

**Report of the Joint Committee in the matter of OA No. 124 of 2021:
Sunaina V/s State of Punjab and Others, in compliance of Hon'ble National
Green Tribunal Orders dated 04/06/2021 and 22/9/2021.**

1.0 Background:

The matter is related to a petition filed by referring to one news item published in the newspaper "The Tribune" dated 12/02/2020 titled as "Beware! Your veggies come off sewer water".

Grievance in this application is against failure of statutory authorities in Punjab and Chandigarh to install necessary Sewage Treatment Plant, resulting in discharge of pollution in the drain originating from Chandigarh and passing through various sectors and villages of Mohali, before merging into Ghaggar River. The pollution is affecting the eco-system, including the aquatic life and also public health. Discharge of untreated sewage into the drain is violation of Water (Prevention and Control of Pollution) Act, 1974 and Constitutional obligation under Article 243W and also citizen's right to clean environment. Further, since the wastewater of the drain is used for cultivation of crops and washing of the vegetables which are consumed by the residents, it is affecting the food chain and public health.

In the order dated 04/06/2021, it was observed by Hon'ble National Green Tribunal as under:

"Having regard to the above, we find that there is failure of the Authorities in complying with the Environmental Law, including the contempt of the binding order of the Hon'ble Supreme Court dated 22.02.2017 in Paryavaran Suraksha Samiti Vs. Union of India requiring the concerned local bodies and the States to ensure that requisite STPs are installed on or before 31.03.2018 after which the heads of the Department concerned will be liable to prosecution. The Hon'ble Supreme Court also directed this Tribunal to monitor compliance of the said directions. The issue of rejuvenation of river Ghaggar in question was considered by this Tribunal in OA 138/2016, Stench Grips Mansa's Sacred Ghaggar River, inter-alia by order dated 28.10.2020 in the light of factual report of the Monitoring Committee appointed by this Tribunal headed by a former judge of the Punjab and Haryana High Court. The Tribunal noted that one of the sources of pollution of the river was discharge of untreated sewage in breach of constitutional duty of the concerned States to prevent the same"



It was further observed by the Hon'ble NGT that:

"We hope that the States realize their responsibility to function according to the Constitution and take immediate remedial measures in punishing the guilty involved in failing to comply with the law and also take prompt measures instead of repeatedly taking the sample a of being engaged in tender process or DPRs. It should not be difficult at this length of time to overcome such procedural requirements and to effectively prevent discharge of the untreated effluents after 46 years of enactment of Water Act a repeated orders of the Hon'ble Supreme Court and other Courts. For delay and continued violation, realistic compensation has to be recovered from the erring officers, apart from other action or in default, the compensation has to be quantified and recovered. The Executing Committee may make its recommendation in this regard."

2.0. Directions of Hon'ble National Green Tribunal:

Hon'ble National Green Tribunal vide its order dated 04/06/2021 (Annexure-1), directed as follows:

".....we direct the Chief Secretary, Punjab and the Advisor to the Administrator, UT Chandigarh in coordination with other concerned officers to take further appropriate remedial measures to comply with the mandate of law, including the directions of the Hon'ble Supreme Court and this Tribunal. A joint Committee of CPCB, Punjab PCB and UTPCC may inspect the drain and furnish a status report within two months by e-mail."

3.0. Compliance of the Directions of Hon'ble NGT:

A. Constitution of the Joint Committee:

In compliance of the directions of the Hon'ble NGT, a joint Committee comprising of the following members was constituted:

- i. Er. Krunesh Garg, Member Secretary, Punjab Pollution Control Board
- ii. Dr. Narender Sharma, Additional Director, Central Pollution Control Board
- iii. Vivek Pandey, Scientist E, Chandigarh Pollution Control Committee

B. Meeting/Inspection of the Joint Committee:

As per the directions of Hon'ble NGT, joint committee conducted meetings and field inspections on 26/8/2021, 2/9/2021 and 3/9/2021, alongwith PPCB and CPCC teams. On the basis of the findings of the inspections, the joint Committee submitted interim report dated 19/9/2021, for the consideration of Hon'ble NGT, with a prayer to grant

time upto October 31, 2021 to complete post-monsoon sampling and file conclusive report.

C. Hon'ble NGT order dated 22.09.2021

Hon'ble NGT considered the interim report submitted by the Joint Committee during hearing of the matter on 22/9/2021. It was observed and directed by Hon'ble National Green Tribunal vide order dated 22/9/2021 (Annexure-2), as under:

“The Committee has sought time for filing conclusive report upto 31.10.2021. While granting the time sought, we direct the Committee to ascertain the status of quantity of sewage being discharged by UT Chandigarh and the State of Punjab and STPs identified for interception of sewage and its treatment which also is a part of restoration of water quality of river Ghaggar. The Committee may also mention the status of interim remedial measures to reduce pollution loads being followed, if any. List for further consideration on 05.01.2022.”

As per orders of Hon'ble National Green Tribunal dated 04/06/2021 and 22/9/2021, the various agencies were required to comply and accomplish the following tasks:

i) Directions to Chief Secretary, Punjab and the Advisor to the Administrator, UT Chandigarh:

- a. To take further appropriate remedial measures in coordination with other concerned officers to comply with the mandate of law, including the directions of the Hon'ble Supreme Court and this Tribunal.

ii) Directions to Joint Committee :

- a. Inspect the drain and furnish a status report.
- b. To ascertain the status of quantity of sewage being discharged by UT Chandigarh and the State of Punjab.
- c. To ascertain the status of STPs identified for interception of sewage and its treatment which also is a part of restoration of water quality of river Ghaggar.
- d. The status of interim remedial measures to reduce pollution loads being followed, if any.



D. Action taken by the Joint Committee, in compliance of the directions of Hon'ble NGT:

D.1. Inspection of Drains and Status Report:

Meeting of Joint Committee was held on 18.11.2021 wherein order of Hon'ble NGT dated 22.09.2021 was reviewed and results of monsoon water sampling carried out by the Joint Committee were also discussed. After reviewing the order of Hon'ble NGT, Joint Committee decided to conduct the post-monsoon sampling from the 24 points (Annexure-3) identified by the Joint Committee, in the drain passing Chandigarh and Punjab, related to this matter, besides working on additional tasks assigned to the Joint Committee (Section D. ii). The post-monsoon sampling was conducted by the Joint Committee in N-choe on 23.11.2021 and 24.11.2021 in Punjab area and Chandigarh area respectively. The samples of surface water collected from the drains of Punjab area were sent for analysis, to the laboratory of Chandigarh Pollution Control Committee and the samples collected from the Chandigarh area, were sent for analysis in the laboratory of Punjab Pollution Control Board (PPCB). The results of the analysis for the samples collected during monsoon (September, 2021) and post monsoon (November, 2021) sampling are attached as Annexure-4. The observations made by the Joint Committee during inspection and monitoring of the drains in Punjab and Chandigarh alongwith results of COD and BOD are summarized in the following Tables 1-4.

Table 1: Observations of the Joint Committee during monsoon monitoring in Punjab area on 02.09.2021

S.No	Point of Sample Collection	Treated /Untreated water/ Storm water	BOD(mg/l)	COD (mg/l)
1.	Jagatpura drain after mixing of village Jagatpura outlet	Untreated	76	131
2.	Jagatpura drain after mixing of Amb Sahib Colony outlet	Untreated	71	111
3.	Jagatpura drain after mixing of village Kambala outlet	Untreated	52	94
4.	Jagatpura drain after mixing of village papri outlet	Untreated	31	74
5.	Outlet of STP, sec-83, Mohali	Treated	28	92
6.	Jagatpura drain after mixing of treated effluent of Diggian STP.	Untreated	44	109

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7.	Treated effluent of Diggian STP, Sec-82, Mohali	Untreated	86 Note: Due to no demand for irrigation purpose in villages Bari, Patton, Matran, Kurdi, and Sekhanmajra waste water from Diggian STP was being discharged into Jagatpura drain.	167
8.	N-Choe after mixing of Village Manauli outlet	Untreated	47 Note: N-choe drain converges into Jagatpura drain.	82
9.	N-Choe after mixing of Village Dairi Outlet	Untreated	36	66
10.	Outlet of Banur STP	Treated	13	23
11	Outlet of Rajpura STP	Treated	25	63
12.	N-choe passing under Over-bridge near Indus Tower Warehouse, Kharajpur, Tehsil Rajpura	Untreated	105 Note: A Haddarodi site is located near the drain. This site is under control of MC, Rajpura.	232
13.	Pachisdhara drain/N-choe before mixing into River Ghaggar	Untreated	2.9 Note: N-choe confluence with from Pachisdhara drain was being lifted for irrigation purpose and very less amount of water remains before mixing into river Ghaggar.	9

