subsequently River Sutlej.  
M/s Baddi Infrastructure, Baddi, the SPV or CETP operator shall upgrade its CETP with Zero Liquid Discharge Technology within 6 months to achieve Zero Liquid Discharge and ensure that no treated/untreated effluent is discharged into Sarsa River further leading to river Sutlej.
3. The Chairman, Himachal Pradesh Pollution Control Board shall get performance guarantee amounting to Rs. 50.00 lakhs to ensure that CETP is upgraded to achieve the zero liquid discharge in a time bound manner and necessary directions under the provisions of the water Act, 1974 shall be issued by Chairman, HPSPCB to SPV namely M/s Baddi infrastructure, Baddi and CETP Operator.
4. The Chairman, Himachal Pradesh Pollution Control Board shall revoke the consent, if granted, under the provisions of Water Act, 1974.
5. Since, the pretreatment systems are to be provided by member industries, as such, the sludge/Solid waste generated from pretreatment system of these industries may not be allowed to be sent to CETP site. The hazardous waste generated from pre-treatment system of the member industries shall be sent to nearby TSDF by individual industries.
6. SPV/CETP operator shall install electromagnetic flow meter at the inlet and outlet of the collection tank. After installation of zero liquid discharge technology, the recovered effluent from CETP shall be recycled back into the processes of the industry and the residue in the form of hazardous sludge after drying into the drier shall be sent to nearby TSDF.

Over leaf

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7. An environmental management cell including NGOs and Civil Society may be setup by SPV/CETP operator. In the Environmental Management Cell, the qualified Engineers/Scientists shall also be employed by SPV/CETP operator.
8. All the tankers deployed for collection of effluent from member industries may be provided with GPS system having its connectivity at CETP site and HPPCB site.
9. Online Continuous Effluent Monitoring Systems (OCEMS), which was not in operation on the day of visit, shall be got calibrated and made operational within 15 days and the system shall have its connectivity with HPPCB and CPCB Servers.
10. Necessary CCTV cameras, for e-surveillance of the various components of CETP, shall be installed by SPV/CETP operator within 15 days and these cameras shall have its connectivity with HPSPCB server.
11. The Chairman, Himachal Pradesh Pollution Control Board shall take up the matter with the Department of Irrigation and Public Health Engineering for early installation of Sewage treatment Plant for the treatment of the sewage of the town.

Now, therefore, in view of the above mentioned recommendations and in exercise powers vested to the Chairman, Himachal Pradesh State Pollution Control Board under Section 5 of the Environment (Protection) Act, 1986. You are, hereby directed to comply on above mentioned recommendations and deposit Environment Compensation of Rs. One (1) Crore immediately in the account of Member Secretary, HP State Pollution Control Board, Axis Bank, The Mall Shimla, account no. 9170100825663915, IFSC code UTIB0003651 under intimation to this office failing which action under the provisions of 41 of Water (Prevention & Control of Pollution) Act 1974 and section 15 of Environment (Protection) Act, 1986 shall be initiated against you at your own risk and cost.

Encl: As Above

Sd/-

(R.D. Dhiman, IAS)  
ACS (Env. S&T)-cum-Chairman,  
HPSPCB, Shimla (H.P)

Copy to:

✓ The Member Secretary, H.P. State Pollution Control Board, Him Parivesh Building, Phase-III, BCS, New Shimla-9 for information and necessary action.

(R.D. Dhiman, IAS)  
ACS (Env. S&T)-cum-Chairman,  
HPSPCB, Shimla (H.P)



**H.P. STATE POLLUTION CONTROL BOARD,  
Regional Office "HIMUDA COMPLEX" Phase-1, Baddi  
Tehsil Baddi, Distt. Solan (HP) Phone-01795-245374**

No. PCB/RO Baddi/B-121/Baddi Infrastructure (CETP Kenduwal)/2019 868

Dated: 15/10/19

To

M/s Baddi Infrastructure (CETP Kenduwal),  
Baddi Technical Training Institute (BTIT) Complex,  
EPIP Phase-I Jharmajri Tehsil Baddi PO  
Barotiwala District Solan, HP.

**Sub: -** Order passed by Hon'ble National Green Tribunal in O.A. No. 593/2017 titled Paryavaran Suraksha Samiti & Anr. V/s Union of India & Ors dated 19.02.2019 and Original Application No. 1038/2018 dated 10.07.2019 and 23.08.19.

Sir,

This is in reference to orders passed by Hon'ble National Green Tribunal in O.A. No. 593/2017 titled Paryavaran Suraksha Samiti & Anr. V/s Union of India & Ors dated 19.02.2019 and Original Application No. 1038/2018 dated 10.07.2019 and 23.08.19.

The Hon'ble National Green Tribunal in O.A. No. 593/2017 titled Paryavaran Suraksha Samiti & Anr. V/s Union of India & Ors dated 19.02.2019 passed the following directions:

*"...Committee has come up with following formula for levying the Environmental Compensation in instances as mentioned at a, b and c including non-compliance of the environmental standards / violation of directions."*

Further Hon'ble National Green Tribunal in O.A. 1038/2018 dated 10.07.2019 and 23.08.19 passed following directions:

*"....The essence of rule of law is that no activity which is against the law is allowed to continue and the person violating the law is punished according to law. Thus merely requiring improvement does not obviate the need for punishing the law violators/polluters; stopping polluting activity and recovering compensation for the damage already caused so as to recover the cost of restoration is the mandate of law...."*

Whereas it has been observed that since November 2018 to September 2019, the samples collected from the final outlet of CETP are not conforming to the prescribed norms which is gross violation of Water (Prevention & Control of Pollution) Act 1974. Hence in as per the directions passed by Hon'ble National Green Tribunal, the Environmental Compensation amounting to ₹ 87,90,000/- is applicable on you. It is hereby directed to deposit the aforesaid amount in the account of Member Secretary, HP State Pollution Control Board, Axis Bank, The Mall Shimla, account no. 9170100825663915, IFSC code UTIB0003651 under intimation to this office within a week time failing which action under the provisions of Water (Prevention & Control of Pollution) Act 1974 & Air (Prevention & Control of Pollution) Act 1981 shall be initiated against you at your own risk and cost.

Yours faithfully,

  
(P. C. Gupta),

Sr. Environmental Engineer,  
HP State Pollution Control Board, Baddi.

ANNEXURE R-2/11

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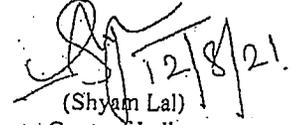
No. K-46012/12/2021-States Cell  
Government of India  
Ministry of Commerce & Industry  
Department of Commerce

Udyog Bhawan, New Delhi  
Dated 12<sup>th</sup> Aug, 2021

**Sub:** 14<sup>th</sup> meeting of Empowered Committee(EC) on TIES – minutes - reg.

The undersigned is directed to forward herewith the minutes of 14<sup>th</sup> meeting of the Empowered Committee of Trade Infrastructure for Export Scheme (TIES) held under the Chairmanship of Sh. B. V. R. Subrahmanyam, Commerce Secretary on 02<sup>nd</sup> August, 2021 (through VC for participants outside Delhi) for information and further necessary action.

Receipts of minutes may kindly be acknowledged.

  
(Shyam Lal)

Under Secretary to Govt. of India  
Tel No. 23062486, Extn. 520  
Email: shyam.lal-upsc@nic.in  
& moc\_states@nic.in

Encl: as above

To,

1. Secretary, Department for Promotion of Industry and Internal Trade (DPIIT), Udyog Bhawan, New Delhi [secy-ipp@nic.in]
2. Secretary, M/o Development of North East Region (DoNER), Vigyan Bhawan Annexe, New Delhi [secydoner@nic.in]
3. The Joint Secretary (NE), North Block, Ministry of Home Affairs, New Delhi. [jsne@mha.gov.in]
4. The Adviser (Industry) (Kind Attn.: Sh. Ishtiyaque Ahmed), R.No.239-A, NITI Aayog, Yojana Bhawan, New Delhi [ahmed.i@nic.in]
5. The Joint Secretary (Medical Devices), Department of Pharmaceuticals, Shastri Bhawan, New Delhi [js.pharma@nic.in]

Copy forwarded for information and necessary action to:

1. PPS to CS
2. PPS to AS&FA/ DG(DGFT)/ AS(SC)/ AS(SK)/ JS(SSK)/ JS(DJ)/ JS(DNM)/ JS(SM)/ JS(AK)/ OSD(SKR)/ ADGFT(TM)
3. The Additional Chief Secretary, Industries Department, Govt. of Himachal Pradesh [indussecy-hp@nic.in]
4. The Special Secretary, Industries Department, Govt. of Tamil Nadu & CEO-HML [indjs@tn.gov.in]
5. The Commissioner Industries, Directorate of Industries, Govt. of Himachal Pradesh, Shimla [dirindus-hp@nic.in]
6. The Development Commissioner, MEPZ Special Economic Zone, GST Road, Tambaram, Chennai - 600045.
7. The Development Commissioner, Cochin Special Economic Zone (SEZ), Kakkanad, Cochin - 682 037
8. The Chairman, Land Ports Authority of India(LPAI), M/o Home Affairs, Lok Nayak Bhawan, New Delhi [chman.lpai@mha.gov.in]
9. The Director (Technical), LPAI [dir.tech-lpai@gov.in]
10. The Managing Director, Karnataka Fisheries Development Corporation Ltd. (KFDC), Hoige Bazar, Mangalore-575001 [kfdcixe@yahoo.com]
11. The Chief Executive Officer, Chandigarh International Airport Limited, Room No. .1, Projec-Office Building, Civil Airport, Chandigarh - 160003 [ceo@chial.org]
12. The Managing Director, Assam Livestock and Poultry Corporation Ltd. (ALPCO), Khanapara, Guwahati -22 [alpcoltdghy@gmail.com]
13. The Chief Operating Officer, HLL Medipark Ltd. II Floor, HLL Bhawan, 26/4 Tambaram Velachery Road, Pallikaranai, Chennai. [ravindra.sanagavaraptu1@gmail.com, thiagu@lifecarehll.com]

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Minutes of the 14<sup>th</sup> meeting of Empowered Committee (EC) on 'Trade Infrastructure for Export Scheme (TIES)' held under the Chairmanship of Commerce Secretary on 02.08.2021 (Monday) at 4:00 PM.

