

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

Original Application No. 101/2014

Sobha Singh & Ors. vs. State of Punjab & Ors.

**CORAM : HON'BLE MR. JUSTICE ADARSH KUMAR GOEL, CHAIRPERSON
HON'BLE MR. JUSTICE S.P. WANGDI, JUDICIAL MEMBER
HON'BLE DR. NAGIN NANDA, EXPERT MEMBER**

Present:

Applicant/Appellant(s)	: Mr. Divya Kumar Kaushik, Adv.
Respondent No.9 to11	: Mr. A.R. Takkar with Amarjeet Kumar & Shriya Takkar, Adv.
CPCB	: Mr. Raj Kumar, Adv.
State of Punjab	: Mr. Sakya Sinha Chaudhuri, AAG and Mr. Akshay Shandilya, Adv.
State of Rajasthan	: Mr. S. S. Shamshery AAG and Mr. Ankit Raj, adv. and Mr. R. K. Singla EE WRD.
Respondent no.5 MoUD	Mr. Shubham Bhalla, Adv.
	: Mr. B.V. Niren, Adv.
	: Mr. Naginder Benipal, Adv.
RSPCB	: Mr. Shiv Mangal Sharma, AAG, Mr. Saurabh Rajpal, Mr. Adhiraj Singh and Mr. Vikramjeet Singh, advs.

Date and Remarks	Orders of the Tribunal
Item No. 01 July 24, 2018 ag	<p>1. This Original Application was filed on 19th May, 2014. The applicant is resident of Village Chhani Badi, Tehsil Badra, District Hanumangarh, State of Rajasthan. According to the application, 8 Districts of Rajasthan are supplied water from Indira Gandhi Canal Project (IGNP). River Satluj and Beas merge at Harike Barrage and Rajasthan Feeder (IGNP) emerges from Barrage along with the Firozpur feeder generating 55 RD Sirhind feeder. IGNP is about 650 Kms. During the passage of River Satluj, various industries dump untreated pollutants. <i>Buddha Nallah</i> is a tributary of River Satluj. Untreated sewage of Ludhiana city is discharged into <i>Buddha Nallah</i> as per report published in International Journal of Environmental Sciences in its Volume -2 published in November, 2011. People are forced to live in highly toxic environment along the <i>Chitti Bein</i> which also joins Satluj. Groundwater quality has been affected by Total Dissolved</p>

