

**HP STATE POLLUTION CONTROL BOARD,
BELOW BCS, PHASE-III, NEW SHIMLA**

No. HPPCB/ OA No. 136/2020 /- 21384

Dated: 30.12.2020

From: The Member Secretary

To

✓ The Registrar General,
Hon'ble National Green Tribunal, Copernicus Marg,
New Delhi

Subject:- Second Progress Report in compliance of order dated 22-07-2020 passed in OA No. 136/2020 titled Veteran Forum for Transparency in Public Life V/s State of HP & Ors. pending before the Hon'ble National Green Tribunal.

Sir,

This has reference to order dated 22-07-2020 passed by Hon'ble National Green Tribunal, Delhi in the afore-cited matter related to alleged discharge of waste water into rivers by M/s Acme Life Sciences, Nalagarh and Helios Pharmaceuticals, village Malpur Distt. Solan HP wherein following directions has been passed:-

".....3. Let a joint Committee of CPCB, State PCB and District Magistrate, Solan look into the above issues in the light of contents of the application and take such further action as may found necessary. The State PCB will be the Nodal Agency for compliance and coordination. A factual and action taken report may be furnished to this Tribunal within three months 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....."

In compliance to afore-cited order dated 22-7-2020, the joint committee comprising of Additional District Magistrate Solan, Senior Environmental Engineer, HPSPCB Baddi and Scientist E, CPCB, Delhi had visited the pharma units and CETP Baddi on 12th to 13th October 2020 and filed an interim report dated 14-10-2020.

It is further submitted that as per the information received from the Sr. Environmental Engineer, Regional Office, Baddi the joint committee again visited the pharma units and CETP Baddi on 9th and 10th December 2020 and submitted second progress report

dated 28-12-2020 (annexed as **Annexure R-1**). Based on the inspections and sampling conducted the conclusion drawn by the joint committee is as under:-

- i. The CETP has not installed the system to completely treat category IV effluent (High TDS/FDS Stream). Despite the fact that CETP does not have the capacity to treat this type of effluent, CETP has entered into the tripartite agreement with the Industries generating Category IV effluent has been receiving this category of effluent since 2016.
- ii. As per Environmental Clearance granted to CETP Baddi by the Ministry of Environment, Forests and Climate Change (MoEF&CC), the member industries with hydraulic loading more than 200 KLD shall treat the effluent in the existing onsite ETPs and then discharge into CETP for further treatment and discharge. However, it was informed that Units with hydraulic loading of 200 KLD are not treating effluent in the onsite ETPs and supplying primary treated effluent to CETP. Therefore, CETP has not been complying with this condition of the Environmental Clearance granted by MoEF&CC for the last 04 years. Accordingly, the sampling of these units was done by HPPCB team on 10/12/2020 and the samples were sent to HPPCB Central Laboratory. The results of the analysis are expected by 10/01/2021.
- iii. The observations made by the Joint Committee during visit to the two Pharma units i.e. M/s Acme Life Sciences and M/s Helios Pharmaceuticals mentioned in the original application are as follows:
 - Both the pharma units have connectivity with the CETP for supplying the primary treated effluent, for further treatment at CETP.
 - No effluent was found to be discharged directly by the Units, in the drain.
 - The Joint Committee collected the samples from the final outlet of the pharma units under reference, to see the concentration of residual antibiotics in the primary treated effluent which is being sent to CETP for further treatment. The results of the analysis are expected by 09/02/2021.
- iv. The evaluation of the results of the analysis of the CETP samples collected by the Joint Committee on 12-13 October, 2020, indicated intended dilution by CETP so as to achieve the prescribed norms. Therefore, the Joint Committee conducted unannounced re-sampling and sent the samples for analysis from three different laboratories.
- v. The results of analysis for the samples collected by the Joint Committee have been analyzed in HPPCB Regional Laboratory, Paonta Sahib and evaluation of the results

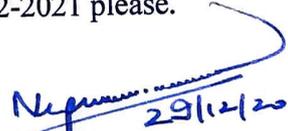
indicated that CETP is not meeting the norms prescribed for COD (264 mg/l > 250 mg/l), BOD (35 mg/l > 30 mg/l), FDS (2252 mg/l > 2100 mg/l) and Chloride (1838 mg/l > 1000 mg/l). Therefore, it is concluded that CETP is discharging the effluent into the Sirsa River without complying with the prescribed norms. The results of the analysis of the samples are awaited from two other laboratories.

- vi. The samples from CETP, upstream and downstream of Sirsa River and the pharma units under question, were collected by the joint committee on 09/12/2020 for analysis of 12 Nos. residual antibiotic residues from Shri Ram Institute of Industrial Research, Delhi. The results of analysis of effluent samples for residual antibiotics is expected by 09/02/2021. The issue of discharge of residual antibiotics as raised by the applicant may be concluded by the Joint Committee after receipt of the analysis results.