1. The 14<sup>th</sup> meeting of Empowered Committee (EC) on 'Trade Infrastructure for Export Scheme (TIES)' was held under the Chairmanship of Commerce Secretary on 02.08.2021 (Monday) at 4:00 PM through online platform. The list of participants is at 'Annexure-I'.

2. The proposals received from various implementing agencies seeking TIES funding were considered. A detailed presentation regarding the proposals was made by the Division before the Empowered Committee. In addition to the new proposals received under TIES, the following proposals were also presented before the EC:

- Projects under implementation seeking release of next installments
- Waiver of penal interest in respect of 2 cancelled projects
- Formulation of an objective criteria for higher funding for States with poor export infrastructure but having export potential (other than in NER/Himalaya States) as per the recommendation of EFC.

NEW PROPOSALS

3. Agenda Item No. 1

**Proposal:** Expansion/Improvement (3 MLD Effluent Refractory Management and TDS Reduction) in CETP, Baddi, District Solan, Himachal Pradesh

**Implementing Agency:** Baddi Infrastructure

**Project Cost:** INR 28.51 crore.

- TIES share: INR 20 crore.
- 1<sup>st</sup> installment requested: INR 10 crore.

3.1 EC was apprised that the project envisages expansion/improvement of the existing CETP to implement provision for treatment of FDS/TDS effluent as per the instructions of Ministry of Environment, Forest & Climate Change and the directions issued by National Green Tribunal. As the existing facility is catering mainly to the pharma industry in Baddi, the expansion/improvement of the same will encourage existing units to expand their capacities and also attract fresh investments which will contribute to exports. Further, it was pointed out that in the proposal submitted by Government of Himachal Pradesh, the Status of the Implementing Agency i.e. Baddi Infrastructure has not been clearly mentioned.

3.2 ACS, GoHP informed that the land for the existing CETP was given by Government of Himachal Pradesh. Baddi Infrastructure, the Implementing Agency for the facility is a government controlled SPV as majority of the representatives are from Government of Himachal Pradesh.

3.3 After deliberations, EC accorded approval for financial assistance of Rs. 20 crore for the project under TIES and recommended release of first installment of Rs. 10 crore subject to furnishing of letter by Government of Himachal Pradesh certifying that Baddi Infrastructure, the Implementing Agency is a State controlled entity.

**4. Agenda Item No. 2**

**Proposal:** Pharma Lab Cum Training Centre, Export Promotion Industrial Park, Phase I, Jharmajri - Baddi, District Solan, Himachal Pradesh

**Implementing Agency:** Himachal Pradesh Industrial Development Corporation Limited (HPSIDC)

**Project Cost:** INR 20.26 crore

- TIES share: INR 13.31 crore.
- 1st installment requested: INR 6.65 crore.

4.1 EC was informed that the Project proposal envisages setting up of pharma testing lab which will fill a critical gap in the physical infrastructure which is currently causing a hindrance in export of pharmaceuticals from the region. Due to non existence of such testing facility, pharma units are facing production delays, cost inefficiencies, rejections, and material wastage resulting in loss of market share. The proposed pharma lab will ensure that the pharma industries in the vicinity are able to meet the stringent global standards of quality testing.

4.2 EC was apprised that previously for the project, financial assistance of Rs. 3.25 crore had been provided under the erstwhile ASIDE scheme. The utilization certificate for the aforementioned amount has been received from Government of Himachal Pradesh.

4.3 ACS, Government of Himachal Pradesh informed that under the erstwhile ASIDE scheme the proposal was submitted with a total project cost of Rs. 8.09 crore. Accordingly, Rs. 5.19 crore (revised) was approved under ASIDE and Rs. 3.25 crore was released for the project. Government of Himachal Pradesh had completed a three storey building, to house the pharma lab, using its own fund and the grant received under ASIDE. Subsequently there was a change in scope as recommended by NIPER, Mohali. Hence, the instant project proposal has been submitted for assistance under TIES.

4.4 After deliberations, EC deferred the proposal and directed Government of Himachal Pradesh/Implementing Agency to submit revised proposal with clear financial outlay for the proposed project as a fresh project and not as an incomplete one.

**5. Agenda Item No. 3**

**Proposal:** Setting up of 1 MLD Zero Liquid Discharge Plant in Cochin SEZ

**Implementing Agency:** Cochin SEZ

**Project Cost:** INR 23.50 crore

- TIES share: INR 11.69 crore.
- 1st installment requested: INR 5.54 crore.

5.1 EC was informed that the Project proposal envisages setting up of Zero Liquid Discharge (ZLD) plant in Cochin SEZ to ensure availability of water for industrial purpose, thus avoiding dependence on costly tanker supply and bringing environment-friendly industrial practice in the SEZ.

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5.2 The representative of Implementing Agency informed that there was a public protest against discharge of the effluent after tertiary treatment, from the existing CETP into a recharging/collection pond due to threat of ground water contamination. Due to the public protest, Kerala State Pollution Control Board had issued a direction to SEZ to opt for an alternative method for treatment of effluents. Accordingly, CSIR-NEERI was consulted to suggest alternative measures for treatment of effluents. CSIR-NEERI, as part of feasibility studies carried out for upgradation and retrofitting of CETP, recommended several measures including setting up of ZLD system. In view of the emergent situation arising due to public protest, construction of the project was started by Cochin SEZ from its own fund and till date, an expenditure of Rs. 17 crore has been incurred. WAPCOS is the engineering agency for the project. The project is expected to be completed within the next two months.

5.3 After deliberations, EC accorded approval for financial assistance of Rs. 11.09 crore for the project under TIES and recommended release of financial assistance in one installment.

#### B. ONGOING PROJECTS - RELEASE OF NEXT INSTALLMENT

##### 6. Agenda Item No.1

**Proposal:** Construction of SDF Building at Cochin SEZ

**Implementing Agency:** Cochin SEZ.

**Project Cost:** INR 66.05 crore (revised)

- TIES share: INR 20 crore
- 1<sup>st</sup> & 2<sup>nd</sup> instalment released: INR 6.50 crore each
- 3<sup>rd</sup> and last installment requested: INR 7 crore

6.1 EC was apprised about the following w.r.t the project:-

- a. The financial and physical progress stood at 70% and 85% respectively.
- b. IA has submitted utilization certificates for both TIES installments.

6.2 Further, EC was informed that IA has spent Rs. 29.05 crore from its own fund, which is near pari-passu contribution required for release of 3<sup>rd</sup> and final installment of the grant.

6.3 After deliberations, EC approved release of 3<sup>rd</sup> and final installment of Rs. 7 crore of TIES grant.

##### 7. Agenda Item No.2

**Proposal:** Development of Integrated Check Post Petrapole: Proposal for construction of additional truck parking, West Bengal.

**Implementing Agency:** Land Ports Authority of India (LPAI)

**Project Cost:** INR 32.24 crore.

- TIES share: INR 13.66 crore
- 1<sup>st</sup> instalment released: INR 6.83 crore

- 2<sup>nd</sup> and Final installment requested: INR 6.83 crore

7.1 EC was apprised about the following w.r.t the project:-

- The financial and physical progress stood at 61% and 75% respectively.
- IA has submitted utilization certificate for 1<sup>st</sup> installment of TIES grant.

7.2 Further, EC was informed that IA has spent Rs. 11.08 crore from its own fund, which is more than pari-passu contribution required for release of 2<sup>nd</sup> and final installment of TIES grant.

7.3 After deliberations, EC approved release of 2<sup>nd</sup> and final installment of Rs. 6.83 crore of TIES grant.

#### 8. Agenda Item No.3

**Proposal:** Modernization of infrastructure facility for Marine exports at Tadadi, Kumta Taluk, Uttara Kannada District, Karnataka.

**Implementing Agency:** Karnataka Fisheries Development Corporation (KFDC), Government of Karnataka.

**Project Cost:** INR-13.34 crore.

- TIES share: INR 5 crore
- 1<sup>st</sup> & 2<sup>nd</sup> instalment released: INR 2 crore & 2.65 crore respectively
- Balance grant requested: INR 0.35 crore

8.1 EC was informed that the financial grant of Rs. 5 crore under TIES was approved for the project in the 1<sup>st</sup> EC meeting held on 09.06.2017. Accordingly, 1<sup>st</sup> installment of TIES grant for Rs. 2 crore was released during August, 2017. IA informed that due to an error on the part of the then Project Monitoring Agency (PMA) in calculating the total project cost, the 2<sup>nd</sup> installment of Rs. 2.65 crore, instead of Rs. 3 crore, was approved and released during December, 2019. Hence, IA has requested to release the balance grant of Rs. 0.35 crore.