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Table 2: Observations of the Joint Committee during monsoon monitoring in Chandigarh area on 03.09.2021

S.No	Point of Sample Collection	Treated/Untreated water/storm water	BOD(mg/l)	COD (mg/l)
1.	N-Choe passing through, Sec-42, Chandigarh Near Beant Singh Memorial	Storm water	10	36
2.	Storm water drain from Mohali before mixing with N-Choe Drain at Garden of Spring Sec-53, Chandigarh	Storm water	17	60
3.	N-Choe passing through Village Kajheri, Sec-52, Chandigarh	Storm water	18	64
4.	After CC Tank of 3BRD STP, Chandigarh	Treated	12	48
5.	After polishing tank of 3BRD STP, Chandigarh	Treated	12	49
6.	Confluence point of Industrial effluent and domestic effluent near Kali Bari Mandir	Untreated	62*	200
7.	Storm Water Drain Passing Near Kali Bari Mandir, Chandigarh	Stormwater	9*	32
8.	Manhole near Kali Mandir, Chandigarh	Untreated	64*	212
			Note(*): Industrial wastewater was being discharged into storm water drain as pH was found acidic.	
9.	Jagatpura drain near Village Faidan, Chandigarh	Untreated	37	120
			Village Faidan does not have clear boundaries and there are issues w.r.t jurisdiction of Punjab and Chandigarh.	
10.	Confluence point of bye pass sewage & treated sewage of Chandigarh STP at Diggian, Sec-66, SAS Nagar.	Untreated	32	84
11.	Treated sewage from outlet of Chandigarh STP at Diggian, Sec-66, SAS Nagar.	Treated	19	56
12.	Untreated sewage bye-pass from Chandigarh STP at Diggian, Sec-66, SAS Nagar	Untreated	61	196

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Table 3: Observations of the Joint Committee during post-monsoon visit in Punjab area on 23.11.2021

S.No	Point of Sample Collection	Treated /Untreated water	BOD(mg/l)	COD (mg/l)
1.	Jagatpura drain after mixing of village Jagatpura outlet	Untreated	188 Note: Dairies/Gaushalas are operating in the village Jagatpura and Faidan and they were discharging cow dung and other solid waste on the banks of the drains which ultimately mixes into the drain.	410
2.	Jagatpura drain after mixing of Amb Sahib Colony outlet	Untreated	123	266
3.	Jagatpura drain after mixing of village Kambala outlet	Untreated	146	318
4.	Jagatpura drain after mixing of village papri outlet	Untreated	127	278
5.	Outlet of STP, Sec-83, Mohali	Treated	21	85
6.	Jagatpura drain before mixing of treated effluent of Chandigarh STP at Diggian, SAS Nagar.	Untreated	117	231
7.	Treated effluent of Chandigarh STP Diggian, outlet at Sec-82, SAS Nagar Nagar.	Treated	23 Note: Due to no demand for irrigation purpose in villages Bari, Patton, Matran, Kurdi, and Sekhan majra waste water from Diggian STP was being discharged into Jagatpura drain.	97
8.	N-Choe after mixing of Village Manauli outlet	Untreated	120 Note: Untreated wastewater from village Manauli is being discharged into N-choe drain. At this village N-choe drain converges into Jagatpura drain.	242
9.	N-Choe after mixing of Village Dairi Outlet	Untreated	74 Note: Untreated wastewater from village Dairi is being discharged into N-Choe drain.	150
10.	Drain in front of Chandigarh Distillers and Bottlers limited(CDBL)	Treated	23	62

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11.	Outlet of Banur STP before Chandigarh Distillers and Bottlers Limited (CDBL)	Treated	15	70
12.	Outlet of Banur STP	Treated	18	102
13.	Village Dhikansu Bridge, Chd Rajpura Road	Untreated	75	184
14.	Outlet of Rajpura STP	Treated	5.1	14
15.	Attwa choc/ N-choe passing under Over-bridge near Indus Tower Warehouse, Kharajpur, Tehsil Rajpura	Untreated	78 Note: A Haddarodi is located near the drain.	138
16.	Pachisdhara drain/ N-choe before mixing into River Ghaggar	Untreated	36 Note: Wastewater from Pachisdhara drain was being lifted for irrigation purpose and very less amount of water remains before mixing into river Ghaggar.	75

Table 4: Observations of the Joint Committee during post-monsoon monitoring in Chandigarh area on 24.11.2021

S.No	Point of Sample Collection	Treated / Untreated / Storm water	BOD(m g/l)	COD (mg/l)
1.	N-Choe passing through, Sec-42, Chandigarh Near Beant Singh Memorial.	Storm Water	17	81
2.	N-Choe passing through Village Kajheri, Sec-52, Chandigarh	Storm Water	6	26
3.	3BRD STP Treated effluent, Chandigarh	Treated	9	45
6.	Domestic effluent near Kali Bari Mandir	Untreated	30	160
7.	Storm Water Drain Passing Near Kali Bari Mandir, Chandigarh	Storm Water	6	25
8.	Manhole near Kali Bari Mandir, Chandigarh	Untreated	29	155
9.	Jagatpura drain near Village Faidan, Chandigarh	Untreated	81 Note: Dairies/ Gaushalas are operating in the village Jagatpura and Faida and cow dung and other solid waste was being discharged on the banks of the drains which ultimately mixes into the drain.	190
10.	Treated sewage from outlet of STP, Diggian, Sec-66, Mohali.	Treated	25	96

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D.2. Status of quantity of sewage being discharged by UT Chandigarh and the State of Punjab in N-Choe/ Drain under reference, in the present matter:

Chandigarh Area: Treated Sewage of 02 Nos. STPs viz. Diggian STP (115 MLD) and 3 BRD STP (40 MLD) is being discharged into the N-Choe/Drain under reference, in the present matter, which is leading to River Ghaggar (Annexure-5). Further, Untreated Sewage/Waste water from the Village Faida (Approx. 2700 households) is also being discharged into the Drain (Jagatpura Drain) leading to River Ghaggar.

Punjab Area: Treated Sewage of 03 Nos. STPs viz. STP, GMADA Sec. 83, Mohali (45 MLD), STP, Banur (4 MLD) and STP, Rajpura (7 MLD) is being discharged into the N-Choe/Drain under reference in this matter (Annexure-6). Further, untreated sewage from 17 Villages of Mohali, Punjab Area viz. village Jagatpura (Approx. 0.867 MLD), Amb Sahib colony (Approx. 0.864 MLD), village Kambala (Approx. 0.238 MLD), village Papri (Approx. 0.031 MLD), village Manauli (Approx. 0.498 MLD), village Dairi (Approx. 0.058 MLD), village Kaura Majra, village Chachu Majra, village Saini Majra, village Chau Majra, village Nagiari, village Gigamajra, village Kalauli, village Mote Majra, village Hulka, village Nadiali and Village Jhansali is being discharged into the N-Choe/ Jagatpura drain, leading to River Ghaggar. Apart from the above, various other villages in the vicinity of the drain under reference, in this matter, falling under the Patiala region, are also discharging untreated sewage into the drain leading to the River Ghaggar.

D.3. Status of STPs identified for interception of sewage and its treatment which also is a part of restoration of water quality of river Ghaggar.

With regard to the status of STPs identified for interception of Sewage and its treatment, the Ghaggar Action Plans prepared by Chandigarh and Punjab were provided to the Joint Committee. It was observed that the action plans prepared by Punjab and Chandigarh do not include the interception of untreated Sewage from one village of the Chandigarh Area viz. village Faida and 17 villages of Mohali, Punjab Area viz. village Jagatpura, Amb Sahib colony, village Kambala, village Papri, village Manauli, village Dairi, village Kaura Majra, village Chachu Majra, village Saini Majra, village Chau Majra, village Nagiari, village Ginemajra, village Kalauli, village Mote Majra, village Hulka, village Nadiali and Village Jhansali is being discharged into the N-Choe/Jagatpura drain, leading to River Ghaggar, which are discharging untreated Sewage in the drain under reference in this matter, besides many other villages of the Patiala region, in the vicinity of the drain under reference, in this matter.

D.4. Status of interim remedial measures to reduce pollution loads being followed, if any.