In view of the fact that complete analysis reports will be available by 09/02/2021, it is humbly prayed to Hon'ble National Green Tribunal that Joint Committee may kindly be permitted to file the final conclusive report by 15/02/2020.

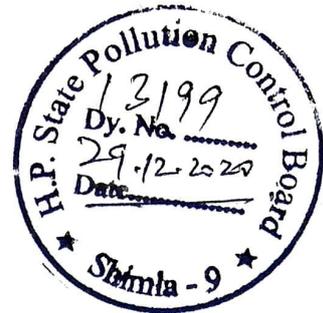
The copy of Second Progress Report submitted by the joint committee dated 28-12-2020 (annexed as **Annexure-R-1**) may be placed on record and in view of above submissions, the joint committee may kindly be allowed to file final conclusive report after 15-2-2021 please.

(Encl. as above)


29/12/20.
Dr. Nipun Jindal
Member Secretary
HPSPCB Shimla



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



No. PCB/ RO Baddi/ Joint Inspection (NGT O.A. No.136/2020) /2020-2516-17 Dated:- 28-12-2020

To

✓
The Member Secretary,
H.P. State Pollution Control Board,
Phase-III, New Shimla-171 009.

Sub: Regarding progress report in the matter of O.A. No.136/2020 (Veteran Forum for Transparency in Public Life Versus State of H.P. & Ors. Pending before the Hon'ble National Green Tribunal.

Sir,

Kindly refer to letter No. HPPCB/OA No.136/2020-15899-15901 dated 01.10.2018 on the subject cited above. In this regard, please find enclosed herewith the **progress report in the matter of O.A. No.136/2020 (Veteran Forum for Transparency in Public Life Versus State of H.P. & Ors. Pending before the Hon'ble National Green Tribunal.**

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Submitted for kind information and further necessary action, please.

Yours faithfully,

✓
Sr. Environmental Engineer,
HP State Pollution Control Board.
Baddi, Distt. Solan-173205.
✓

Progress Report in the matter of O.A. No. 136/2020; Veteran Forum for Transparency in Public Life versus State of Himachal Pradesh & Ors., by of the Joint Committee constituted, in compliance of the order of Hon'ble NGT dated 22.07.2020

1. Background:

In the O.A. No. 136/22020, Veteran Forum for Transparency in Public Life versus State of Himachal Pradesh & Ors., a prayer has been by the applicant before the Hon'ble NGT, to direct remedial action against discharge of waste in CETP at Baddi by Acme Life Sciences, Nalagarh and Helios Pharmaceuticals at Solan to prevent pollution of river Sirsa and Satluj.

Hon'ble NGT vide its order dated 22/7/2020 observed and directed as under:

"The above issue may need to be looked into and action taken to prevent discharge of untreated chemical waste in water bodies in the interest of environment and public health.

Let a joint Committee of CPCB, State PCB and District Magistrate, Solan look into the above issues in the light of contents of the application and take such further action as may found necessary. The State PCB will be the Nodal Agency for compliance and coordination. A factual and action taken report may be furnished to this Tribunal within three months 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."

The Joint Committee Constituted in this matter comprised of the following members:

- ADC, Solan (Nominated by District Magistrate, Solan); Sh. Ajay Kumar Yadav, IAS, SDM having charge of ADC represented District Administration, Solan during first visit of the Committee on 12-13 October, 2020; Mr. Mukesh Sharma, Tehsildar, Baddi represented District Administration during second visit on 9-10 December, 2020.
- Er. Praveen Gupta, Senior Environmental Engineer (SEE), HPPCB, Baddi (Nodal Officer, Nominated by HPPCB)
- Dr. Narender Sharma, Scientist 'E', CPCB, Delhi (Nominated by CPCB)

The joint Committee was also accompanied by Er. Sunil Sharma, AEE,, Er. Pawan Kumar, JEE and Er. Abhay Gupta, JEE, HPPCB, RO, Baddi.

The examination of the original application filed by the applicant, by the joint committee revealed that the following major issues have been raised by the applicant:

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1. Prior study of carrying capacity before granting permission /CTE/CTO to the industries.
2. Discharge of untreated water and chemical waste by Acme Life Sciences and Helios Pharmaceuticals in Sirsa River that finally meets to Sutlaj river, environmental compensation and revival of Sirsa river and Sutlaj River by taking appropriate measures.
3. Design and adequacy of CETP, Baddi, to neutralize API.
4. Presence of antibiotics in the environment and antimicrobial resistance.
5. No connectivity of industries located in Nalagarh area with CETP and discharge of untreated waste into open drains.
6. Underutilization of CETP capacity showing that the industries are directly discharging trade effluents and incapability to neutralize API.
7. Non-disposal of sludge generated at industrial units located at Nalagarh, at TSDF Plant, Doaba Village, Nalagarh.