8.2 After deliberations, EC directed IA to submit relevant details of the project cost and proposal for release of balance grant under TIES. The proposal shall be examined by the Division and put up before the EC in the next meeting for consideration.

#### 9. Agenda Item No.4

**Proposal:** Export Oriented Pork Processing Plant at Nazira, Assam

**Implementing Agency:** Assam Livestock and Poultry Corporation (ALPCO).

**Project Cost:** INR 11.44 crore.

- TIES share: INR 7.91 crore

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- 1<sup>st</sup> installment released: INR 3.95 crore
- 2<sup>nd</sup> and Final installment requested: INR 3.96 crore

9.1 EC was apprised about the following w.r.t the project:-

- a. The financial and physical progress stood at 83% and 95% respectively.
- b. IA has submitted utilization certificate for 1<sup>st</sup> installment of TIES grant.

9.2 Further, EC was informed that IA has spent Rs. 2.06 crore from its own fund, which is more than pari-passu contribution required for release of 2<sup>nd</sup> and final installment of TIES grant.

9.3 After deliberations, EC approved release of 2<sup>nd</sup> and final installment of Rs. 3.96 crore of TIES grant.

#### 10. Agenda Item No.5

**Proposal:** Setting up of Centre for Perishable Cargo at Chandigarh International Airport.

**Implementing Agency:** Chandigarh International Airport Ltd. (CHIAL)

**Project Cost:** INR 12.44 crore (revised).

- TIES share: INR 5.63 crore
- 1<sup>st</sup> installment released: INR 2.81 crore
- 2<sup>nd</sup> and Final installment requested: INR 2.82 crore

10.1 EC was informed that the IA has submitted Utilization Certificate for 1<sup>st</sup> installment of TIES grant and refunded an amount of Rs. 28 lakh accrued as interest on the 1<sup>st</sup> installment of TIES grant.

10.2 The representative of IA informed EC that 98% (civil work) of the project is completed. Further, it was informed that there is change in the scope of work in the project as additional civil work has been included and there has been reduction in the cost of plant & machinery as some of these are already available at CHIAL. Installation of X-Ray machine has been delayed due to Make in India stipulation. The project excluding installation of X-Ray shall be completed by 1st September, 2021. Till such time, new X ray machine is procured, old X ray machine will be used to operationalize the facility.

10.3 After deliberations, EC approved the proposal for change in scope of the project and for release of 2<sup>nd</sup> and final installment of Rs. 2.82 crore of TIES grant on the condition that interest accrued on the first installment is deposited.

#### C. CANCELLED PROJECTS - TO CONSIDER WAIVER OF THE PENAL INTEREST

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**11. Agenda Item No. 1**

**Proposal:** Setting up of Electro Magnetic Interference/Electro Magnetic Compatibility (EMI/EMC) Lab for Medical Technology at Chengalpatu, Tamil Nadu.

**Implementing Agency:** HLL Medipark Ltd.

**Total project cost** – INR.21.07 crore

- Fund approved under TIES – INR 9.56 crore
- 1<sup>st</sup> installment released under TIES – INR 4.78 crore

**Agenda Item No. 2**

**Proposal:** Construction of 2.5 MLD Sewerage Treatment Plant (STP) at Madras EPZ SEZ.

**Implementing Agency:** Madras SEZ

**Total project cost** – INR 11.63 crore

- Fund approved under TIES – INR 5.18 crore
- 1<sup>st</sup> installment released under TIES – INR 2.59 crore

11.1 Both the proposals for waiver of penal interest were taken together by the EC.

11.2 EC was informed that financial grant under the Scheme had been approved for both the projects and accordingly, 1<sup>st</sup> installment had been released. However, due to delay in implementation, both the projects were cancelled by EC. IAs for the projects were directed to refund the amount of TIES grant, interest accrued thereon and 10% penal interest on the grant. While the amount of TIES grant and interest accrued thereon had been refunded to the Department, IAs had requested for waiver of penal interest as the circumstances due to which inordinate delay occurred in implementation of the project were beyond their control.

11.3 After deliberations, EC agreed to take up the request of IAs for waiver of penal interest with the Department of Expenditure for concurrence.

**D: REVISED TIES GUIDELINES – OBJECTIVE CRITERIA FOR HIGHER FUNDING FOR LOW EXPORTING STATES (OTHER THAN NER/HIMALAYAN STATES)**

12. EC was informed that TIES was appraised for continuation during the period 2021-22 to 2025-26 by Expenditure Finance Committee (EFC) headed by Finance Secretary and Secretary (Expenditure) in its meeting held on 4.6.2021. While recommending the continuation of TIES scheme for the period 2021-22 to 2025-26, *inter alia*, EFC made the following observation:-

*"Financial assistance upto 80% of the total equity which is presently available*

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under TIES only for the projects in NE States and Himalayan States including UTs of J&K and Ladakh and other States with relatively poor export infrastructure lacking institutional capacity for preparing good DPRs but has positive export potential may be extended. Such States to be identified by DoC using an objective criteria of giving first preference to the States which have availed less funding."

12.1 Accordingly a suitable objective criteria needs to be developed taking into account the the export potential of the States and their export infrastructure/eco system. It was suggested that the Export Preparedness Index and Exports/GSDP ratio could be considered for evolving such a criteria, and eligibility of States for higher funding determined.

12.1 After deliberations, EC directed that a suitable criteria may be developed and brought before the Committee for consideration.

13. Meeting ended with vote of thanks to the Chair.

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**List of Participants in the 14<sup>th</sup> Empowered Committee Meeting on TIES held on 02.08.2021 under the Chairmanship of Commerce Secretary**

	Name & Designation	Organisation
<b>Department of Commerce:</b>		
1.	Shri B. V. R. Subrahmanyam, CS	In Chair
2.	Shri. S. Kishore, AS	DoC
3.	Shri. Shashank Priya, AS&FA	DoC
4.	Ms. Rachna Shah, AS	DoC
5.	Shri Amit Yadav, DG, DGFT	DoC
6.	Shri Amitabh Kumar, JS	DoC
7.	Shri-Diwakar Nath Misra, JS	DoC
8.	Smt. Renu Lata, Director	DoC
9.	Shri Shyam Lal, US	DoC
<b>Other Ministries/Departments/Organizations: [via virtual link]</b>		
10.	Sh. Rupesh, Senior Specialist	NITI Aayog
11.	Shri Krishna Mohan Uppu, DS	MHA
<b>Implementing/Proposing Agency:</b>		
12.	Sh. Ram Subhag Singh, Addl. Chief Secretary	Govt. of Himachal Pradesh via virtual link
13.	Sh. Tilak Raj Sharma, Addl. Director	Govt. of Himachal Pradesh via virtual link
14.	Sh. Aditya Mishra, Chairman	LPAI, MHA [attended physically]
15.	Sh. Ramam Kumar Sharma, Director (Proj.)	LPAI, MHA [attended physically]
16.	Sh. D. V. Swamy, Development Commissioner	Cochin-SEZ via virtual link
17.	Sh. Shanmuga Sundaram, Development Commissioner	MEP7-SEZ via virtual link
18.	Sh. M. L. Doddamani, Managing Director	Karnataka Fisheries Development Corporation (KFDC) via virtual link
19.	Dr. P. N. Konwar, Project Head	Assam Livestock and Poultry Corporation

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		(ALPCO) via virtual link.
20.	Sh. Ajay Kumar, CEO	Chandigarh International Airport Ltd. (CHIAL) via virtual link
21.	Sh. S. Ravindra, COO	HLL Medipark Ltd., via virtual link.

Government of Himachal Pradesh  
Department of Environment, Science & Technology

No. STB-A(3)-2/2017

Dated Shimla-2, 23<sup>rd</sup> January, 2019

NOTIFICATION

In exercise of the powers conferred by Sub-Section (2) of Section 4 of the Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974) and read with Section 4 of the Air (Prevention and Control of Pollution) Act, 1981 (14 of 1981), the Governor, Himachal Pradesh is pleased to formulate the following guidelines in supersession of rules notified vide GoHP Notification of even number dated 28-12-2017 regulating the nomination/appointment, other terms and conditions of service of the Chairman in the State Pollution Control board.

The terms and conditions of service of the Chairman shall be as under:-

1. Pay, allowances and other conditions of service.

The scale of pay shall be Level-14 in the Pay Matrix of the 7<sup>th</sup> Pay Commission. In case of nomination amongst a serving officer under the Central Government or a State Government or a public sector undertaking or a University or an autonomous body taken on secondment or deputation, shall receive the pay equal to the actual pay drawn in his/her parent department. In case of nomination of retired officer under the Central Government or a State Government or a Public Sector Undertaking or a University or an autonomous body, shall receive the pay per month equal to the actual pay drawn in his/her parent department minus pension (fixed). The Chairman shall be entitled to City Compensatory Allowance and House Rent Allowance as are admissible to the Secretary to the GoHP. Provided that where the Chairman is allotted an accommodation by the State Government, he shall not be entitled to house rent allowance and shall be required to pay a license fee as applicable to the Secretary to the GoHP. The travelling allowance and daily allowance, in respect of journeys

1/2019

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undertaken by him in connection with his duties as Chairman, shall be at the rates as permissible to the Secretary to the GoHP. The medical facilities as are admissible to the Secretary to the GoHP.

2. **Age Limit**

The Maximum age limit for nomination/ appointment shall be not exceeding Sixty two years as on the last date of the receipt of application.