Based on the observations made by the Joint Committee during inspection/monitoring and the information provided by the members representing Punjab and Chandigarh, the interim remedial measures taken by the Government of Punjab and UT Chandigarh Administration, are summarized as follows:

- i. N-choe starts from Bougainvillea garden in Chandigarh. **All the discharge points and sewage outlets earlier leading to N-Choe have been tapped and diverted to nearby STPs in compliance of the directions of Hon'ble national Green Tribunal.**
- ii. **Imposition of EC on the industrial unit**, which was found to be discharging acidic effluent into the storm water drain during inspection of Joint Committee in September, 2021.
- iii. **The flow of untreated sewage in excess of designed capacity of Diggian STP has been diverted to 3 BRD STP, as a temporary arrangement till the time Diggian STP is upgraded. This untreated sewage was earlier going into the drain.**
- iv. **Advisor to the Administrator, UT Chandigarh in the review meeting held on 09.11.21 directed that the Deputy Commissioner may look into the matter regarding carrying out of demarcation of the village Faida by the Estate Office at the earliest. He further directed the Engineering Department to consider the possibility of phyto-remediation of Jagatpura drain passing though village Faida as a short term solution in order to treat the same. He also directed the Commissioner, Municipal Corporation, Chandigarh to prepare a plan for laying of sewerage network in order to tap the discharge from the village into Jagatpura drain. As per the directions, Concerned Departments of Revenue Department and Municipal Corporation carried out the survey and are now in the process of finalizing the methodology for the collection and treatment of wastewater of Faida village area.**
- v. **All the existing STPs in Chandigarh and Punjab which are designed on old technologies are now being upgraded to meet with the BOD value of 10 mg/l and other updated norms. However, the plan for the upgradation of STP, Banur is yet to be prepared.**
- vi. **A meeting was held on 26.11.2021, under Chairmanship of Chief Secretary, Punjab with the stakeholder departments of Punjab and Chandigarh. During meeting, it was deliberated that village Faida falling under Chandigarh and village Jagatpura falling under Punjab intermingle with each other and it was difficult to ascertain the boundaries hence, joint action is required to be taken by both the UT Chandigarh and State of**

Punjab. After detail discussion, a four member committee consisting of Principal Secretary, Department of Local Government, Principal Secretary, Department of Housing & Urban Development, Principal Secretary, Department of Science, Technology & Environment and Commissioner, Municipal Corporation, Chandigarh was constituted, which will look into the matter of discharged of untreated effluent from villages of Punjab and Chandigarh and Jurisdictional issue of village Faida and village Jagatpura.

4.0. Conclusion and Recommendations:

Based on the monsoon and post-monsoon inspection and monitoring by the Joint Committee, the conclusion drawn w.r.t. status of drain under reference in this matter i.e N-Choe originating from Chandigarh and leading to River Ghaggar after passing through various sectors and villages of Mohali is as follows:

Punjab Area:

- a. Various STPs installed in the catchment area of the N Choe/Drain under reference, in this matter were found to be operational with BOD values ranging between 13 - 28 mg/l during monsoon monitoring and between 5.1- 23 mg/l during post-monsoon monitoring. As per Hon'ble NGT Order dated 30/4/2019 in the matter of OA No. 1069/2018; Nitin Shankar Deshpande vs. Union of India and Ors., MoEF&CC has been directed by Hon'ble NGT to issue an appropriate notification within one month, for prescribing the standard of BOD as 10mg/l besides other limits prescribed for TSS, COD Nitrogen, Phosphorus and Fecal Coliform. All the STPs are required to meet this updated norms.
- b. It was observed that untreated wastewater/sewage from village Jagatpura, Amb Sahib Colony, village Kambala, village Papri, village Manauli and village Dairi was being discharged into the N- Choe/ Jagatpura drain during both monsoon and post-monsoon seasons. As on date, there is no arrangement of collection and treatment of Sewage and waste water from these villages located in Mohali, Punjab.
- c. Furter, in addition to the above villages, 11 other villages of the Mohali, Punjab Area viz. village Kaura Majra, village Chachu Majra, village Saini Majra, village Chau Majra, village Nagiari, village Ginemajra, village Kalauli, village Mote Majra, village Hulka, village Nadiali , Village Jhansali and many other villages of the Patiala region, in the vicinity of the drain are discharging untreated sewage into the drain, leading to River Ghaggar.

- d. **BOD and COD** of the combined surface water flowing in N Choe/Jagatpura drain passing through the above areas were found to varying between 31-105 mg/l and 66-232 mg/l respectively during monsoon season (September, 2021), whereas BOD and COD of the samples collected from the same points were found to be varying between 74-188 mg/l and 150-410 mg/l respectively, during post-monsoon season (November, 2021).
- e. A Haddarodi /Carcass removal site is located near the drain/N Choe passing under Over-bridge, Kharajpur, Tehsil Rajpura. Both the liquid and solid waste from this site is being discharged into the drain leading to River Ghaggar. This site is under the control of Municipal Council, Rajpura.
- f. Untreated waste water and solid waste from the Dairies and Gaushalas located in villages of Mohali near the drain, are being discharged into the drain, leading to river Ghaggar, without implementing the “Guidelines for Environmental management of Dairy Farms and Gaushalas” as per Orders of Hon’ble National Green Tribunal on 20/05/2020, in the matter of OA No. 46/2018; Nuggehalli Jayasimha Vs. Govt. of NCT, Delhi. Directions in this regard have also been issued by CPCB under Section 18 (1) (b) of the Water Act, 1974 vide Letter No. B-29016/ROGW/IPC-VI/2020-21 dated 10/02/2020.
- g. Waste water flowing in the N Choe is lifted for irrigation from Village Manauli onwards, before reaching the river Ghaggar. The BOD and COD in this stretch of drain was found to be varying between 78-120 mg/ltr and 138-242 mg/l respectively. Harmful effect of using the untreated/unstabilized sewage for irrigating the crops and vegetables, on public health can not be ruled out. However, this can be validated/ascertained only after conducting accumulation and bio-magnification studies on various crops/vegetables.

Chandigarh Area:

- a) There are two STPs installed for the Chandigarh area viz. 3 BRD STP and Diggian STP, which discharge treated sewage in the N Choe/drain under reference in this matter . 3 BRD STP discharges treated waste water in Chandigarh area, whereas Diggian STP Discharges treated waste water in Punjab area. Both the STPs were found to be in operation. The BOD value of 3 BRD STP was found to be 12 mg/l during monsoon monitoring and 9 mg/l during post-monsoon monitoring. The BOD value of treated waste water from Diggian STP was found to be 19 mg/l during monsoon monitoring and 25 mg/l during post-monsoon monitoring.



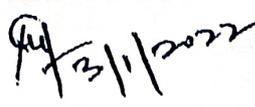
- b) **Diggian STP, Chandigarh was also found to be discharging untreated sewage through a by-pass arrangement, into the drain during monsoon monitoring and BOD of this effluent was found to be 61 mg/l. It was informed that STP is not able to handle the peak flow and the untreated waste water in excess of designed capacity, is discharged into the drain. During post monsoon monitoring, it was informed that the flow in excess of designed capacity of Diggian STP, has been diverted to 3 BRD STP, as a temporary arrangement till the time Diggian STP is upgraded. However, no flow meter has been installed to keep record of the flow diverted from Diggian STP to 3 BRD STP.**
- c) **As per Hon'ble NGT Order dated 30/4/2019 in the matter of OA No. 1069/2018; Nitin Shankar Deshpande vs. Union of India and Ors. MoEF&CC has been directed by Hon'ble NGT to issue an appropriate notification within one month, for prescribing the standard of BOD as 10mg/l besides other limits prescribed for TSS, COD, Nitrogen, Phosphorus and Fecal Coliform. All the STPs are required to comply with the updated norms.**
- d) **It was observed that untreated and acidic industrial waste water was being discharged into the storm water drain, near Kali Bari Mandir, Chandigarh and the BOD value at this point was found to be 64 mg/l/. It was informed that CPCC alongwith MC, Chd. visited the area and identified one discharge pipe from one of the industrial Unit connected to storm water channel and a part of the waste water was going to storm water drain through this pipe. An EC of Rs. 87500/- was imposed on the defaulter unit and the pipe line was also closed. During November monitoring, pH and BOD at this location was found to be 7.2 and 29 mg/l respectively.**
- e) **It was observed that untreated wastewater/sewage from village Faidan was being discharged into the N- Choe/ Jagatpura drain during both monsoon and post-monsoon seasons. There is no arrangement of collection and treatment of Sewage from this village located in Chandigarh Area.**
- f) **Untreated waste water and solid waste from the Dairies and Gaushalas located in village Faidan of Chandigarh near the drain, are being discharged into the drain, leading to river Ghaggar, without implementing the "Guidelines for Environmental management of Dairy Farms and Gaushalas" as per Orders of Hon'ble National Green Tribunal on 20/05/2020, in the matter of OA No. 46/2018; Nuggehalli Jayasimha Vs. Govt. of NCT, Delhi. Directions in this regard have also been issued by CPCB under Section 18 (1) (b) of the Water Act , 1974 vide Letter No. B-29016/ROGW/IPC-VI/2020-21 dated 10/02/2020.**