	<p>Item No. 01</p> <p>July 24, 2018</p> <p>ag</p>	<p>Solid (TDS). Accumulation of Chromium, Nickel, Zinc and pesticides is high in the sediment of <i>Chitti Bein</i>. Traces of metals like Chromium, Nickel and Zinc were detected in soil samples of the fields irrigated by the waters of the Bein. There is high level of inorganic and organic pollution in both the east <i>Bein</i> and the <i>Kala Sanghia</i> drain, as per the Punjab Pollution Control Board (PPCB) reports. Further, the report by SERI on Buddha Stream is also relevant. A study was also carried out on the impact of pollutants on water quality of river Satluj in Nangal Area which has been published in 'Biological Forum' – an International Journal. Sant Seechewal led a movement for cleaning <i>Buddha Nallah</i> for which he was honoured. He has recorded his findings in his book <i>Sikh Religion & Environment Conservation</i> especially depicting municipal sewage water contamination at Ludhiana. The Punjab Pollution Control Board (PPCB) prepared an action plan for critically polluted area of Ludhiana City stipulating ban on new industrial units for 8 months. There are 1332 hazardous waste generating industries engaged in dyeing, electroplating, induction furnaces etc. Presently, these industries are generating total hazardous waste of 5498 MT, out of which 275 MT is recyclable and incinerable. The Central Pollution Control Board issued a direction dated 5th February, 2014 to all Pollution Control Boards and Pollution Control Committees under Section 18 (1) of the Water (Prevention & Control of Pollution) Act 1974 and 18 (1) B of the Air (Prevention & Control of Pollution) Act 1981 to deal with the pollution by 17 categories of the highly polluting industries. The directions required</p>
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	<p>Item No. 01</p> <p>July 24, 2018</p> <p>ag</p>	<p>installation of online monitoring systems, The Chief Minister of Rajasthan conveyed the magnitude of the problem and sufferings of the people to the Chief Minister of Punjab but it had no effect.</p> <p>3. The Punjab Pollution Control Board filed its status report as on 21st September, 2014 in terms of the direction of this Tribunal dated 22nd April, 2014. The report mentioned the sources of waste water being discharged in rivers Satluj and Beas and suggested that STP was required to treat the sewage of Kala Sanghian Drain which required a sum of Rs. 9 Crores and 8-9 months period for completion. Sewage of Jalandhar city has also been flowing in Kala Sanghian Drain. 3 STPs were under constructions which were to be commissioned by 30th September, 2014. One STP was under construction for Phagwara Drain. CETP was set up at Jalandhar to take care of electroplating units which was to be commissioned by 31st December, 2014. The dairies were also discharging the liquid waste into the drains. There are tanneries discharging pollutants but there are only 2 CETPs. The other details of discharge of pollutants have also been given.</p> <p>4. In its reply, the State of Rajasthan referred to a Joint Inspection conducted by the Central Pollution Control Board observing that water quality of River Satluj and Beas was deteriorating. It proposed that the Punjab Pollution Control Board should ensure treatment of pollutants through the STPs. In Joint Inspection on 1st - 3rd May, 2012, it was found that BOD are not meeting the</p>
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	<p>Item No. 01</p> <p>July 24, 2018</p> <p>ag</p>	<p>standards for discharging of environmental pollutants into the inland surface. With respect to COD and TSS, it was observed that STP are meeting the standard for inland surface, public sewers and land for irrigation marine coastal areas. With regard to CETP at Ludhiana and Jalandhar, it was observed that the CETP was not meeting the standards. The 35 Municipal Councils/Nagar Panchayats are discharging sewage into river Satluj and in discharge of <i>Buddha Nallaha</i> and <i>East Bein</i> heavy metals and large BoD load exists. Another inspection was done on 1st May, 2014 and it suggested no significant improvement in the situation. The Ludhiana Municipal Corporation stated that it has installed STPs for discharge of domestic sewage and mentions some other steps to check dumping of pollutants in the river Satluj.</p> <p>5. The Punjab Pollution Control Board has stated that 5 green bridges were proposed to be constructed at the cost of Rs. 15.28 crores funded by the Ministry of Environment, Forest and Climate Change. The effluent treatment plants are being monitored.</p> <p>6. The Punjab Water Supply and Sewerage Board stated that 5 STPs has been installed in Ludhiana at a cost of Rs. 233.33 crores.</p> <p>7. The matter came up for hearing before the Tribunal on 7th May, 2015 and this Tribunal considered the observation of the Central Pollution Control Board with respect to the water quality of the river Satluj at different regulations. The observations of the Central Pollution Control Board noted in the said order are as follows:</p> <p>1. "With respect to DO and BOD, water quality of river Sutlej before confluence of Buddha Nallah confirms to primary water quality criteria.</p>