3. **Tenure of the Post**

The Chairman will hold the post for the period of three years or till he/she attains the age of 65 years, whichever is earlier. The person once nominated as Chairman can be re-nominated/ appointed only for one additional term.

4. **Qualification and Experience**

A person having special knowledge or practical experience in respect of matters relating to the environmental protection or a person having knowledge and experience in administering institution dealing with the matter aforesaid.

1. **Disqualification**

A person who has entered into or contracted a marriage with a person having a spouse living or a person who having a spouse living has entered into or contracted a marriage with any person shall not be eligible. Also a person who has been convicted by any court of law for committing an offence punishable for more than 2 years of imprisonment shall not be eligible for appointment to the said post.

**Mode of Recruitment**

The Chairman shall be appointed by the State Government on the recommendation of Search-cum-Selection Committee consisting of the following namely:

- |   |          |
|---|----------|
| (a) Chief Secretary to the Govt. of Himachal Pradesh-   | Chairman |
| (b) Secretary Incharge, Department of Env., Sci & Tech- | Member   |
| (c) Secretary Incharge, Department of Personnel-        | Member   |

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The Committee shall decide the procedure to be followed for making the appointment. The Secretary (Environment) to the Government of Himachal Pradesh will be ex-officio Chairman of the State Pollution Control Board, till a person is selected for nomination/appointment as Chairman of the State Pollution Control Board, or the post falls vacant due to any other reason.

#### Relaxation

The State Government shall issue necessary clarification and may also relax the guidelines in case of operational difficulties.

By order

(R.D Dhiman)

Addl. Chief Secretary (EST) to the  
Govt. of Himachal Pradesh.

dst. No. as above

Dated, Shimla,

23<sup>rd</sup> January, 2019.

Copy for information and necessary action forwarded to:-

1. Pvt. Secretary to the Chief Secretary to the Government of Himachal Pradesh.
2. All the Addl. Chief Secys./Er. Secys./Secys to the Govt. of Himachal Pradesh.
3. The Director of Environment, Science & Technology Deptt. Shimla-1.
4. The Member Secretary, HP Pollution Control Board, Shimla-9.
5. The Controller, Printing and Stationary, HP Shimla-5.

*Wing*  
Joint Secretary (EST) to the  
Govt. of Himachal Pradesh.

**IN THE HON'BLE HIGH COURT OF  
HIMACHAL PRADESH AT SHIMLA**

CWP NO. of 2021

In Re:-

1. BaddiBarotiwala Nalagarh Industries Association (BBNIA)  
With its registered office at,  
EPIP, Phase-I, Jhadmajri, Baddi,  
District Solan H.P. 1741003,  
through its Executive head Sh. Rajeev Satya  
and its duly Authorized Representative.

..... Petitioner

Versus

1. State of H.P. through Principal Secretary,  
Environment Science & Technology  
to the Government of H.P  
(also ex-officio Chairman of the  
H.P Pollution Control Board)  
Civil Secretariat, Shimla 171002.
2. Himachal Pradesh Pollution Control Board  
through its Member Secretary  
Him - Parivesh,  
Phase-III New Shimla- 171009.
3. The Member Secretary  
Himachal Pradesh Pollution Control Board  
Him -Parivesh,  
Phase-III New Shimla- 171009.
4. Municipal Council Baddi  
District Solan  
Through its Executive Officer.

...Respondents

**Civil Writ petition under Article 226 of the  
Constitution, for issuance of appropriate writ  
order or direction in favour of the petitioner and  
against the respondents to:-**

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- (a) Issue a writ of certiorari to quash **Annexure P-13** i.e. the impugned notification No. STE-F(2)-1/2017 dated 26.12.2019, issued by the respondent No.1 in the absence of any jurisdiction/authority and against the mandate of the provisions of the Water(Prevention and Control of Pollution) Act 1974, with consequential benefits flowing there from in favour of the Petitioner Association and against the respondents;
- (b) In the alternative, in case prayer(a) does not find favour with this Hon'ble Court, then to Issue a writ of mandamus declaring that the notification of 26/12/2019 i.e **Annexure P-13**, is not applicable in the case of industries connected with the Common Effluent Treatment Plant and having hydraulic loading of less than 200 KLD, in terms of the Environmental Clearance granted by the Ministry of Environment and Forests i.e Annexure P-6 in consonance with the recommendations made by the Committee constituted on 25/8/2020, as reiterated by the respondent no.3 in terms of his letter of 18/9/2020 i.e Annexure P-15;
- (c) Issue a writ of mandamus directing the respondent No.4 to immediately and without any delay ensure that the domestic/ household sewerage connection to the CETP is in terms of notification of 27/10/2010 i.e Annexure P-3 is implemented;
- (d) Issue a writ of mandamus directing the respondent No.1 State to constitute the respondent No. 2 H.P Pollution Control Board strictly in accordance with the provisions of Section 4 of the Water

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(Prevention and Control of Pollution) Act 1974 and the directions given by the Hon'ble Supreme Court of India in Techhi Tagi Tara Vs Rajender Singh Bhandari and others;

- (e) Call for the records of the case;
- (f) Allow any other relief deem fit by this Hon'ble Court in favour of the petitioner association and against the respondents in the peculiar facts and circumstances attaining to the present case;
- (g) Allow the cost of this petition in favour of the petitioner and against the respondents.

Shimla

Petitioner Association

Dated:28/8/2021

Through Advocate

Arjun Lall/ Sanjay <sup>Sanjivani Sood,</sup> ~~Kumar~~

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**MAY IT PLEASE YOUR LORDSHIPS:-**

1. That the Petitioner Association is registered as a society under the H.P. Societies Registration Act 2006. The name of the society is Baddi Barotiwala Nalagarh Industries Association ("hereinafter referred to as BBNIA") with its registered office at EPIP Jhadmajri Road, EPIP, phase-I Jhadmajri, Baddi, District Solan H.P.. The main object of the society is to promote the Industries in the Baddi Barotiwala, Nalagarh Industrial Areas of H.P., including the object to take up issue of interest of the industries with various authorities. The Petitioner Association also acts as an interface between the Government of H.P including the respondent No.2 i.e the H.P Pollution Control Board and its Member Industries, which are the registered members and constitute a part of the association i.e. (BBNIA). In terms of the resolution passed by the Executive Committee of the Association dated 9/8/2021, the Executive Head Sh Rajeev Lochan Satya has been authorized to institute, sign and verify and prosecute the present writ petition on behalf of the Petitioner Association and to agitate the cause of its Member Industries. Accordingly, the present writ petition is being filed by the Petitioner Association acting through its Executive Head Sh Rajeev Lochan Satya. The certificate of registration of the Petitioner Association and the resolution in favour of the aforesaid person are annexed hereto as Annexure P-1 colly. The Articles of Association and the Memorandum of Association of the Petitioner Association are annexed collectively as

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**Annexure P-2 Colly.** Any company registered under the Companies Act 1956 or corporation, cooperative society partnership firm and a sole proprietorship concern having its office or place of business within the Baddi Barotiwala municipal or cantonment area, is eligible to become a member of the Association.

2. That the respondent no.1 is the Principal Secretary Environment, Science and Technology, Govt of H.P and in which capacity, he is also the ex-officio Chairman of the H.P Pollution Control Board i.e respondent no.2. The respondent no.2 is the H.P Pollution Control Board (hereinafter referred to as the Board), which is mandatorily required to be constituted strictly in terms of Section 4 of the Water (Prevention and Control of Pollution) Act 1974(hereinafter referred to as the Water Act). However, the said respondent no.2 Board is not presently constituted as per the mandate and requirement of law and the directions given by the Hon'ble Supreme Court of India in Techi Tagi Tara vs Rajinder Singh Bhandari. Furthermore, the members of the respondent no.2 Board are required to be appointed in consonance with Section 4(a) to (f) of the Water Act. The members of the Board have not been appointed/ nominated to the respondent no.2 Board in accordance with the aforesaid provisions of the Act. Therefore, any action taken purported to be taken by the Board, including any recommendations made qua prescription/notification of the inlet quality norms, are illegal and not binding, being

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against the well-established principle of "coram non judice".

3. That the respondent no.2 Board, is the H.P Pollution Control Board, is required to be established in terms of Section 4 of the Water Act of 1974. Presently no members as required in terms of Section 4(b) to (e) stand nominated to the respondent no.2 Board. The respondent no.3 is the Member Secretary of the respondent no.2 Board, who as per the mandate of Section 4 of the Water Act, looks after the day-to-day functioning of the respondent no.2 Board, which is required to act collectively in the matter of regulation of water pollution in the State of H.P.
4. That the Petitioner Association by means of the present writ petition, is espousing the cause of those Medium and Small and Micro Scale Industries registered under the MSME Act, which are Members Industries of the Petitioner Association and are having a hydraulic loading capacity of less than 200 KLD. The aforesaid Member Industries were mandatorily required to connect themselves to the Common Effluent Treatment Plant. They are approximately 100 in number, discharging effluent with FDS more than 2100 mg/l. They are aggrieved by the various acts of omission and commission attributable to the respondents No. 1 to 3 and more so the respondent no.2 Board, (the constitution of which is in complete violation of the provisions of the Water Act and the mandatory directions issued by the Hon'ble Supreme Court of India in **Techi Tagi Tara Vs**

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**Rajender Singh Bhandari and others** as reported in 2018(11) SCC 734).The Hon'ble Apex Court while interpreting the provisions of Water Act, held that any appointment of the Chairman and the Member Secretary including the non-appointment of other members of the Pollution Board, in violation of Section 4 of the Water Act cannot be countenanced. Therefore, it is respectfully submitted that any act done by them would be void ab initio on the ground of being Coram Non Judice. In addition, thereto, the respondent no.1 has arbitrarily and without any authority of law and in contravention to the provisions of Section 17 of the Water Act, and on a purported recommendation of an improperly constituted respondent no.2 Board, issued a notification No. STE-F(2)-1/2017 of 26/12/2019 in partial modification of an earlier notification of 17/3/2018, whereby additional inlet quality norms for the Common Effluent Treatment Plant have been prescribed and which are now being sought to be enforced even against those MSME Member Industries having an hydraulic load of less than 200 KLD, against the terms of the Environmental Clearance granted at the time of setting up of the CETP.