2. Progress Report:

In order to assess the adequacy and performance of the CETP and verify the facts w.r.t. two pharma units listed in the original application, the joint committee visited CETP and pharma units on 12 – 13 October, 2020.

The following preliminary observations were made by the Joint Committee during first visit to the CETP:

- i. The CETP has not installed the system to completely treat category IV effluent. Despite the fact that CETP does not have the capacity to treat this type of effluent, CETP has entered into the tripartite agreement with the Industries generating Category IV effluent has been receiving this category of effluent since 2016. The CETP was requested to provide details of the industries generating and routing Category IV effluent from the industries through CETP along with characteristics of such effluent, to further examine the issue and submit authentic and validated report to Hon'ble NGT.
- ii. As per Environmental Clearance granted to CETP Baddi by the Ministry of Environment, Forests and Climate Change (MoEF&CC), the member

industries with hydraulic loading more than 200 KLD shall treat the effluent in the existing onsite ETPs (as already these industries have provided onsite ETP consisting of primary/secondary and tertiary treatment system) to the standards mentioned in the consent orders issued by the State PCB and then discharge into CETP for further treatment and discharge. However, it was informed that Units with hydraulic loading of 200 KLD are not treating effluent in the onsite ETPs and supplying primary treated effluent to CETP. Therefore, CETP has not been complying with this condition of the Environmental Clearance granted by MoEF&CC for the last 04 years. The CETP was requested to provide volume and characteristics of the effluents supplied by the industries generated effluent > 200 KLD, to further examine the issue and its impact on the performance of CETP.

- iii. The Joint Committee collected effluents samples from the various stages of treatment, to assess the adequacy and efficiency of CETP w.r.t prescribed standards. The samples were also drawn from the upstream and downstream of the adjoining Sirsa River. The samples were sent to Central Laboratory of SPCB.

The following observations were made by the Joint Committee during visit to the two Pharma units i.e. M/s Acme Life Sciences and M/s Helios Pharmaceuticals mentioned in the original application:

1. Both the pharma units have connectivity with the CETP for supplying the primary treated effluent, for further treatment at CETP. No effluent was found to be discharged directly by the Units.
2. The samples were collected from various stages of treatment plant and sent to Central Laboratory of State Pollution Control Board for analysis. The results are expected in 2-3 weeks.

The laboratory of the State Pollution Control Board, does not have the facility for analysis of residual antibiotics in the effluent samples. Hence, it was decided by

the Joint Committee to hire approved external laboratory for sampling and analysis of effluent samples to be drawn from CETP and pharma units.

The samples from CETP, upstream and downstream of Sirsa River and the pharma units under question, were collected by the joint committee on 09/12/2020 for analysis of 12 Nos. residual antibiotic residues from Shri ram Institute of Industrial Research, Delhi. The results of analysis of effluent samples for residual antibiotics is expected in 30 days (for 09 Nos antibiotics) i.e. on 09/01/2021 and 60 days (for 04 Nos. antibiotics) i.e. on 09/02/2021. The issue of discharge of residual antibiotics as raised by the applicant may be concluded by the Joint Committee after receipt of the analysis results.

The Joint Committee could not locate the point from where samples were drawn by the applicant as mentioned in the original application. Therefore, Joint Committee requested the applicant through HSPCB, to provide location details along with longitude and latitude, enabling the Joint Committee to address issue of discharge of untreated effluent by the pharma industries. However, no feedback has been received so far from the applicant. Therefore, the Joint Committee collected the samples from the final outlet of the pharma units under reference, to see the concentration of residual antibiotics in the primary treated effluent which is being sent to CETP for further treatment.

The evaluation of the results of the analysis of the CETP samples collected by the Joint Committee on 12-13 October, 2020, revealed that CETP is not meeting the norms prescribed for FDS and chloride. Further very low concentration of TSS in the samples collected from the aeration tanks indicated intended dilution by CETP so as to achieve the prescribed norms. Therefore, the Joint Committee decided to make unannounced visit; do resampling and get the analysis done from three different laboratories, for concluding the issue regarding capacity and efficiency of CETP. Accordingly resampling of CETP was conducted by CETP by the Joint Committee on 9-10 December, 2020 and the samples were sent to three different laboratories viz. HPPCB Regional Laboratory, Paonta Sahib, HPPCB Regional Laboratory, Shimla and HPPCB Central laboratory, Parwanoo.