In view of above observations and conclusions, it is recommended that:

- i. Punjab Government and Chandigarh Administration are required to sort out the issue w.r.t jurisdiction of village Faida and take appropriate action of laying of sewage network and its treatment, in a time-bound manner.
- ii. The Government of Punjab is required to take action for collection and treatment of untreated sewage from villages of Mohali Area viz. Amb Sahib colony, village Kambala, village Papri, village Manauli and village Dairi, village Kaura Majra, village Chachu Majra, village Saini Majra, village Chau Majra, village Nagiari, village Ginemajra, village Kalauli, village Mote Majra, village Hulka, village Nadiali, Village Jhansali and many other villages of the Patiala region, in the vicinity of the drain, which are discharging untreated sewage into the drain, leading to River Ghaggar.
- iii. The immediate action is required to regulate the Dairies and Gaushalas located in villages of Chandigarh and Mohali by following the "Guidelines for Environmental management of Dairy Farms and Gaushalas" as per Orders of Hon'ble National Green Tribunal on 20/05/2020, in the matter of OA No. 46/2018; Nugehalli Jayasimha Vs. Govt. of NCT, Delhi and the Directions issued by CPCB under Section 18 (1) (b) of the Water Act, 1974 vide Letter No. B-29016/ROGW/IPC-VI/2020-21 dated 10/02/2020.
- iv. Respective Local Authorities / ULBs of Chandigarh Administration and Punjab Government are required to ensure that STPs shall be operated efficiently so as to achieve the prescribed parameters without diverting untreated effluent into the drains.
- v. Punjab Government and Chandigarh Administration must ensure that all the STPs have online monitoring system, so that quality and quantity of wastewater being discharged can be monitored and accordingly action can be taken.
- vi. Chandigarh Administration and Punjab Government must ensure that no solid waste shall be dumped into the N-Choe or catchment area and no waste from Hadda Rodi sites is dumped into N-Choe/drain.

The above report is being submitted by the Joint Committee, for the consideration of Hon'ble National Green Tribunal. The Joint Committee shall abide by the further directions of the Hon'ble National Green Tribunal, in this matter.


Vivek Pandey, CPCC


Dr. Narender Sharma, CPCB


Er. Krunchh Garg, PPCB

Dated: January 3, 2022

Item No. 02

(Court No.1)

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

(By Video Conferencing)

Original Application No. 124/2021

Sunaina

Applicant

Versus

State of Punjab & Ors.

Respondent(s)

Date of hearing: 04.06.2021

**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**

Applicant: Ms. Sunaina, Applicant in person

ORDER

1. Grievance in this application is against failure of statutory authorities in Punjab and Chandigarh to install necessary Sewage Treatment Plant, resulting in discharge of pollution in the drain originating from Chandigarh and passing through various sectors and villages of Mohali, before merging into Ghaggar River. The pollution is affecting the eco-system, including the aquatic life and also public health. Discharge of untreated sewage into the drain is violation of Water (Prevention and Control of Pollution) Act, 1974 and Constitutional obligation under Article 243W and also citizens right to clean environment. Further, since the waste water of the drain is used for cultivation of crops and washing of the vegetables which are consumed by the residents, it is affecting the food chain and public health. The applicant has relied upon news item dated 12.02.2020 in "The Tribune" under the title "*Beware! Your veggies come off sewer water*".

2. Having regard to the above, we find that there is failure of the Authorities in complying with the Environmental Law, including the contempt of the binding order of the Hon'ble Supreme Court dated 22.02.2017 in ***Paryavaran Suraksha Samiti Vs. Union of India***¹ requiring the concerned local bodies and the States to ensure that requisite STPs are installed on or before 31.03.2018 after which the heads of the Department concerned will be liable to prosecution. The Hon'ble Supreme Court also directed this Tribunal to monitor compliance of the said directions. The issue of rejuvenation of river Ghaggar in question was considered by this Tribunal in OA 138/2016, *Stench Grips Mansa's Sacred Ghaggar River*, inter-alia by order dated 28.10.2020 in the light of factual report of the Monitoring Committee appointed by this Tribunal headed by a former judge of the Punjab and Haryana High Court. The Tribunal noted that one of the sources of pollution of the river was discharge of untreated sewage in breach of constitutional duty of the concerned States to prevent the same. Directions were given for remedial action. It may be appropriate to reproduce discussion and directions in the said order :

“6. The matter was last considered on 15.06.2020 in the light of Fifth Report dated 16.04.2020. In the said order, the Tribunal referred to the gap in the sewage management in Himachal Pradesh, Chandigarh, Punjab and Haryana as per report dated 28.02.2019 as follows:

“Himachal Pradesh – Parwanoo and Kala Amb

The gap for Parwanno is 569.414 KLD

The gap for Kala Amb is 1046.24 KLD

- (i) With regard to Chandigarh the gap is 23.225 MLD*
- (ii) With regard to Punjab the gap is 75.92 MLD*
- (iii) With regard to Haryana the gap is 42.9 MLD”*

¹ (2017) 5 SCC 326

7. The Tribunal also considered the deteriorated water quality, status of STPs in Himachal Pradesh, Haryana, Punjab and UT Chandigarh and directed action to be taken by the Himachal Pradesh, Haryana, Punjab and UT Chandigarh to be monitored by the Chief Secretaries and required a further report from the Executing Committee with reference to the status on the ground after six months or as and when considered necessary by the Committee.

8. The Tribunal considered the conclusions in the Fifth Report in all the four States/UT and thereafter observed:

“9. We regretfully note flagrant violation of mandate of the Water (Prevention and Control Pollution) Act, 1974 and the Waste Management Rules framed under the Environment (Protection) Act, 1986 as well as repeated directions given by the Hon’ble Supreme Court and this Tribunal. There is repeated failure by the concerned States and its authorities in performing their constitutional obligation in ensuring that no pollution is discharged into the rivers or drains connected thereto. **The timeline fixed by the Hon’ble Supreme Court in its judgement in Paryavaran Suraksha case, (2017) 5 SCC 326 to ensure treatment of sewage and effluent is by 31.03.2018 which has expired since long.**

10. It may be appropriate to note the directions of the Hon’ble Supreme Court:-

“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%, that of the State Government concerned (including the Union Territory concerned) is 25%. The balance 25%, 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 the learned counsel, is not only financial, but also, the requirement of land acquisition, for the same.**

xxx.....xxx.....xxx

10. **Given the responsibility vested in municipalities under Article 243-W of the Constitution, as also, in Item 6 of Schedule XII, 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 municipalities (and/or local bodies) concerned, cannot be permitted to shy away from discharging this onerous duty. In case there are further financial constraints, the remedy lies in Articles 243-X and 243-Y of the Constitution. It will be open to the municipalities (and/or local bodies) concerned, 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 State Government (Union Territory) concerned, 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 finalised, on or before 31-3-2017, 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 State Governments (or the Union Territories) concerned, shall cater to the financial requirements, of running the “common effluent treatment plants”, which are presently dysfunctional, from their own financial resources.

- 11.** Just in the manner suggested hereinabove, for the purpose of setting up of “common effluent treatment plants”, the State Governments concerned (including, the Union Territories concerned) will prioritise 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 timelines 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 timelines, expressed above, shall be of the Member Secretaries of the Pollution Control Boards concerned. **The Secretary of the Department of Environment, of the State Government concerned (and the Union Territory concerned), shall be answerable in case of default. The Secretaries to the Government concerned shall be responsible for monitoring the progress and issuing necessary directions to the Pollution Control Board concerned, 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 Benches concerned of the National Green Tribunal, will maintain running and numbered case files, by dividing the jurisdictional area into units. The abovementioned case files will be listed periodically. The Pollution Control Board concerned is also hereby directed to initiate such civil or criminal action, as may be permissible in law, against all or any of the defaulters.”