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	<p>Item No. 01</p> <p>July 24, 2018</p> <p>ag</p>	<ol style="list-style-type: none"> 2. Water quality of River Sutlej deteriorates after confluence of Buddha Nalla. Industrial units in small scale sector like Electroplating, Hosiery, Steel Rolling Mills etc mainly contribute to the wastewater in Buddha Nalla. The River water quality does not confirm to any of the designated use. 3. Trace amount of Chromium, Arsenic was found in river Sutlej after confluence of Buddha Nallah. 4. Some improvement in the water quality of river was observed before confluence of East Bein drain. 5. The river water quality with respect to BOD, DO, Total coliform and Fecal coliform again deteriorates after confluence of the East Bein. 6. It is observed from the analyzed result that the water quality of River Sutlej improves after confluence of river Beas and it lies in best use category A, except for coliforms. 7. Water quality of River Beas meets the primary water quality criteria and lies in best use category A, except coliforms. 8. Water quality of Rajasthan feeder does not meet the primary water quality criteria with respect to category A (Drinking Water Source without conventional treatment but after disinfection). However, water quality was within the prescribed limit with respect to category B and C. 9. Water quality of Ferozpur/ Sirhind Feeder meets the prescribed standard and lies in best use category A (Drinking Water Source without conventional treatment but after disinfection), except for coliforms." <p>8. Thereafter the recommendations of the Central Pollution Control Board were noted to be as follows:</p> <ol style="list-style-type: none"> 1. <i>"Punjab State Pollution Control Board (PSPCB) shall ensure that sewage of Ludhiana, Jalandher, Phagwara is conveyed to Sewage Treatment Plants (STPs)</i> 2. <i>STPs shall run with full capacity and optimum performance.</i> 3. <i>PSPCB and concerned Punjab Authorities shall explore the possibility to reuse the treated wastewater.</i> 4. <i>PSPCB shall issue directions under section 33 (A) of the Water (Prevention & Control of Pollution) Act, 1974 to Sewage Treatment plants installed at Ludhiana and Jalandhar and Common Effluent Treatment Plant installed at Leather complex, Jalandhar</i>
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	<p>Item No. 01</p> <p>July 24, 2018</p> <p>ag</p>	<p>5. <i>PSPCB shall ensure that no industrial unit discharges its untreated/partially treated effluent either into Sutlej and Beas River or into drains.</i></p> <p>6. <i>Concerned Authorities of Punjab shall ensure that all the wastewater is conveyed to STPs and CETPs so that only treated wastewater is discharged into drains or river.</i></p> <p>7. <i>PSPCB with concerned authorities shall evolve an action plan for abatement and control of pollution of river Sutlej and Beas.</i></p> <p>8. <i>Concerned Authorities of Rajasthan shall ensure that water of Rajasthan feeder and other canal be given conventional treatment with disinfection for drinking purpose.”</i></p> <p>9. It was noted that following directions were given by Central Pollution Control Board on 10th November, 2014:</p> <ol style="list-style-type: none"> 1. “Buddha Nallah and East Bein are major point sources discharging treated/untreated wastewater to river Sutlej. Buddha Nallah contributes about 16,672 kg/day of BOD load whereas East Bein contributes about 20,900 kg/day of BOD load. 2. Buddha Nalla and East Bain deteriorate the water quality of river Sutlej as BOD level of river Sutlej after confluence of East Bein was observed as 10 mg/l whereas DO was 0.0 mg/l which does not confirm to any designated use during lean period of April, 2014. 3. Water Quality of River Sutlej improves after confluence of river Beas as BOD level at d/s of Harike Barrage was 01 mg/l and DO was 7.2 mg/l. 4. Total wastewater generation from major town of Ludhiana, Jalandhar and Phagwara is about 767 MLD (domestic + industrial). 5. The water quality of river and canal does not confirm to the prescribed norms for total coliform. Total Coliform in Rajasthan feeder was in the range of 2000 to 1300000 MPMN.100ml whereas in Sirhind Feeder was in the range of 4000 to 92000 MPN/100ml. <p>10. After noticing the above, the Tribunal directed the concerned Pollution Control Boards to prepare an action plan for remedial situation.</p> <p>11. On 9th October, 2015, the Tribunal considered the action plan of the Punjab Water Supply & Sewage Board (PWSSB) for which the funds were to be released by the</p>