5. That it is also humbly clarified at the very outset that the present Petitioner Association is entitled to invoke the writ of jurisdiction of this Hon'ble Court in terms of the liberty granted by the Hon'ble Apex Court in terms of its decision as rendered in *TechiTagi Tara Vs Rajender Singh Bhandari and others*. The Association has the necessary locus to espouse the cause of its Member

Industries collectively and in a representative capacity. Moreover the present issue relates to the functioning of the Common Effluent Treatment Plant (here in after referred to as the CETP), which was established under the orders of this Hon'ble High Court, as it was deemed expedient and absolutely essential and necessary to set up a common effluent treatment plant, with 25 MLD capacity (to be set up in two phases as detailed here in below).

6. That the CETP was to cater to the effluent treatment needs of over 450 Members Industries situated within the catchment area of the CETP in the Baddi Barotiwala Nalagarh Industries Area belt in District Solan, H.P. Out of the total cost project Rs 60.95 Crore funding up to 82% of the cost amounting to Rs 50.09 crores was contributed by the Central Government and H.P State Government and the balance 18% amounting to Rs. 10.86 Crore was contributed by the Member Industries of the petitioner Association and Baddi Infrastructure (SPV of BBNIA). The Member Industries were mandated to divert all of their industrial/ sewage effluent to the CETP and were instructed / directed hence obligated not to have any independent treatment facility of their own or disposed of any water effluent otherwise. The requirement of sending the discharge for treatment to the CETP was also made mandatory so to make the functioning of the CETP, more viable and efficient. In the aforesaid background the respondent No.1 state issued an order dated 27.10.2010, which mandatory required all

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industries to be connected with the CETP as a condition precedent for grant of a consent to operate. The copy of the order dated 27.10.2010 as annexed hereto as **Annexure P-3**. The order specifically stipulates that all municipal sewerage and industrial effluent discharge in the Baddi, Barotiwala and Nalagarh areas, was to be treated and routed through the CETP alone.

7. That at this juncture, it would be pertinent to mention that Baddi Infrastructure, is a Special Purpose Vehicle (SPV) incorporated by the Petitioner Association under Section 25 of the Companies Act 1956, established the CETP. However, in terms of the orders passed by the Hon'ble High Court in CWPIIL 13 of 2006, it was directed to ensure that both the effluent generated by the industries as well as the sewage, should be treated by the CETP, proposed to be established. Copy of order of 20/8/2010 passed in CWPIIL 13 of 2006, is annexed hereto as **Annexure P-4**. Consequently, a Detailed Project Report (DPR) was prepared on 30/10/2010, copy of relevant portion/ portion qua treatment of TDS/ FDS whereof is annexed hereto as **Annexure P-5**(The petitioner undertakes to produce the entire DPR, if so directed by this Hon'ble Court). At this stage it would be pertinent to mention that in terms of the DPR, the CETP was proposed to be set up and it was to be executed in two phases. Wherein as per Phase-I thereof, no treatment facility for removal of TDS/ FDS effluent, had been catered/ provided for. The Phase-II of the execution of

the CETP which related to the establishment of Nano-filtration technology (for treatment of TDS/ FDS norms), was to be jointly funded by the respondent no.1, and pro-forma respondent No.4 in terms of the DPR.

8. That consequent to the decision of the respondents No. 1 and 2 to set up the CETP, Environmental Clearance for establishing and development of the purposed CETP was granted on 08.01.2013, copy whereof as annexed hereto as Annexure P-6. A perusal of the Environmental Clearance will show that the CETP was to cater to 1262 Industrial Units/ plots in the Industrial Area of Baddi Barotiwala. Most importantly, in terms of the Environment Clearance and more particularly Specific Condition No.8(v) thereof, Member Industries with Hydraulic loading of more than 200 KLD were alone required to treat effluent generated by them at their existing on-site effluent treatment plant, before sending the same to the CETP for further treatment. However, at the time of granting the consent to establish, only 428 industries were found to be suitably placed within the "command area" of the CETP, to be viable for sending the effluent generated by them, as the balance number of Industrial Units were not having any effluent to discharge to CETP.
9. That in order to ensure the optimal use and functioning of the CETP, a meeting was held on 03.04.2017 under the Chairmanship of respondent No. 1. Therein it was decided that in view of the installation and operation of the CETP, until and unless directed by the respondent

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No. 2 Board, the Member Industries were only to operate their Primary Effluent Treatment Plant for providing limited primary treatment(which all member industries are providing), so long as they were connected with the CETP. Since as per the DPR, the CETP was to be established to cater to all kinds of effluent and incase all industries in terms of Annexure P-3 had been directed to be connected with the CETP, the requirement of specialized treating of the effluent at their respective Effluent Treatment Plants had been dispensed with. Copy of the minutes of meeting dated 03.04.2017 are annexed hereto as Annexure P-7. In terms thereof all the Member Industries of the Petitioner Association, more particularly those with a hydraulic loading of less than 200 KLD, which already connected to the CETP, entered into tripartite agreements with the operator of the CETP and Baddi Infrastructure. A copy of one of such tripartite agreement is annexed hereto as Annexure P-8.

10. That subsequently the issue relating to the functioning of the CETP was again taken up sou moto, by the Hon'ble High Court in terms of petition i.e CWPIL 11 of 2016. It was pointed out therein that though the CETP had been established, however it was not being optimally utilized. Against the carrying capacity of 25 MLD, only 13-16 MLD of effluent was being received by the CETP. Out of the 428 units within the "command area" only 351 Units were connectible to the CETP. Directions were given by this Hon'ble Court to the respondent no.3 to ensure that all the remaining units are immediately

connected with the CETP. Copy of order of 23/8/2017 passed in CWPII 11 of 2016 is annexed hereto as Annexure P-9.

11. That the conditions of the Environmental Clearance read in conjunction with the Minutes of Meeting already annexed hereinabove as Annexure P-7 will show that so long as the Member Industries (more particularly those with less than 200 KLD hydraulic discharge) were connected with the CETP and paying the requisite treatment charges/ fees as per the Tripartite Agreement, they were only required to provide basic primary treatment at their own effluent treatment plants. However, the said effluent treatment plants were and are not technologically set up to treat Total Dissolvable Solids/ Fixed Dissolvable Solids (hereinafter referred to as the TDS/ FDS norms), which have been introduced as an inlet quality norm, in terms of the impugned notification of 26/12/2019. In case all the Member Industries, majority of which are small time MSME industries, are compelled to adhere to the norms so introduced on 26/12/2019 and more so with respect to TDS/ FDS norms, the same would render the setting up of the CETP redundant and non-existent. Not only would the Member Industries be compelled to invest in upgradation of their own treatment Plants, they would have to continue to make payments for the treatment of the same already treated effluent to the CETP also.
12. That the Member Industries as per the Environmental Clearance and on payment of the necessary charges have

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been sending their effluent for treatment to the CETP. It for this reason that the respondent no.2 Board never prescribed inlet quality norms for the CETP. As per the mandate of the respondents 1 and 2 read with the Environmental Clearance, the Member Industries with less than 200 KLD hydraulic effluent, were required to send their effluent for treatment to the CETP alone and for which regular charges are paid to the operator of the CETP i.e pro-forma respondent no.4.

13. That at this juncture it would be pertinent to bring to the notice of this Hon'ble Court that, keeping in mind the notification issued by the respondent no.1 i.e Annexure P-3 whereby all Industries were to be connected to the CETP. The CETP was designed in a manner so as to treat and deal with each type of effluent. For this purpose, the effluent was categorized into five different categories i.e Cat-I to Cat-V, and different pipelines were laid to receive the different category of effluent which are under:

Category	Sector of Industry	Units	Effluent discharge(MLD)
Cat-I	Food, paper and Textile	89	15.65
Cat-II	Soaps and detergents	112	2.0
Cat-III	Pharmaceuticals	213	2.9
Cat-IV	Dyeing	4	2.0
Cat-V	Electroplating, metalsurface finishing	31	0.042

However, in the first phase of the project, the CETP was set up to treat all parameters except TDS/ FDS. Treatment of TDS/FDS effluent was to be implemented only in Phase-II of the project, by establishing of a Nano Filtration unit. This would be evident from a perusal of the Detailed Project Report already annexed here in above.