The results of analysis for the samples collected by the Joint Committee have been received from HPPCB Regional Laboratory, Paonta Sahib and evaluation of the results indicated that CETP is not meeting the norms prescribed for COD (264 mg/l > 250 mg/l), BOD (35 mg/l > 30 mg/l), FDS (2252 mg/l > 2100 mg/l) and Chloride (1838 mg/l > 1000 mg/l). The results of the analysis of the samples are awaited from two other laboratories.

Since, the member industries with hydraulic loading more than 200 KLD are required to treat the effluent in the existing onsite ETPs, It was decided by the Joint Committee to get the sampling of such Units done from HPPCB, to see if the effluent is being treated by these units to meet the prescribed norms or not. Accordingly, the sampling of these units was done by HPPCB team on 10/12/2020 and the samples were sent to three different laboratories. The results of the analysis are expected by 10/01/2021.

3. Conclusion drawn based on the progress made so far in this matter by the Joint Committee:

Based on the progress made so far in this matter by the Joint Committee constituted in compliance of the orders of Hon'ble NGT, the following conclusions are drawn:

- i. **The CETP has not installed the system to completely treat category IV effluent (High TDS/FDS Stream).** Despite the fact that CETP does not have the capacity to treat this type of effluent, CETP has entered into the tripartite agreement with the Industries generating Category IV effluent has been receiving this category of effluent since 2016.
- ii. As per Environmental Clearance granted to CETP Baddi by the Ministry of Environment, Forests and Climate Change (MoEF&CC), the member industries with hydraulic loading more than 200 KLD shall treat the effluent in the existing onsite ETPs and then discharge into CETP for further treatment and discharge. However, it was informed that Units with hydraulic loading of 200 KLD are not

treating effluent in the onsite ETPs and supplying primary treated effluent to CETP. **Therefore, CETP has not been complying with this condition of the Environmental Clearance granted by MoEF&CC for the last 04 years.** Accordingly, the sampling of these units was done by HPPCB team on 10/12/2020 and the samples were sent to HPPCB Central Laboratory. **The results of the analysis are expected by 10/01/2021.**

- iii. The observations made by the Joint Committee during visit to the two Pharma units i.e. M/s Acme Life Sciences and M/s Helios Pharmaceuticals mentioned in the original application are as follows:
- Both the pharma units have connectivity with the CETP for supplying the primary treated effluent, for further treatment at CETP.
 - **No effluent was found to be discharged directly by the Units, in the drain.**
 - **The Joint Committee collected the samples from the final outlet of the pharma units under reference, to see the concentration of residual antibiotics in the primary treated effluent which is being sent to CETP for further treatment. The results of the analysis are expected by 09/02/2021.**
- iv. The evaluation of the results of the analysis of the CETP samples collected by the Joint Committee on 12-13 October, 2020, **indicated intended dilution by CETP so as to achieve the prescribed norms. Therefore, the Joint Committee conducted unannounced resampling and sent the samples for analysis from three different laboratories.**
- v. The results of analysis for the samples collected by the Joint Committee have been received from HPPCB Regional Laboratory, Paonta Sahib and evaluation of the results indicated **that CETP is not meeting the norms prescribed for COD (264 mg/l > 250 mg/l), BOD (35 mg/l > 30 mg/l), FDS (2252 mg/l > 2100 mg/l) and Chloride (1838 mg/l > 1000 mg/l).** **Therefore, it is concluded that CETP is discharging the effluent into**

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the Sirsa River without complying with the prescribed norms. The results of the analysis of the samples are awaited from two other laboratories.

- vi. The samples from CETP, upstream and downstream of Sirsa River and the pharma units under question, were collected by the joint committee on 09/12/2020 for analysis of 12 Nos. residual antibiotic residues from Shri ram Institute of Industrial Research, Delhi. **The results of analysis of effluent samples for residual antibiotics is expected by 09/02/2021. The issue of discharge of residual antibiotics as raised by the applicant may be concluded by the Joint Committee after receipt of the analysis results.**

Prayer:

The above progress report of the Joint Committee in this matter, is being filed for the consideration of Hon'ble NGT.

The analysis report of the samples collected from CETP and Pharma Units by the Joint Committee, for analysis in three different laboratories is expected by 10/01/2020. Further, the report of analysis w.r.t. samples collected by the Joint Committee from CETP, Pharma Units and Sirsa River from the approved external laboratory is expected by 09/02/2021.

In view of the fact that complete analysis reports will be available by 09/02/2021, it is humbly prayed to Hon'ble National Green Tribunal that Joint Committee may kindly be permitted to file the final conclusive report by 15/02/2021.

The Joint Committee will abide by the further orders of Hon'ble National Green Tribunal in this matter.


Er. Praveen Gupta
SEE, HPPCB, Baddi


Dr. Narender Sharma
Scientist 'E', CPCB, Delhi


Representative of
District Magistrate, Solan

Dated: 28/12/2020