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	<p>Item No. 01</p> <p>July 24, 2018</p> <p>ag</p>	<p>Ministry of Urban Development, Government of India as per details noted in the order of the Tribunal.</p> <p>12. On 18th December, 2015, the Tribunal directed a Joint Inspection of Central Pollution Control Board and Punjab Pollution Control Board. It was also directed that samples of the effluents be taken and a report furnished. The said report was considered on 13th January, 2016 and it was noticed that the effluent discharged from the outlets of Sultanpur Lodhi and Basti Peerdaad exceeded the prescribed norms for BoD, CoD, TSS and Phosphates.</p> <p>13. On 9th January, 2017, the Tribunal directed the PPCB to file an affidavit in support of the stand that the industries have achieved zero discharge. Again the matter was considered on 19th April, 2017 and also subsequently.</p> <p>14. As per status report filed by the Punjab Pollution Control Board as on 23rd July, 2018, out of 18 towns in Nangal-Ropar belt, 17 STPS have already been installed and eighteenth is likely to be commissioned by 30th September, 2018. The Board is monitoring the industrial discharge and they have installed ETPs based on Zero Liquid Discharge technology (ZLD). CETPs catered to the industries based on ZLD technology. This has resulted in reduction in pollution in terms of metal content. The dyeing industries have installed ETPs and there is a proposal to install 3 CETPs. M/s Bahadurke Textile and Knitwear Association is installing a CETPs which has been approved by the Government of India for 50 % funding. The Punjab Dyers Association (Focal Point Module and Tajpur-Rahon road Module) is installing CETPs. It is stated that out of these 5 STPs, 3 STPs of capacity 48</p>
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	<p>Item No. 01</p> <p>July 24, 2018</p> <p>ag</p>	<p>MLD, 152 MLD and 111 MLD STPs are based on UASB technology and have become old and needs upgradation to achieve the stringent parameters prescribed by Punjab Pollution control Board. There is also need to enhance the overall capacity of STPs to 650 MLD against the existing capacity of 466 MLD. Furthermore, there are some outlets carrying sewage of Ludhiana city, which directly falls into Buddha Nallah without any treatment for which Municipal Corporation, Ludhiana has to connect these outlets with main sewerage system leading to STPs. For closing these outlets and enhancement of capacity of STPs, Municipal corporation, Ludhiana has engaged the services of Engineers India ltd., (EIL), New Delhi and M/s Shah Technical Consultant, Chandigarh. The study of whole stretch of Buddha Nallah is being carried out to check the feasibility of interceptor sewer along the stretch of <i>Buddah Nallah</i>.</p> <p>With regard to <i>Kala Singhia Drain</i> and <i>Garha Drain</i> it is stated that there is a proposal for upgradation of the existing CETPs and to install third module of CETPs.</p> <p>15. Further, Status reports have also been filed indicating the status at Jalandhar and Ludhiana with regard to the setting up of the STPs.</p> <p>16. The above resume of the facts appearing in the inspection reports and the steps taken by local bodies, it does not give a clear picture of the result achieved at the ground level. Though, it is stated that there is need to upgrade STPs/CETPS and there are other challenges, time bound solution has not been suggested. The matter is pending for four years and almost 50 adjournments have</p>
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	<p>Item No. 01</p> <p>July 24, 2018</p> <p>ag</p>	<p>been granted. We are now satisfied that there is immediate need for a dedicated and qualified monitoring committee for constant monitoring so as to ensure improvement on the ground level. The untreated effluents cannot be allowed to be dumped into any river or water bodies as it will violate fundamental right to life of the inhabitants were entitled to pollution free and clean water.</p> <p>17. Accordingly, we direct as follows:</p> <p>i) The Central Pollution Control Board may forthwith constitute a Monitoring Committee with the involvement of Mr. Balbir Singh Seechewal who has rendered remarkable voluntary service for creating awareness of checking pollution. The Representative of the CPCB will be the Nodal Officer and a representative of the Rajasthan Pollution Control Board may also be included in the Monitoring Committee. The Monitoring Committee must have one Engineer and one Scientist and also a Member of the Punjab Pollution Control Board and a Nominee of the Urban Development of the State of Punjab.</p> <p>ii) The Monitoring Committee must have first meeting latest by 10th August, 2018 and take stock of the action taken report so far. It may also prepare time bound Action Plan for handling the situation. Short term action plan may be for three months and longer plan may have three monthly targets.</p> <p>iii) Action Plan may be put on the website of the</p>
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	<p>Item No. 01</p> <p>July 24, 2018</p> <p>ag</p>	<p>PPCB/CPCB enabling suggestions from stake holders and involvement of such volunteers as are considered relevant and genuine. Educational institutions may be encouraged to create awareness among children.</p> <p>18. With the above observation, the application is disposed off. The report of the Monitoring Committee may be filed by October 31, 2018 and registered as an independent application.</p> <p>19. List for consideration of the report of the Committee on 14th November, 2018.</p> <p>....., CP (Adarsh Kumar Goel)</p> <p>.....,JM (S.P. Wangdi)</p> <p>.....,EM (Dr. Nagin Nanda)</p> <p>24.07.2018</p>
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**BEFORE THE NATIONAL GREEN TRIBUNAL,
PRINCIPAL BENCH, NEW DELHI**