14. That once the Member Industries, stood connected with the CETP, the respondent no.1 and 2 were jointly and severally responsible along with the CETP to ensure that the outlet discharge parameters as prescribed and notified under the Environment Protection rules were being met by the CETP. The respondents 1 and 2 were to ensure that the CETP was equipped and upgraded to deal with the validly prescribed norms.
15. That for the first time on 17/3/2018, the respondent no.1 prescribed inlet quality standards for the CETP on the recommendation of the respondent no.2 Board. Copy of the same is annexed hereto as Annexure P-10. However, as per the design of the CETP, the effluent was being treated by the CETP, there was no violation of the aforesaid notification and neither the member industries nor the CETP could be said to be polluting or discharging the treated effluent in violation of the prescribed norms.
16. That however, in the meantime, pursuant to certain directions issued by the Hon'ble National Green Tribunal, wherein the functioning of the CETP was questioned with respect to the high TDS levels at the point of outlet discharge of the CETP. In this regard the

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Petitioner Association annexes herewith a copy of order of 27/9/2019 as Annexure P-11. In terms of the aforesaid order, a Joint Committee was directed to examine the performance status of the CETP and suggest remedial measures to increase the connectivity of effluent generating units to the CETP. The Joint Committee inspected the CETP and filed its status report of 16/11/2019, copy whereof is annexed hereto as Annexure P-12. Perusal thereof will show that certain textile units having a discharge of more than 200 KLD hydraulic loading were allegedly found to be responsible for high levels of TDS/ FDS. Remedial measures qua the textile units were suggested. Most importantly, it was suggested that the operator of the CETP must install activated carbon, pressure sand filters and ozonizer, as was already envisaged in the "Detailed Project Report".

17. That immediately thereafter the operator i.e Baddi Infrastructure took up the matter with the respondent no.3. A detailed Action Plan was submitted by Baddi Infrastructure, dealing specifically with the question of treatment of FDS levels generated by industries. A Detailed Project Report/ Action Plan has also been submitted to the Director of Industries for "3 MLD Refractory Management and TDS Reduction in CETP" which would require funding of Rs 28.52 crores. The same would have formed part of implementation of Phase-II of the establishment of CETP. The Petitioner Association has been informed that the matter has been

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taken up with the State Govt and the Govt of India for financial assistance and sanction of Rs 20 crores by the Govt of India.

18. That pursuant to the Joint Inspection Committee report, the Respondent no.1 has issued the impugned notification on 26/12/2019, wherein the respondent no.1 without any Statutory Authority, jurisdiction and powers, has issued a fresh notification, wherein for the first time, inlet quality standards with respect to TDS/ FDS has been prescribed by the respondent no.1. the aforesaid notification is applicable across the Board to all industries, irrespective of the level of effluent being discharged by it, which factor was taken note of by the MOEF, at the time of grant of Environmental Clearance, as already stated supra. Copy of the impugned notification of 26/12/2019 is annexed hereto as **Annexure P-13**.
19. That thereafter the Petitioner Association has been continuously representing to the respondents 1 and 3 that the Member Industries, having a discharge of less than 200 KLD, in terms of the Environmental Clearance i.e Annexure P-5, deserve to be kept out of the purview of the impugned notification. Copy of one of such representation of 18/8/2020 is annexed hereto as **Annexure P-14**. The same was preferred in the month of August 2020 in view of the Covid-19 pandemic which paralyzed the Industrial sector. The respondent no.3 in terms of his letter of 18/9/2020, copy whereof is annexed hereto as **Annexure P-15**, informed the Petitioner Association qua the setting up of the Committee on

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25/8/2020 to look into the representation made by the Petitioner Association. The recommendations of the Committee supported the contentions raised by the Petitioner Association. The respondent no.3 recommended to the respondent no.1 that the industries having a discharge of less than 200 KLD may comply with the norms prescribed in the notification of 17/3/2018, however the CETP was directed to install adequate treatment system to treat FDS levels(as per Phase II) within six months thereof.

20. That the respondent no.1 is response to Annexure P-15, while admitting therein that the notification of 26/12/2019, had been issued by the respondent no.1, stated that the same cannot be diluted till the time the CETP at Baddi, is upgraded. Copy of letter of 9<sup>th</sup> November 2020 issued by respondent no.1 is annexed hereto as Annexure P-16. The respondent no.3 in a volte-face change in his stand as stated in Annexure P-15, reiterated the decision taken by the respondent no.1 in terms of Annexure P-16. Copy of letter of 28/11/2020 of the respondent no.3 is annexed hereto as Annexure P-17. The respondent no.1 who has no authority under the Water Act, without even giving an opportunity of being heard to the Petitioner Association arbitrarily and illegally and without jurisdiction refused to accept the recommendations made by the respondent no.3 in terms of Annexure P-15. Thus also the impugned action is bad and is liable to be quashed and set aside.
21. That thereafter the matter with respect to the functioning

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of the CETP was taken up by the Chief Secretary, wherein similar demands were raised by the representatives of the Petitioner Association. The meetings were held on 26/2/2021 and 4/8/2021 and copy of the minutes are annexed hereto as Annexure P-18 colly. However, despite raising the issue, no action has been taken till date. Rather the representatives of the Petitioner Association were informed that through the Member Secretary that the impugned illegal notification was to be adhered to, irrespective of the fact that incase the CETP is upgraded as already envisaged in the letters by the respondent no.1 and 3.

22. That in view of the aforesaid facts, the present petitioner Association is aggrieved by the aforesaid notification which despite being sans jurisdiction and authority of the respondent no.1, is sought to be implemented and enforced against the industries which have a hydraulic discharge of less than 200 KLD also. The aforesaid action of the respondent no.1 is sought to be impugned by the present petitioner on the aforementioned, as well as the following grounds as detailed hereinbelow:

**GROUND OF CHALLENGE:**

- A. That the action of the respondent no.1 in issuing the impugned notification of 26/12/2019 i.e Annexure P-13 is beyond the jurisdiction and authority of the respondent no.1 and against the statutory mandate of the Water Act. A bare perusal of the provisions of the Water Act will show, that the respondent no.1 is not authorized to act

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under the provisions of either the Water (Prevention and Control of Pollution) Act 1974 or the Environmental Protection Act or the rules framed thereunder. The statutory mandate has been specifically conferred only upon the respondent no.2 Board.

- B. That one of the essential functions statutorily prescribed for the respondent no.2 Board as stipulated in Section 17(g),(h),(k),(m) of the Water Act of 1974, is to lay down, modify and to annul effluent standards of discharge of sewage and trade effluents before the same are discharged in trade any system/Water body so as to be in consonance with and within the tolerance limits of pollution permissible. This is an essential function statutorily conferred on the respondent No.2 Board alone. Moreover, even as per Rule 3(2)(3)&(3A) of the Environment Protection rules, the power to prescribed stringent standards in addition to those as provided for in Schedule I-IV of the rules, has been specifically conferred on the State Board i.e respondent no.2 alone, which has to be duly constituted in consonance with the provision of Section 4 of the Water Act 1974. Therefore, it is only a duly and properly constituted Board alone under Section 4 of the Water Act 1974, which in exercise of its statutory powers as conferred under Section 17, alone is entitled to prescribed standards/parameters/norms which are required to be complied with by the Member Industries. Moreover, it is time honoured and settled principle of law that when a statute provides the exact manner and under what

circumstances and by which authority, a particular act is to be performed, it must be performed in the same manner prescribed or not at all. The said principle is applicable on all fours in the facts and circumstances attending to the present case.

- C. That the respondent no.1 has no jurisdiction under the provisions of the Water Act of 1974 to lay down any standards/ norms to be met by the industry. Such power cannot be exercised even on the alleged recommendations made by the respondent no.2 Board, as has been done in the present case. Even assuming for a moment, though without conceding, that such power does exist, since the respondent no.2 Board has not been constituted in terms of Section 4 of the Water Act of 1974, the directions/ recommendation would be non-est and void-ab intio, being in contradistinction to the principles of coram non judice.
- D. That in the absence of nomination of the other members of the respondent no.2 Board in terms of Section 4(b) to (e) of the Water Act of 1974 and more particularly clause(d) thereof, the interest of the industry which required mandatory representation on the respondent no.2, has not be provided for. In the absence of such nomination including that of the other members as required under the Act, and in the absence of proper consultation thereof, the impugned action of the respondent no.1 is illegal and detrimental to the interests

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of the Member Industries, who are already facing severe financial crunch on account of Covid-19 pandemic.

- E. That in addition to Ground D hereinabove grave prejudice is being caused to the constituent members of the petitioner association, on account of the improper and illegal constitution of the respondent no.2 Board as per the mandate of Section 4 of the Water Act of 1974. In the absence of appointment of persons having special knowledge/ practical experience in respect of matters relating to environmental protection and being duly qualified in the field of environment having the understanding of the complexity of modern science and technology and technical persons possessing scientific knowledge on matters relating to pollution and its control thereof, knee-jerk actions are being resorted to by the respondents, as is evident from the impugned notification of 26/12/2019 i.e Annexure P-13, The same is against the orders/ notifications issued by the respondents themselves and the directions passed by the Hon'ble High Court of Himachal Pradesh, with respect to the functioning and optimal utilization of the CETP at Baddi.
- F. That in addition to the above, at present the respondent no.2 Board constitutes of only the Chairman i.e the Principal Secretary Environment, Science and Technology being the ex-officio Chairman and the Member Secretary, who cannot in law and as per Section 4 of the Water Act of 1974 be held to constitute the full Board. Hence any recommendations made by them as

stated in notification dated 17.03.2018 i.e Annexure P-9, which has now been partially modified in terms of the impugned notification of 26.12.2019 i.e Annexure P-13, cannot be sustained and deserves to be quashed on this ground alone. The directions passed by the Hon'ble Supreme Court of India in Techii Tara's case supra, is annexed for the ready perusal of this Hon'ble Court as Annexure P-19. It is humbly submitted that the respondent no.1 has only framed the rules for appointment of the Chairman, however no appointment in accordance with the rules has been made till date. No rules with respect to the appointment of Member Secretary have been framed by the respondent State till date.