(emphasis supplied)

11. As already noted, this Tribunal has dealt with the matter in O.A. No. 593 of 2017, Paryavaran Suraksha Samiti & Anr. Vs. UOI & Ors., for monitoring the situation in pursuance to the directions of the Hon’ble Supreme Court and noted the disappointment for failure in this regard by almost all the States and Union Territories. Vide order dated 21.05.2020, this Tribunal observed as follows:-

“8. Before proceeding further, we may also note further order of this Tribunal dated 06.12.2019 in O.A. No. 673/2018 directing as follows:

“XII. Directions:

47. We now sum up our directions as follows:

- i. 100% treatment of sewage may be ensured as directed by this Tribunal vide order dated 28.08.2019 in O.A. No. 593/2017 by 31.03.2020 atleast to the extent of in-situ remediation and before the said date, commencement of setting up of STPs and the work of connecting all the drains and other sources of generation of sewage to the STPs must be ensured. If this is not done, the local bodies and the concerned departments of the States/UTs will be liable to pay compensation as already directed vide order dated 22.08.2019 in the case of river Ganga i.e. Rs. 5 lakhs per month per drain, for default in in-situ remediation and Rs. 5 lakhs per STP for default in commencement of setting up of the STP.**
- ii. Timeline for completing all steps of action plans including completion of setting up STPs and their commissioning till 31.03.2021 in terms of order dated 08.04.2019 in the present case will remain as already directed. In default, compensation will be liable to be paid at the scale laid down in the order of this Tribunal dated 22.08.2019 in the case of river Ganga i.e. Rs. 10 lakhs per month per STP.**
- iii. We further direct that an institutional mechanism be evolved for ensuring compliance of above directions. For this purpose, monitoring may be done by the Chief Secretaries of all the States/UTs at State level and at National level by the Secretary, Ministry of Jal Shakti with the assistance of NMCG and CPCB.*
- iv. For above purpose, a meeting at central level must be held with the Chief Secretaries of all the States/UTs atleast once in a month (option of video conferencing facility is open) to take stock of the progress and to plan further action. NMCG will be the nodal agency for compliance who may take assistance of CPCB and may give its quarterly report to this Tribunal commencing 01.04.2020.**
- v. The Chief Secretaries may set up appropriate monitoring mechanism at State level specifying accountability of nodal authorities not below the Secretary level and ensuring*

appropriate adverse entries in the ACRs of erring officers. Monitoring at State level must take place on fortnightly basis and record of progress maintained. The Chief Secretaries may have an accountable person attached in his office for this purpose.

- vi. Monthly progress report may be furnished by the States/UTs to Secretary, Ministry of Jal Shakti with a copy to CPCB. Any default must be visited with serious consequences at every level, including initiation of prosecution, disciplinary action and entries in ACRs of the erring officers.*
- vii. As already mentioned, procedures for DPRs/tender process needs to be shortened and if found viable business model developed at central/state level.**
- viii. Wherever work is awarded to any contractor, performance guarantee must be taken in above terms.**
- ix. CPCB may finalize its recommendations for action plans relating to P-III and P-IV as has been done for P-I and P-II on or before 31.03.2020. This will not be a ground to delay the execution of the action plans prepared by the States which may start forthwith, if not already started.*
- x. The action plan prepared by the Delhi Government which is to be approved by the CPCB has to follow the action points delineated in the order of this Tribunal dated 11.09.2019 in O.A. No. 06/2012.*
- xi. Since the report of the CPCB has focused only on BOD and FC without other parameters for analysis such as pH, COD, DO and other recalcitrant toxic pollutants having tendency of bio magnification, a survey may now be conducted with reference to all the said parameters by involving the SPCB/PCCs within three months. Monitoring gaps be identified and upgraded so to cover upstream and downstream locations of major discharges to the river. CPCB may file a report on the subject before the next date by e-mail at judicial-ngt@gov.in.*
- xii. Rivers which have been identified as clean may be maintained.”*

(emphasis supplied)

13. *The above report shows that some steps have been initiated against non-compliant ETPs/CETPs/STPs while further steps need to be taken. With regard to industries not having ETP or not connected to CETP, pending construction of CETPs as mentioned in the above report, the State PCBs/PCCs may ensure that there is no discharge of any untreated pollutants by the industries and such polluting activities must be stopped and compensation recovered for the non-compliance, if any, apart from any other legal action in accordance with law. As regards non-compliant STPs, further action may be completed by the State PCBs/PCCs and it may be ensured that there is 100% treatment of sewage and till STPs are set up, atleast in-situ remediation takes place. However, on account of Corona pandemic which has affected several on-going activities, the timeline of levy of compensation in terms of order dated 28.08.2019 in O.A. No. 593/2017 read with order dated 06.12.2019 in O.A. No. 673/2018, of 01.04.2020 may be read as 01.07.2020 and 01.04.2021 may be read as 01.07.2021. Further reports may be taken by the CPCB from all the State PCBs/PCCs as per the system evolved by the CPCB from time to time.*

26. **Summary of directions:**

i. All States/UTs through their concerned departments such as Urban/Rural Development, Irrigation & Public Health, Local Bodies, Environment, etc. may ensure formulation and execution of plans for sewage treatment and utilization of treated sewage effluent with respect to each city, town and village, adhering to the timeline as directed by Hon'ble Supreme Court. STPs must meet the prescribed standards, including faecal coliform.

CPCB may further continue efforts on compilation of River Basin-wise data. Action plans be firmed up with Budgets/Financial tie up. Such plans be overseen by Chief Secretary and forwarded to CPCB before 30.6.2020. CPCB may consolidate all action plans and file a report accordingly.

Ministry of Jal Shakti and Ministry of Housing and Urban Affairs may facilitate States/UTs for ensuring that water quality of rivers, lakes, water bodies and ground water is maintained.

As observed in para 13 above, 100% treatment of sewage/effluent must be ensured and strict coercive action taken for any violation to enforce rule of law. Any party is free to move the Hon'ble Supreme Court for continued violation of its order after the deadline of 31.3.2018. This order is without prejudice to the said remedy as direction

of the Hon'ble Supreme Court cannot be diluted or relaxed by this Tribunal in the course of execution. PCBs/PCCs are free to realise compensation for violations but from 1.7.2020, such compensation must be realised as per direction of this Tribunal failing which the erring State PCBs/PCCs will be accountable.

ii. The CPCB may study and analyse the extent of reduction of industrial and sewage pollution load on the environment, including industrial areas and rivers and other water bodies and submit its detailed report to the Tribunal.

iii. During the lockdown period there are reports that the water quality of river has improved, the reasons for the same may be got studied and analysed by the CPCB and report submitted to this Tribunal. If the activities reopen, the compliance to standards must be maintained by ensuring full compliance of law by authorities statutorily responsible for the same.

iv. Accordingly, we direct that States which have not addressed all the action points with regard to the utilisation of sewage treated water may do so promptly latest before 30.06.2020, reducing the time lines in the action plans. The timelines must coincide with the timelines for setting up of STPs since both the issues are interconnected. The CPCB may compile further information on the subject accordingly.

v. Needless to say that since the issue of sources of funding has already been dealt with in the orders of the Hon'ble Supreme Court, the States may not put up any excuse on this pretext in violation of the judgment of the Hon'ble Supreme Court.

27. The CPCB may furnish its report by 15.09.2020 giving the status of furnishing of action plans and their execution as on 31.08.2020 by e-mail at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR Support PDF and not in the form of Image/PDF."

3. From the above, it is seen that there is hardly any significant improvement. The States of HP, Haryana, Punjab and UT Chandigarh continue to contribute water pollution which is a criminal offence. It is breach of public trust under public trust doctrine. We are left with a feeling that there is no commitment to the rule of law and no concern for

the environment and health of the citizens on the part of the concerned authorities in the States of HP, Haryana, Punjab and UT Chandigarh. As already observed, inspite of enactment of Water (Prevention and Control of Pollution) Act, 1974 making discharge of untreated effluents into a water body a criminal offence, the States are still struggling with preventing untreated sewage from being discharged into the water body **at a huge cost to the environment and health and lives of citizens who have fundamental right to clean environment under the Constitution.** Water pollution is a serious threat to the health of the citizens as well as other living beings who consume the water and also to the food safety for growth of which the water is used for irrigation. After the Hon'ble Supreme Court fixed a deadline of 31.03.2018 in *Paryavaran Suraksha Samiti (supra)* for ensuring that all requisite equipment for treatment of water pollution were in place, there can be no justification whatsoever for the State to have failed in complying with the law. If the State finds that they are unable to manage the sewage directly, there is no bar to other options being explored but there cannot be any justification not to comply with the mandate of law and protecting the health of the citizens in accordance with the Constitutional mandate. No action is being taken against the erring officers and it gives an impression that there is collapse of Environmental rule of law. Who is to pay the cost of damage to the environment and public health of large number of unidentified citizens and other living creatures? Is such cost being calculated. How officers responsible for damage by their inaction or otherwise are being dealt with. Should the State be held liable vicariously for such failure and failure to punish the guilty. This Tribunal has been passing repeated orders and as many as six reports have been submitted by a Monitoring Committee headed by a former High Court Judge and a

former Chief Secretary, clearly recording failure of the State authorities but the higher authorities are also conveniently ignoring their responsibility. Advocates for the authorities only maintain silence before this Tribunal. **If the State itself fails in implementing the law, it is nothing but breakdown of the system itself. Is this Tribunal to just remain silent spectator for such gross failure or hold highest authorities accountable by directing their prosecution for their criminal failure and indirectly being party to the crime against the law of the land? How the law of the land is to be meaningfully enforced. We expect answers to these questions from the States.**