Original Application No. 344 of 2018

Sukhpal Singh Khaira, MLA, Punjab Assembly & Ors.

V/s

UOI & Ors.

**CORAM : HON'BLE MR. JUSTICE RAGHUVENDRA S. RATHORE, JUDICIAL MEMBER
HON'BLE DR. SATYAWAN SINGH GARBYAL, EXPERT MEMBER**

Present:

Applicant	: Mr. H. S. Phoolka, Sr. Adv and Ms. Shilpa Dewan, Adv.
PPCB	: Mr. Karan Bharihoke, Adv
State of Rajasthan	: Mr. Shiv Mangal Sharma, AAG, Mr. Saurabh Rajpal, Mr. Adhiraj Singh, Adv.
MoEF	: Mr. Rajesh K. Singh, Adv.
Respondent No. 11	: Mr. Rajinder Singh Bhatta and Mr. Misra, Adv
Respondent No. 10	: Mr. Sangram Singh Saron, Adv
CPCB:	: Mr. Rajkumar, Adv.

Date and Remarks	Orders of the Tribunal
Item No. 06 September 04, 2018	<p>As in a matter relating to the same subject (O. A. NO. 101 of 2014) an order has been passed on 24-07-2018 and the same has been ordered to be listed on 14-09-2018. In the order of 24-07-2018 a Committee has been constituted and following directions have been issued:</p> <p>17. Accordingly, we direct as follows:</p> <p>i) The Central Pollution Control Board may forthwith constitute a Monitoring Committee with the involvement of Mr. Balbir Singh Seechewal who has rendered remarkable voluntary service for creating awareness of checking pollution. The Representative of the CPCB will be the Nodal Officer and a representative of the Rajasthan Pollution Control Board may also be included in the Monitoring Committee. The Monitoring Committee must have one Engineer and one Scientist and also a Member of the Punjab Pollution Control Board and a Nominee of the Urban Development of the State of Punjab.</p> <p>ii) The Monitoring Committee must have first meeting latest by 10th August, 2018 and take stock of the action taken report so far. It may also prepare time bound Action Plan for handling the situation. Short term action plan may be for three months and longer plan may have three monthly targets.</p>

	<p>Item No. 06</p> <p>September 04, 2018</p>	<p>iii) Action Plan may be put on the website of the PPCB/CPCB enabling suggestions from stake holders and involvement of such volunteers as are considered relevant and genuine. Educational institutions may be encouraged to create awareness among children.</p> <p>18. With the above observation, the application is disposed off. The report of the Monitoring Committee may be filed by October 31, 2018 and registered as an independent application.</p> <p>Therefore, let this matter be also referred to the Committee constituted with the aforesaid directions passed in O. A. NO. 101 of 2014 and list the same.</p> <p>Thereafter this case be also listed along with O. A. NO. 101 of 2014 on 14-09-2018. The office is directed to send a copy of this order to the Committee constituted in O. A. No. 101 of 2014.</p> <p>.....,JM (Raghuvendra S. Rathore)</p> <p>.....,EM (Dr. Satyawan Singh Garbyal)</p>
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**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

**Original Application No. 345 of 2018
(M. A. No. 934 of 2018)**

Amber Sachdeva Vs. UOI & Ors.

**CORAM : HON'BLE MR. JUSTICE RAGHUVENDRA S. RATHORE, JUDICIAL MEMBER
HON'BLE DR. SATYAWAN SINGH GARBYAL, EXPERT MEMBER**

Present:	Applicant:	Mr. Narender Pal Singh, Adv. and Mr. Amber Sachdeva, Applicant in person
	MoEF	Mr. Rajesh K. Singh, Adv
	PPCB	Mr. Karan Bharihoke, Adv
	Respondent No. 6	Mr. Sangram Singh Saron, Adv with Mr. Shubham Bhalla, Adv.
	Respondent No. 2	:Mr. B.V. Niren, Adv.for CGSC
	CPCB	Mr. Raj Kumar, Adv.

	Date and Remarks	Orders of the Tribunal
	Item No. 07 September 04, 2018	<p>As in a matter relating to the same subject (O. A. NO. 101 of 2014) an order has been passed on 24-07-2018 and the same has been ordered to be listed on 14-09-2018. In the order of 24-07-2018 a Committee has been constituted and following directions have been issued:</p> <p>17. Accordingly, we direct as follows:</p> <p>i) The Central Pollution Control Board may forthwith constitute a Monitoring Committee with the involvement of Mr. Balbir Singh Seechewal who has rendered remarkable voluntary service for creating awareness of checking pollution. The Representative of the CPCB will be the Nodal Officer and a representative of the Rajasthan Pollution Control Board may also be included in the Monitoring Committee. The Monitoring Committee must have one Engineer and one Scientist and also a Member of the Punjab Pollution Control Board and a Nominee of the Urban Development of the State of Punjab.</p> <p>ii) The Monitoring Committee must have first meeting latest by 10th August, 2018 and take stock of the action taken report so far. It may also prepare time bound Action Plan for handling the situation. Short term action plan may be for three months and longer plan may have three monthly targets.</p> <p>iii) Action Plan may be put on the website of the PPCB/CPCB enabling suggestions from</p>

	<p>Item No. 07</p> <p>September 04, 2018</p>	<p><i>stake holders and involvement of such volunteers as are considered relevant and genuine. Educational institutions may be encouraged to create awareness among children.</i></p> <p>18. With the above observation, the application is disposed off. The report of the Monitoring Committee may be filed by October 31, 2018 and registered as an independent application.</p> <p>Therefore, let this matter be also referred to the Committee constituted with the aforesaid directions passed in O. A. NO. 101 of 2014 and list the same.</p> <p>Thereafter this case be also listed along with O. A. NO. 101 of 2014 on 14-09-2018. The office is directed to send a copy of this order to the Committee constituted in O. A. No. 101 of 2014.</p> <p>.....,JM (Raghuvendra S. Rathore)</p> <p>.....,EM (Dr. Satyawan Singh Garbyal)</p>
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