- G. That most importantly it is further stated that in terms of Annexure P-3, apart from the Industrial Effluent, even municipal sewerage was mandatorily required to be sent to the CETP for treatment, for the reason that it would result in considerable dilution of the industrial effluent, strengthen the functioning of the CETP, thus ensuring compliance with the legally published norms/parameters. In this regard the petitioner association and even the operator of the CETP i.e Baddi Infrastructure, have been repeatedly requesting the respondent no.3 to ensure that sewage discharge of 5.5 MLD is received by the CETP, as currently only 7% of the total domestic sewerage is being received by the CETP. Therefore, against the sewerage discharge of 5500 KLD capacity at

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CETP from the area under the Municipal Council Baddi, the current flow still remains only at 400 KLD, with a cumulative flow of 210 KLD since February 2020 i.e start of the STP at CETP. Thus, the inaction of the respondent State and the Board in ensuring due compliance with Annexure P-3, by issuing the impugned notification Annexure P-13, unnecessary burden is being passed onto the small scale industries, who despite making payment of heavy fees to the CETP, are now being forced to upgrade their own treatment plants involving heavy expenditure, to pre-treat the effluent for TDS/ FDS norms, which otherwise is to be treated at the CETP. Thus, the respondent no.1 by resorting to issuance of the impugned notification Annexure P-13, is acting contrary to its own order i.e Annexure P-3, Minutes of meeting of 3/4/2017 and above all the orders and directions issued by this Hon'ble Court. The respondents having failed to upgrade the CETP, in terms of the mandate of the Hon'ble Supreme Court of India, are clearly illegally shifting their responsibility of ensuring proper and optimal functioning of the CETP onto the small industries. In this regard even the respondent no.5 deserves to be directed to ensure strict compliance with the order of 27/10/2010 i.e Annexure P-3

- H. That by means of the impugned notification Annexure P-13, the Member Industries are being forced to illegally upgrade their existing effluent treatment plants at the cost of investments/ expenditure in order to treat TDS/

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FDS parameter. This is contrary to the order passed by the respondents i.e Annexure P-3, which made it compulsory for all industries to be connected to the CETP and to pay high fees for treatment to the CETP operator. It is also against the orders passed by the Hon'ble High Court of Himachal Pradesh. Had the intent been that each industry is to treat and upgrade its own treatment plant at the cost of heavy investments, then in that case, the need to connect to the CETP would not have arisen. The Member Industries instead of making payments of fees to the CETP operator would have upgraded their own Effluent Treatment Plants. The respondent no.1 may kindly not be permitted to approbate and reprobate at the same time. Assuming for a moment that each of the Member Industry is held liable to treat the effluent to meet the prescribed norms as per Annexure P-13, in that case there would be no requirement to send the treated effluent already compliant with the prescribed norms, for further treatment to the CETP. The same would be an empty formality. Reason being that in case the already compliant treated effluent as received by the CETP is to be then merely discharged without any treatment by the CETP, the same would still comply with the discharge norms as prescribed under the Environment protection rules. The order of 27/10/2010 read alongwith the orders passed by this Hon'ble High Court with respect to mandatory treatment of effluent at the CETP, cannot in

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any manner be reconciled with the impugned notification of 26/12/2019 i.e Annexure P-13.

- I. That the action of the respondents in not implementing the Phase-II of the CETP is in gross violation of Article 48-A of the Constitution of India, more so since the same formed part of the accepted Detailed Project Report. Though the CETP is compliant due to process of mass balancing however, Baddi infrastructure i.e. SPV has proposed to install the facility at CETP to handle any extreme situation for treatment of TDS/FDS for units with hydraulic load of less than 200 KLD. The respondent No.1 has issued in principal sanction to share the capital cost in the ratio of 80:20 and in turn they have requested Union government for support under TIES. The process has already been initiated by pro-forma respondent, SPV and is expected to be completed in 15-18 months' time. The members of the Petitioner Association are ready and willing to provide their share for the completion of phase-II of the CETP and in this regard Baddi Infra has already submitted a detailed Action Plan on 12/3/2021.
- J. That in terms of the orders passed by the respondent no.1 i.e Annexure P-3 and the directions given by the Hon'ble High Court of Himachal Pradesh, mandating the industries to be connected with the CETP, the present impugned notification of 26/12/2019, is repugnant to the same. The answering respondents instead of ensuring that the CETP is timely upgraded in order to effectively

treat the effluent being received by it, are now by prescribing the inlet quality norms in terms of Annexure P-13, forcing the small-scale industries to treat the effluent to the standards prescribed for the CETP. Meaning thereby that the effluent being received by the CETP should be treated to meet the discharge norms prescribed for the CETP under Schedule-I of the Environment Protection rules, 1986, thus rendering the CETP to act merely as a post office, since it would receive the already treated effluent and thereafter, even if it were to discharge the same without treating it, the effluent would still meet with the standards/ norms prescribed.

K. That the respondent no.3 having recommended and in principle having accepted the stand of the Petitioner Association subject to condition of upgradation of the CETP in terms of Annexure P-15, was estopped in law from changing his stand pursuant to the decision taken by the respondent no.1 in terms of Annexure P-16. The respondent no.1 again has acted without any jurisdiction and authority. Despite having directed upgradation of the CETP to treat TDS/ FDS norms in November 2020, till date no effective steps have been taken to that effect.

23. That the Petitioner Association has no other equally efficacious or speedy remedy for redressal of its grievances, other than by way of filing the present Writ Petition. The entire action of the Respondents 1 to 3 is procedurally ultra vires, it is against the statutory

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provisions and Rules. It is also in total violation of the binding directions passed by the Hon'ble Apex Court. Further that the cause of action to challenge the validity of the impugned notification has accrued only now, since the respondents are now calling upon the industry to ensure adherence with the inlet quality norms so prescribed i.e Annexure P-13, by shifting the entire responsibility on to the Member Industries. The issues raised in the present petition with respect to the validity of the notification and the improper constitution of the respondent no.2 Board in conformity with the provisions of the Water Act of 1974, fall within the exclusive domain of the writ jurisdiction of this Hon'ble High Court, under Article 226 of the Constitution of India.

24. That the Petitioner Association has not filed any other similar Writ Petition in this Hon'ble Court or in the Hon'ble Supreme Court of India, pertaining to the matter in issue in the present Writ Petition. Moreover, no such Writ Petition is pending adjudication in any Court.
25. That this Hon'ble Court has the jurisdiction to entertain and adjudicate upon this Writ Petition, since the entire cause of action arose within the jurisdiction of this Hon'ble Court.

It is, therefore respectfully prayed that this Hon'ble Court may kindly be pleased to allow this Writ Petition and may further be pleased to issue an appropriate Writ,

Order or direction in favour of the Petitioner Company and against the Respondents, directing to :-

- (a) Issue a writ of certiorari to quash Annexure P-13 i.e. the impugned notification No. STE-F(2)-1/2017 dated 26.12.2019, issued by the respondent No.1 in the absence of any jurisdiction/authority and against the mandate of the provisions of the Water(Prevention and Control of Pollution) Act 1974, with consequential benefits flowing there from in favour of the Petitioner Association and against the respondents;
- (b) In the alternative, in case prayer(a) does not find favour with this Hon'ble Court, then to Issue a writ of mandamus declaring that the notification of 26/12/2019 i.e Annexure P-13, is not applicable in the case of industries connected with the Common Effluent Treatment Plant and having hydraulic loading of less than 200 KLD, in terms of the Environmental Clearance granted by the Ministry of Environment and Forests i.e Annexure P-5 in consonance with the recommendations made by the Committee constituted on 25/8/2020, as reiterated by the respondent no.3 in terms of his letter of 18/9/2020 i.e Annexure P-15;
- (c) Issue a writ of mandamus directing the respondent No.4 to immediately and without any delay ensure that the domestic/ household sewerage connection to the CETP is in terms of notification of 27/10/2010 i.e Annexure P-3 is implemented;
- (d) Issue a writ of mandamus directing the respondent No.1 State to constitute the respondent No. 2 H.P Pollution

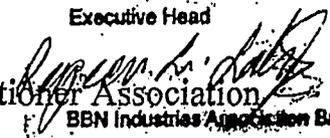
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Control Board strictly in accordance with the provisions of Section 4 of the Water (Prevention and Control of Pollution) Act 1974 and the directions given by the Hon'ble Supreme Court of India in Techhi Tagi Tara Vs Rajender Singh Bhandari and others;

- (e) Call for the records of the case;
- (f) Allow any other relief deem fit by this Hon'ble Court in favour of the petitioner association and against the respondents in the peculiar facts and circumstances attaining to the present case;
- (g) Allow the cost of this petition in favour of the petitioner and against the respondents.

Shimla

Dated:28/8/2021

Executive Head  
  
Petitioner Association  
BBN Industries Association Baddi  
Through Advocate

Arjun Lall/ Sanjeevni Sood



**CWP No.4961 of 2021**

01.09.2021 Present: Mr. R.L. Sood, Senior Advocate with Mr. Arjun Lal, Advocate, for the petitioner.

Mr. Ashok Sharma, A.G. Mr. Rajinder Dogra, Sr. Addl. A.G., Mr. Vinod Thakur, Mr. Shiv Pal Manhans, Mr. Hemanshu Misra, Addl. A.Gs. and Mr. Bhupinder Thakur, Dy. A.G., for the respondent No.1/State

Mr. Maan Singh, Advocate, for respondent No.2 and 3.