4. We hope that the States realise their responsibility to function according to the Constitution and take immediate remedial measures in punishing the guilty involved in failing to comply with the law and also take prompt measures instead of repeatedly taking the same plea of being engaged in tender process or DPRs. It should not be difficult at this length of time to overcome such procedural requirements and to effectively prevent discharge of the untreated effluents after 46 years of enactment of Water Act and repeated orders of the Hon'ble Supreme Court and other Courts. **For delay and continued violation, realistic compensation has to be recovered from the erring officers, apart from other action or in default, the compensation has to be quantified and recovered. The Executing Committee may make its recommendation in this regard."**

5. In view of above, we direct the Chief Secretary, Punjab and the Advisor to the Administrator, UT Chandigarh in coordination with other concerned officers to take further appropriate remedial measures to comply with the mandate of law, including the directions of the Hon'ble

Supreme Court and this Tribunal. A joint Committee of CPCB, Punjab PCB and UT PCC may inspect the drain and furnish a status report within two months by e-mail.

List for further consideration on 22.09.2021.

A copy of this order be forwarded to the Chief Secretary, Punjab, the Advisor to Administrator UT Chandigarh, CPCB, Punjab State PCB and Pollution Control Committee, Chandigarh by e-mail for compliance.

Adarsh Kumar Goel, CP

Sudhir Agarwal, JM

M. Sathyanarayanan, JM

Brijesh Sethi, JM

Dr. Nagin Nanda, EM

June 04, 2021
Original Application No. 124/2021
SN

Item No. 04

(Court No. 1)

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

(By Video Conferencing)

Original Application No. 124/2021

(With report dated 20.09.2021)

Sunaina

Applicant

Versus

State of Punjab & Ors.

Respondent(s)

Date of hearing: 22.09.2021

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

Applicant: Ms. Sunaina, Applicant in person

ORDER

1. Grievance in this application is against failure of statutory authorities in Punjab and Chandigarh to install necessary Sewage Treatment Plant, resulting in discharge of pollution in the drain originating from Chandigarh and passing through various sectors and villages of Mohali, before merging into Ghaggar River. The pollution is affecting the eco-system, including the aquatic life and also public health. Discharge of untreated sewage into the drain is violation of Water (Prevention and Control of Pollution) Act, 1974 and Constitutional obligation under Article 243W and also citizens' right to clean environment. Further, since the waste water of the drain is used for cultivation of crops and washing of the vegetables which are consumed by the residents, it is affecting the food chain and public health. The

applicant has relied upon news item dated 12.02.2020 in “The Tribune” under the title “*Beware! Your veggies come off sewer water*”.

2. The matter was considered on 04.06.2021 in the light of the Judgment of Hon’ble Supreme Court in *Paryavaran Suraksha case*¹ and orders of this Tribunal from time to time and following direction was issued:-

“1to4...xxx.....xxx.....xxx

5. ***In view of above, we direct the Chief Secretary, Punjab and the Advisor to the Administrator, UT Chandigarh in coordination with other concerned officers to take further appropriate remedial measures to comply with the mandate of law, including the directions of the Hon’ble Supreme Court and this Tribunal. A joint Committee of CPCB, Punjab PCB and UT PCC may inspect the drain and furnish a status report within two months by e-mail.***”

3. In pursuance of above a status report has been furnished on 20.09.2021 after site inspection. The report mentions that the work is still going on as follows:-

“C. Status of Compliance of the Directions of Hon’ble NGT by the Joint Committee, as on 20.09.2021:

- i) *The joint Committee comprising of Members of PPCB, CPCC and CPCB has been constituted and meeting held on 26.08.2021.*
- ii) *The drains have been visited by the joint Committee on 26.08.2021, 02.09.2021 and 03.09.2021, to know the status, as directed by the Hon’ble NGT.*
- iii) *The 24 Nos. sampling points in the drain in the Chandigarh and Punjab area related to the matter have been identified.*
- iv) *The sampling of water/waste during on-going monsoon season has been completed and analysis reports are under evaluation by the joint Committee.”*

4. The Committee has sought time for filing conclusive report upto 31.10.2021. While granting the time sought, we direct the Committee to ascertain the status of quantity of sewage being discharged

¹ (2017) 5 SCC 326

by UT Chandigarh and the State of Punjab and STPs identified for interception of sewage and its treatment which also is a part of restoration of water quality of river Ghaggar. The Committee may also mention the status of interim remedial measures to reduce pollution loads being followed, if any.

List for further consideration on 05.01.2022.

Adarsh Kumar Goel, CP

Sudhir Agarwal, JM

Brijesh Sethi, JM

Dr. Nagin Nanda, EM

September 22, 2021
Original Application No. 124/2021
A

Annexure - 3

S.No	Sample Collection Points
1.	Jagatpura drain after mixing of village Jagatpura outlet
2.	Jagatpura drain after mixing of Amb Sahib Colony outlet
3.	Jagatpura drain after mixing of village Kambala outlet
4.	Jagatpura drain after mixing of village papri outlet
5.	Outlet of STP,sec-83, Mohali
6.	Jagatpura drain after mixing of treated effluent of Diggian STP.
7.	Treated effluent of Diggian STP,sec-82, Mohali
8.	N-Choe after mixing of Village Manauli outlet
9.	N-Choe after mixing of Village Dairi Outlet
10.	Drain in front of Chandigarh Distillers & Bottlers Limited
11.	STP Banur Outlet after crossing the road
12.	Outlet of Banur STP
13.	Village Dhikansu Bridge Chd Rajpura Road
14.	Outlet of Rajpura STP
15.	Over-bridge near Indus Tower Warehouse, Kharajpur, Tehsil Rajpura
16.	Pachisdhara drain Before mixing into River Ghaggar
17.	N-Choe passing through, Sec-42,Chandigarh Near Beant Singh Memorial
18.	N-Choe passing through Village Kajheri, Sec-52,Chandigarh
19.	Treated effluent after CC Tank of 3BRD STP, Chandigarh
20.	Domestic effluent near Kali Bari Mandir having outfall into Jagatpura drain
21.	Storm Water Drain Passing Near Kali Bari Mandir, Chandigarh
22.	Manhole near Kali Bari Mandir, Chandigarh
23.	Jagatpura drain near Village Faida, Chandigarh
24.	Treated sewage from outlet of STP, Diggian, Sec-66, Mohali

02.09.2021 (Punjab Area)

S.No	Point of Sample Collection	pH	DO mg/l	COD mg/l	BOD mg/l	TSS mg/l	NH3-N mg/l	PO4-P mg/l	Zn mg/l	Ni mg/l	Pb mg/l	Cu mg/l	Fe mg/l	T.Cr mg/l
1.	Jagatpura drain after mixing of village Jagatpura outlet	7.09	Nil	131	76	109	32	0.55	BDL	BDL	BDL	BDL	3.96	BDL
2.	Jagatpura drain after mixing of Amb Sahib Colony outlet	6.95	Nil	111	71	81	37	0.54	BDL	BDL	0.12	BDL	3.32	BDL
3.	Jagatpura drain after mixing of village Kambala outlet	6.75	Nil	94	52	72	86	0.04	BDL	BDL	BDL	BDL	100	BDL
4.	Jagatpura drain after mixing of village papri outlet	7.04	Nil	74	31	63	33	0.49	BDL	BDL	BDL	BDL	1.83	BDL
5.	Outlet of STP,sec-83, Mohali	7.3	Nil	92	28	11	37	4.06	-	-	-	-	-	-
6.	Jagatpura drain after mixing of treated effluent of Diggian STP.	7.24	Nil	109	44	96	57	1.13	-	-	-	-	-	-
7.	Treated effluent of Diggian STP,sec-82, Mohali	7.25	5.6	167	86	83	31	3.04	-	-	-	-	-	-