Mr. Dinesh Bhanot, Advocate, for respondent No.4.

Notice. Mr. Vinod Thakur, learned Additional Advocate General, Mr. Maan Singh, Advocate & Mr. Dinesh Bhanot, Advocate, appear and waive service of notice on behalf of respondents No.1, 2, 3 and 4, respectively. Reply/instructions be filed/obtained within a period of two weeks.

**CMP N.10189 of 2021**

Notice in the aforesaid terms. In the meanwhile, respondents are restrained from taking any coercive action against the petitioner.

List on 15.09.2021.

*Copy dasti.*

**(Tarlok Singh Chauhan)**  
Judge

**(Satyen Vaidya)**  
Judge

**September 01, 2021 (tarun)**



**CWP No. 4961 of 2021**

10.11.2021 Present : Mr. R. L. Sood, Sr. Advocate with Mr. Arjun Lal, Advocate, for the petitioner.

Mr. Ashok Sharma, A.G. with Mr. Rajinder Dogra, Sr. Addl. A.G., Mr. Vinod Thakur, Mr. Hemanshu Misra, Addl. A.Gs. with Mr. Bhupinder Thakur, Dy. A.G., for respondent No. 1.

Mr. K. D. Shreedhar, Sr. Advocate with Ms. Shreya Chauhan and Mr. Virbahadur Verma, Advocates, for respondents No. 2 and 3.

Mr. Dinesh Bhanot, Advocate, for respondent No. 4.

Reply on behalf of respondents No. 2 and 3 is stated to have been filed on 25.10.2021, however, the same is not on record. Registry to trace and place the same on record, even if it is under objection.

Reply on behalf of remaining respondents be filed within two weeks.

**CMP No. 10189 of 2021**

The order dated 01.09.2021 is clarified to the extent that the same shall only be applicable to those industries having less than 200 KLD hydraulic discharge.

List on 27.11.2021

**Copy dasti.**

**(Tarlok Singh Chauhan)  
Judge**

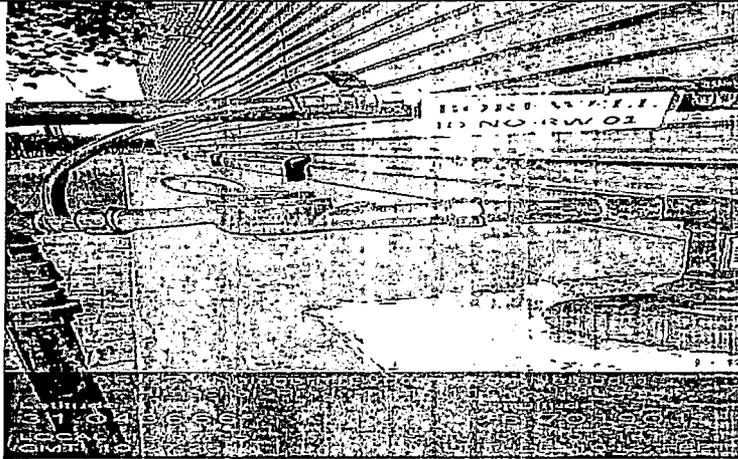
**(Satyen Vaidya)  
Judge**

10<sup>th</sup> November, 2021  
(sanjeev)

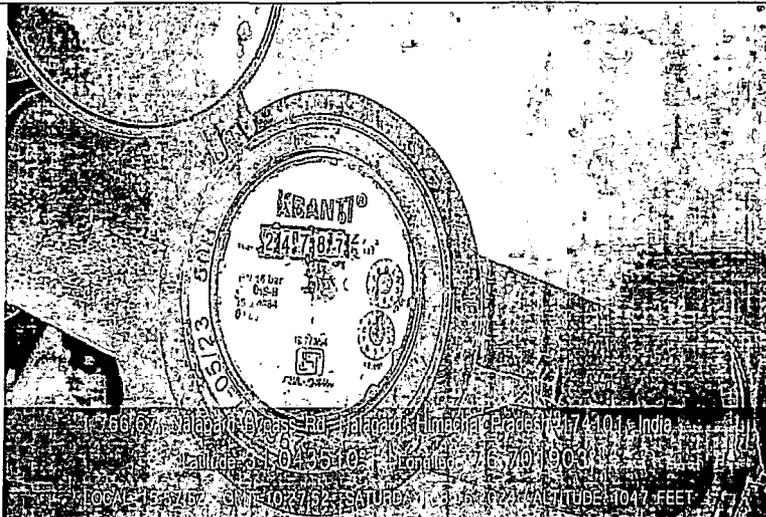
## Present treatment scheme of the CETP (Kainuwal) Baddi

Category	Sector of industry	Treatment capacity installed in MLD	Effluent received in MLD	Equalisation tanks	Reaction tank	Pre settling	Aeration tank	Secondary clarifier	Reaction tank	Tertiary clarifier	Status
I	Food, Paper and Textile	17.5	15.5	3 Numbers	NA	1 Number	1 Number	1 Number	1 Number	2 numbers, common for Category I, IV and V	Operational and treated effluent is finally discharged to River Sirsa
II	Soap & Detergent	2	0.95	1 Number	1 Number	1 Number	1 Number	1 Number	1 Number	1 Number	Operational and treated effluent is finally discharged to River Sirsa
III	Pharmaceutical	2.8	2.75	1 Number	NA	1 Number					Operational and treated effluent is finally discharged to River Sirsa
IV	Dyeing	2	0.0	1 Number	2 Number	NA	NA	NA	NA	2 numbers, common for Category I, IV and V	Non Operational as the CAT-IV effluent of high TDS is being treated by Industries in the provided zero liquid discharge facility and now capacity is merged with CAT-I
V	Electroplating, Metal surface finishing and other	1	0.2	1 Number	1 Number	NA	NA	NA	NA		Operational and treated effluent is finally discharged to River Sirsa
	<b>Total</b>	<b>25</b>	<b>19.4</b>								

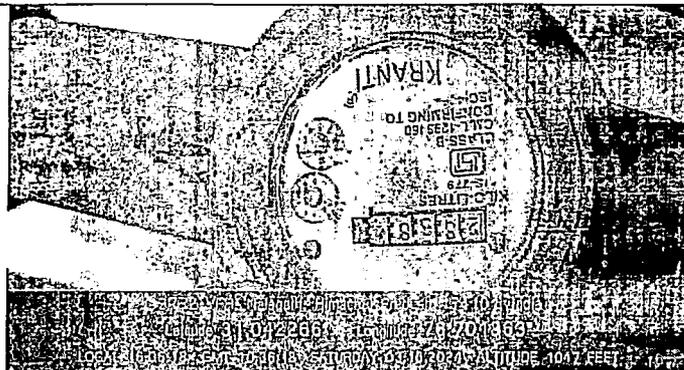
1.2



Photograph 1: water meter installed at Borewell



Photograph 2: water meter installed at raw water storage tank



Photograph 3: water meter installed at Final Out let of ETP cum STP

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**IN THE HON'BLE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH AT DELHI**

**OA No. 116/2023**

**Sh. Gopal Sharma**

.....Applicant

V/s

**State of HP &ors.**

.....Respondent(s)

KNOW ALL to whom these presents shall come that **L. Anil Joshi, Member Secretary, HP State Pollution Control Board, New Shimla** the above named Respondent.

Do hereby appointed **Sh. Vaibhav Shrivastava** (hereinafter called the **Advocate**) to be my/our advocate in the above noted cause and authorized him:-

To act, appear and plead in the above noted cause in the Court or in any other Court in which the same may be tried or heard and also in the appellate or revision Court for and on my/our behalf at approved fee of the Board;

To sign, file and present pleadings, appeals cross objection or petitions for execution, revision, restoration, withdrawal compromise or other petition, replies, objection or affidavit, other documents as may deemed necessary or proper for the proper prosecution of the said cause in all stage.

To file and take back documents to withdraw or compromise the said cause or submit to arbitration any difference or disputes that may rise touching or in any manner relating to the said cause.

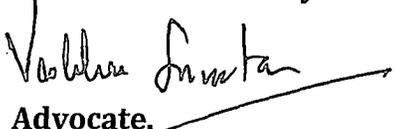
To take out execution proceeding; to deposit draw and receive money and grant receipts therefore, and to do all other acts and things which may be necessary to be done for the progress and in the course of the prosecution of the said cause.

To appoint and instruct any other legal practitioner authorizing him to exercise the power and authorities hereby conferred upon the advocate whenever he may think it to do so; And I/we undersigned do hereby absolute bind myself/ourselves and confirm that all acts or steps taken by the Advocate or his substitute in the above cause shall be as good and binding on me/us if they were my/our own acts and deeds and they shall in all ways be absolutely binding on me/us.

And I/we undertake not to hold the said Advocate or his substitute liable or the results of the said cause in consequences of his absence from the Court when the said cause is called up for hearing or for any inadvertent negligence of the Advocate.

And I/we agree that in the event of the whole or any part of the agreed fee to be paid to the said Advocate remaining unpaid, he shall be in titled to withdraw from the prosecution of the said cause until the same is paid up, If any costs are allowed for any adjournment or in any other Court the Advocate would be entitled to the same.

IN WITNESS WHEREOF I/we have appended our signature to these presents on this.....day of February, 2024.

  
**Advocate.**

  
**Client.**  
Member Secretary,  
HP State Pollution Control Board  
Shimla