Annexure-4

8.	N-Choe after mixing of Village Manauli outlet	7.32	Nil	82	47	58	31	3.18	-	-	-	-	-	-
9.	N-Choe after mixing of Village Dairi Outlet	7.27	2.6	66	36	36	34	2.25	-	-	-	-	-	-
10.	Outlet of Banur STP	7.44	5.1	23	13	17	21	3.65	-	-	-	-	-	-
11.	Outlet of Rajpura STP	7.3	3.3	63	25	39	23	6.06	-	-	-	-	-	-
12.	Over-bridge near Indus Tower Warehouse, Kharajpur, Tehsil Rajpura	7.3	Nil	232	105	89	42	3.09	BDL	BDL	BDL	BDL	BDL	BDL
13.	Pachisdhara drain before mixing into River Ghaggar	7.64	5.7	9	2.9	10	5.3	0.78	BDL	BDL	BDL	BDL	BDL	BDL

23.11.2021 (Punjab Area)

S.No	Point of Sample Collection	pH	DO mg/l	COD mg/l	BOD mg/l	TSS mg/l	NH ₃ -N mg/l	PO ₄ -P mg/l	Zn mg/l	Ni mg/l	Pb mg/l	Cu mg/l	Fe mg/l	T.Cr mg/l
1.	Jagatpura drain after mixing of village Jagatpura outlet	7.3	Nil	410	188	258	20	10	BDL	BDL	BDL	BDL	2.94	BDL
2.	Jagatpura drain after mixing of Amb Sahib Colony outlet	7.3	Nil	266	123	201	20	11.4	BDL	BDL	BDL	BDL	3.60	BDL
3.	Jagatpura drain after mixing of village Kambala outlet	7.7	Nil	318	146	219	20	3.25	BDL	BDL	BDL	BDL	3.24	BDL
4.	Jagatpura drain after mixing of village papri outlet	7.6	Nil	278	127	368	19	12.7	BDL	BDL	BDL	BDL	3.79	BDL
5.	Outlet of STP,sec-83, Mohali	7.3	Nil	85	21	43	49	3.95	BDL	BDL	BDL	BDL	0.50	BDL
6.	Jagatpura drain after mixing of treated effluent of Diggian STP.	7.5	Nil	231	117	274	29	2.06	BDL	BDL	BDL	BDL	4.54	BDL
7.	Treated effluent of Diggian STP,sec-82, Mohali	7.5	3.93	97	23	71	34	2.09	0.35	BDL	BDL	BDL	BDL	BDL

Annexure-4

8.	N-Choe after mixing of Village Manauli outlet	7.5	Nil	242	120	128	43	3.4	BDL	BDL	BDL	BDL	BDL	BDL
9.	N-Choe after mixing of Village Dairi Outlet	7.5	<1	150	74	84	44	2.86	BDL	BDL	BDL	BDL	1.05	BDL
10.	Drain in front of Chandigarh Distillers & Bottlers Limited	7.6	Nil	62	23	57	45	4.31	BDL	BDL	BDL	BDL	BDL	BDL
11.	STP Banur Outlet after crossing the road	7.6	4.31	70	15	44	40	7.2	BDL	BDL	BDL	BDL	BDL	BDL
12.	Outlet of Banur STP	7.4	1.07	102	18	27	40	5.74	BDL	BDL	BDL	BDL	BDL	BDL
13.	Village Dhikansu Bridge Chd Rajpura Road	7.5	Nil	184	75	360	32	5.35	BDL	BDL	BDL	BDL	2.29	BDL
14.	Outlet of Rajpura STP	7.5	7.11	14	5.1	7	1.69	3.91	BDL	BDL	BDL	BDL	BDL	BDL
15.	Over-bridge near Indus Tower Warehouse, Kharajpur, Tehsil Rajpura	7.2	Nil	138	78	117	35	3.09	BDL	BDL	BDL	BDL	1.22	BDL
16.	Pachisdhara drain Before mixing into River Ghaggar	7.6	4.87	75	36	39	40	2.45	BDL	BDL	BDL	BDL	1.21	BDL

03.09.2021 (Chandigarh Area)

S. No	Point of Sample Collection	pH	DO mg/l	COD mg/l	BOD mg/l	TSS mg/l	Amm. Nmg/l	PO4 mg/l	F.Coli MPN/ 100ml	O&G mg/l	Fe mg/l	Zn mg/l	Ni mg/l	Cr mg/l
1.	N-Choe passing through, Sec-42, Chandigarh Near Beant Singh Memorial	5.9	8.4	36	10	347	BDL	0.16	360		-	-	BDL	BDL
2.	Storm water drain from Mohali before mixing with N-Choe Drain at Garden of spring Sec-53, Chandigarh	4.8	BDL	60	17	103	24	1.32	1700		-	-	BDL	BDL
3.	N-Choe passing through Village Kajheri, Sec-52, Chandigarh	7.7	9.2	64	18	21	2.8	0.21	200		-	-	BDL	BDL

Annexure-4

4.	Treated effluent after CC Tank of 3BRD STP, Chandigarh	4.7	5.5	48	12	10	3.4	BDL	550	-	-	-	BDL	BDL
5.	Treated effluent after polishing tank of 3BRD STP, Chandigarh	7.4	5.3	49	12	11	2.8	0.49	600	-	-	-	BDL	BDL
6.	Confluence point of Industrial effluent and domestic effluent near Kali Bari Mandir	1.0	4.8	200	62	145	BDL	0.78	BDL	-	1.27	1.34	BDL	BDL
7.	Storm Water Drain Passing Near Kali Bari Mandir, Chandigarh	3.8	6.2	32	9	38	BDL	0.32	1200	-	-	-	BDL	BDL
8.	Manhole near Kali Bari Mandir, Chandigarh	1.0	2.9	212	64	115	28	0.82	BDL	-	0.18	0.33	BDL	BDL

Annexure-4

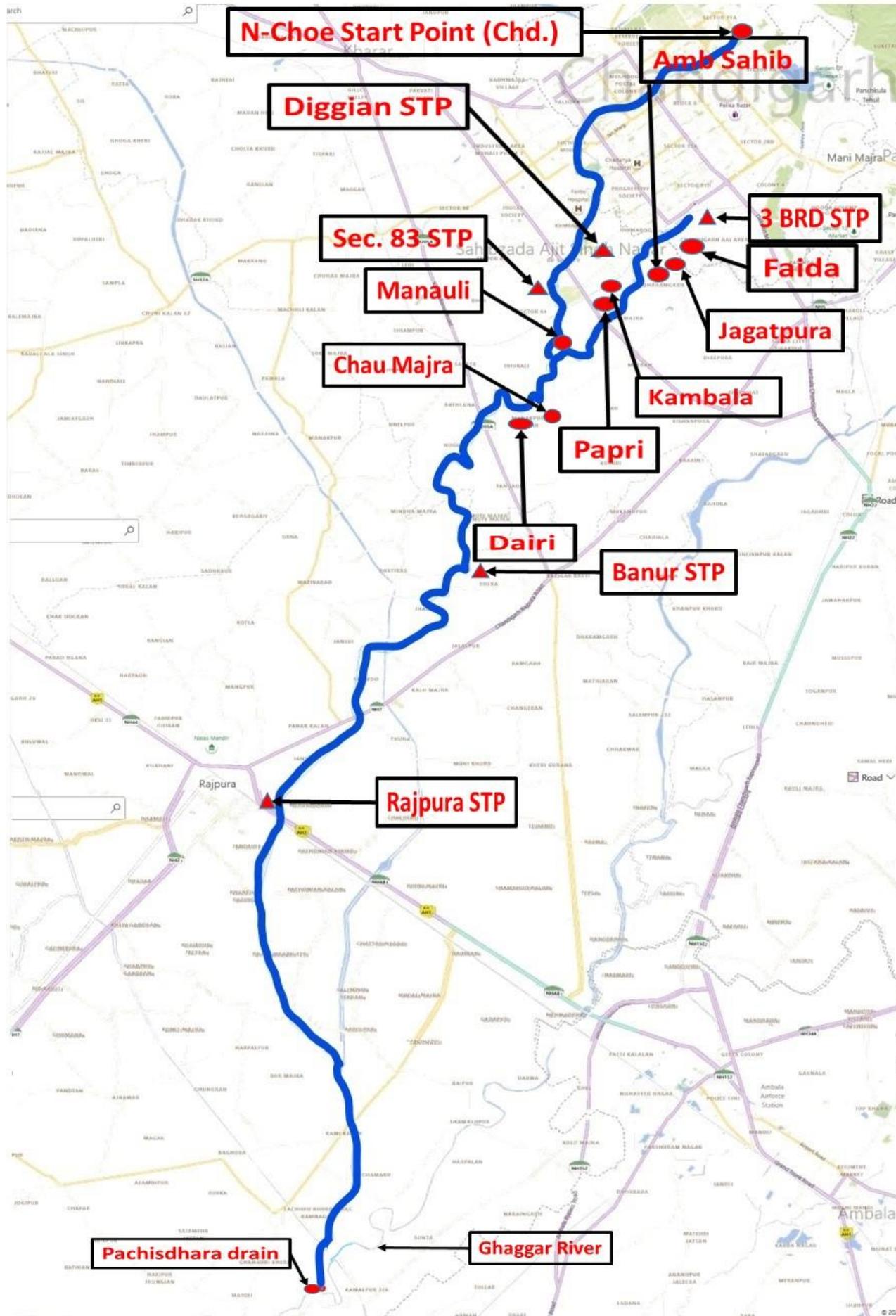
9.	Jagatpura drain near Village Faida, Chandigarh	7.0	BDL	120	37	104	19	BDL	94000	-	-	-	BDL	BDL
10.	Confluence point of bye pass sewage & treated sewage of STP, Diggian, Sec-66,Mohali	7.4	1.4	84	32	35	42	1.4	9400	BDL	-	-	BDL	BDL
11.	Treated sewage from outlet of STP, Diggian, Sec-66,Mohali	7.6	2.2	56	19	30	26	1.6	2600	-	-	-	BDL	BDL
12.	Untreated sewage bye pass from STP Diggian,Sec-66,Mohali	6.9	BDL	196	61	234	30	1.8	110000	-	-	-	BDL	BDL

24.11.2021 (Chandigarh Area)

S.No	Point of Sample Collection	pH	DO mg/l	COD mg/l	BOD mg/l	TSS mg/l	Amm. Nmg/l	PO4 mg/l	Zn mg/l	Ni mg/l	Cd mg/l	Pb mg/l	Fe mg/l	T.Cr Mg/l	F.Coli MPN/100ml
1.	N-Choe passing through, Sec-42, Chandigarh Near Beant Singh Memorial	7.0	5.5	81	17	23	BDL	0.39	BDL	BDL	BDL	BDL	0.12	BDL	-
2.	N-Choe passing through Village Kajheri, Sec-52, Chandigarh	7.1	13.4	26	6	9	BDL	BDL	BDL	BDL	BDL	BDL	BDL	BDL	-
3.	Treated effluent after CC Tank of 3BRD STP, Chandigarh	7.1	7.8	45	9	12	2.7	BDL	BDL	BDL	BDL	BDL	BDL	BDL	610
4.	Domestic effluent near Kali Bari Mandir having outfall into Jagatpura drain	7.1	5.3	160	30	97	3.2	0.93	BDL	BDL	BDL	BDL	0.16	BDL	-

Annexure-4

5.	Storm Water Drain Passing Near Kali Bari Mandir, Chandigarh	6.7	8.7	25	6	13	BDL	BDL	BDL	BDL	BDL	BDL	BDL	BDL	-
6.	Manhole near Kali Bari Mandir, Chandigarh	7.2	5.2	155	29	92	BDL	0.9	0.12	BDL	BDL	BDL	0.23	BDL	-
7.	Jagatpura drain near Village Faida, Chandigarh	6.8	BDL	190	81	118	BDL	0.78	0.15	BDL	BDL	BDL	0.23	BDL	-
8.	Treated sewage from outlet of STP, Diggian, Sec-66, Mohali	6.8	4.1	96	25	32	BDL	0.42	0.11	BDL	BDL	BDL	0.19	BDL	810



Annexure-4



Jagatpura drain near village Jagatpua.



Jagatpura drain near village Kambala.



Jagatpura drain near village papri.



Treated water from STP, GMADA, Sec-83, Mohali discharged into N-choe at village chilla



Effluent from STP Diggian discharged into Jagatpura drain at Sector 82 Mohali.



Joint committee carrying out sampling from N-choe drain near village Manauli.



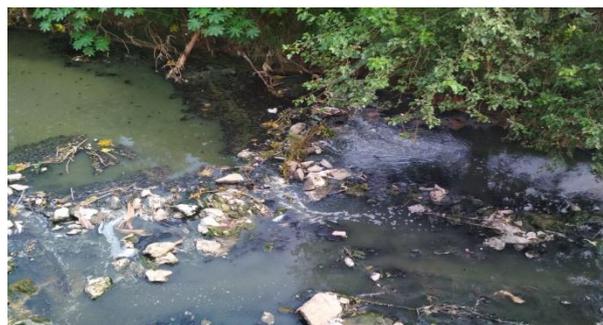
N-Choe drain near village Dairi.



Treated water collection tank of STP, Banur



Sampling carried out by joint committee at STP



N-Choe drain passing through over bridge near Indus

Annexure-4

Rajpura.

Tower Warehouse, Village Kharajpur, Tehsil Rajpura.



Sampling carried out from point where water from pachisdhara drain was used for irrigation.



N-choe passing through sector 42, Chandigarh, Near Beant Singh Memorial.



N-choe drain passing through garden of Spring, sector 53, Chandigarh.



N-choe drain near village Kajheri, sector 52, Chandigarh



Trade effluent and domestic effluent near Kali Bari Mandir, Chandigarh being discharged into Jagatpura drain.



Jagatpura drain near village Faida, Chandigarh.



Untreated sewage being bypassed from STP Diggian.

Status of STPs in Chandigarh discharging treated wastewater in N-Choe

S. No.	Name of STP	Designed Capacity(MLD)	Present Capacity(MLD)	Any Proposal of upgradation (Pl. Provide Details)	Catchment Area (Areas Covered)	Disposal arrangement		Any bypass arrangement	Flow meter installed			Designed Parameters	OCMS provided	OCCMS connected with SPCB/CPCB	Parameter displayed on OCCMS
						Irrigation	Drain		Inlet	Outlet	Bypass				
1	STP 3 BRD	50	50	Work in progress under Chandigarh Smart City Limited	Sec - 1 to 31 (partly), Ram Darbar, Hallom ajra	Irrigation and Drain		Present	Present	Present	No	pH – 6.5 to 8 BOD < 5 mg/l COD ≤ 100 mg/l TSS < 10 mg/l NH ₄ < 10 mg/l	Installed	Not connected yet	-
2	STP Diggian	136	136	Work in progress under Chandigarh Smart City Limited	Sec - 1 to 63 (majorly)	Irrigation and drain		Present	Present	Present	No	pH- 7 to 7.5 BOD < 30 mg/l COD < 160 mg/l TSS < 1000 mg/l	Not Installed	-	-

Annexure - 6

Status of STPs in Punjab discharging treated wastewater in N-Choe

S. No.	Name of STP	Designed Capacity(MLD)	Present Capacity(MLD)	Any Proposal of upgradation (Pl. Provide Details)	Catchment Area (Areas Covered)	Disposal arrangement		Any bypass arrangement	Flow meter installed			Designed Parameters	OCC MS provided	OCCMS connected with SPCB/CPCB	Parameter displayed on OCCMS
						Irrigation	Drain		Inlet	Outlet	Bypass				
1	4.0 MLD STP Banur	3.1 MLD	4.0 MLD	No	Banur City	N-Choe Drain		Yes	Yes	No	No	TSS 30 COD 100 BOD 20 Fecal 1000 pH 6-8	Yes	No	pH, BOD, COD, TSS.
2	STP Rajpura 7 MLD	7 MLD	7 MLD	No	Domestic Sewers of Rajpura Towns and Focal Point, Rajpura	Irrigation and Into the drain during no demand period.		Yes	Yes	Yes	No	pH-6.5-8.5 BOD-<10 F-Coli<1000 COD<50 TSS<20	Yes	No	pH, BOD, COD, TSS.

Annexure - 6

3	STP GMA DA, 83 Mohali	45 MLD	45 MLD	Yes, Work started for upgradati on to 68.175 MLD on SBR Technolo gy (Time- line for upgradati on- 19.06.20 23)	Sector- 53 to Sec-82	N-Choe Drain	Yes	Yes	Yes	No	pH-6.5- 8 BOD-30 F-Coli- 1000 COD- 100 TSS-50	yes	yes	pH, BOD, COD, TSS, Temp., Flow
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