

Item No. 01

(Court No. 1)

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

(By Video Conferencing)

Original Application No. 167/2021

Yuva Mandal Sansthan Mithdiya

Applicant

Versus

State of Punjab & Ors.

Respondent(s)

Date of hearing: 14.07.2021

**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 DR. NAGIN NANDA, EXPERT MEMBER**

Applicant: Mr. Rajendra Beniwal, Advocate

ORDER

1. Main prayer in this application is as follows:

“A. *Be pleased to direct the Respondent state of Punjab and state of Rajasthan to curb the inflow of industrial waste and sewage water into the Sutluj and Beas river, Rajasthan Feeder Canal and further to take appropriate steps to check, manage and control the noxious and hazardous effluents being thrown into water resources, in the interest of justice AND;*”

2. The applicant has stated that there is pollution of Indira Gandhi Canal (INC) starting from Harike Barrage, a few kilometers below the confluence of the Satluj and Beas rivers in State of Punjab and it flows through the Ludhiana City. The canal is source of drinking and irrigation water in the north and western Rajasthan but on account of pollution flowing from Sutlej and Beas into the Indira Gandhi Canal, people living around INC have developed various health complications such as skin diseases, gastroenteritis, indigestion, loss of eyesight to name a few. The

Chief Minister, Rajasthan has requested the Chief Minister of Punjab to take remedial measures as per news report dated 09.06.2021. The water in the canal has apparently turned black in color due to the presence of pollutants in it. The toxic water now flows through the 65-kilometer stretch putting the lives of people living around the canal on the verge of serious health perils. Failure to prevent pollution by the States of Rajasthan and Punjab is also violation of the judgment of the Hon'ble Supreme Court in *Paryavaran Suraksha Samiti v. Union of India, 2017 5 SCC 326*.

3. Though the applicant has not referred to the earlier proceedings either deliberately or on account of ignorance, the very same issue has been dealt with by this Tribunal for seven years first in OA 101/2014, *Sobha Singh & Ors. v. State of Punjab & Ors.* and thereafter in OA 916/2018 (the new number assigned to the same matter). Vide order dated 24.07.2018 in OA 101/2014, the Tribunal noted as follows:

*"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 Ferozpur feeder generating 55 RD Sirhind feeder. IGNP is about 650 Kms. During the passage of River Satluj, various industries dump untreated pollutants. Buddha Nallah is a tributary of River Satluj. Untreated sewage of Ludhiana city is discharged into Buddha Nallah 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 Chitti Bein which also joins Satluj. Groundwater quality has been affected by Total Dissolved Solid (TDS). Accumulation of Chromium, Nickel, Zinc and pesticides is high in the sediment of Chitti Bein. 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 Bein and the Kala Sanghia 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 Buddha Nallah for which he was honoured. He has recorded his findings in his book Sikh Religion & Environment Conservation 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 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.

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.

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 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 Buddha Nallah and East Bein 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.

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.

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.

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:

“1. With respect to DO and BOD, water quality of river Sutlej before confluence of Buddha Nallah confirms to primary water quality criteria.

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.”

8. Thereafter the recommendations of the Central Pollution Control Board were noted to be as follows:

“1. Punjab State Pollution Control Board (PSPCB) shall ensure that sewage of Ludhiana, Jalandher, Phagwara is conveyed to Sewage Treatment Plants (STPs)

2. STPs shall run with full capacity and optimum performance.

3. PSPCB and concerned Punjab Authorities shall explore the possibility to reuse the treated wastewater.

4. 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.

5. PSPCB shall ensure that no industrial unit discharges its untreated/partially treated effluent either into Sutlej and Beas River or into drains. 6. 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. 7. PSPCB with concerned authorities shall evolve an action plan for abatement and control of pollution of river Sutlej and Beas. 8. Concerned Authorities of Rajasthan shall ensure that water of Rajasthan feeder and other canal be given conventional treatment with disinfection for drinking purpose.”

9. It was noted that following directions were given by Central Pollution Control Board on 10th November, 2014:

“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.

10. After noticing the above, the Tribunal directed the concerned Pollution Control Boards to prepare an action plan for remedial situation.

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 Ministry of Urban Development, Government of India as per details noted in the order of the Tribunal.

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.

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.

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 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 Buddah Nallah.

With regard to Kala Singhia Drain and Garha Drain it is stated that there is a proposal for upgradation of the existing CETPs and to install third module of CETPs.

15. Further, Status reports have also been filed indicating the status at Jalandhar and Ludhiana with regard to the setting up of the STPs.

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 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.

17. Accordingly, we direct as follows:

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.

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.

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.”

4. The matter was thereafter dealt with in OA 916/2018. The Tribunal appointed a Committee comprising a former judge of the Punjab and Haryana High Court and a former Chief Secretary of Punjab. In view of serious violations reported, the State of Punjab was required to deposit compensation of Rs. 50 Crores for restoration of the environment. The issue of compliance of judgment of the Hon'ble Supreme Court in *Paryavaran Suraksha* supra was also monitored by this Tribunal in OA

593/2017, Paryavaran Suraksha Samiti & Anr. v. Union of India & Ors. which has been finally disposed of 22.02.2021, alongwith OA 673/2018, News item published in "The Hindu" authored by Shri Jacob Koshy Titled "More river stretches are not critically polluted: CPCB" dealing with remedial action for 351 polluted river stretches identified as such by the CPCB.

5. It will suffice to reproduce extracts of order dated 22.01.2021 in OA 916/2018 as follows:

"11. Further report dated 29.10.2019 furnished by the Committee was considered vide order dated 12.12.2019 with reference to:

- (a) Monitoring of functioning of existing STPs.
- (b) Functioning of CETPs.
- (c) Monitoring of ETPs.
- (d) Setting up of new and up gradation of STPs.
- (e) Setting up of ETP plan for dairy waste.
- (f) Reconciliation of waste water and industrial effluents of Ludhiana.
- (g) Release of fresh water in Budha Nalla and Holy Bein.
- (h) Reuse of treated water for irrigation.
- (i) Preventing dumping of Solid Waste.
- (j) Treatment facilities in villages.
- (k) Shifting of dying industries.
- (l) Organizing health checkups.
- (m) Direct discharges into drains.

12. The matter was last considered on 29.06.2020 in the light of 3rd report dated 31.01.2020 and 4th report dated 05.06.2020 of the MC. The 3rd and the 4th reports mentioned the steps taken by the Committee for monitoring various issues of abatement of pollution of Sutlej and Beas rivers, including functioning of STPs, installation of OCEMS and CCTV cameras, CETPs in the catchment area of river Sutlej, ETPs of the industries, setting up of new STPs / upgradation / rehabilitation of existing STPs, installation of new CETPs for dyeing industries of Ludhiana, setting up of ETPs / Bio-gas plants for dairy waste, setting up of treatment facility in villages and utilization of treated sewage of STPs for irrigation. The report further referred to the previous recommendations and compliance status based on verification during personal visit to the concerned industries, STPs, industrial and other areas in the catchment areas of the rivers in question. The Committee gave its conclusions and recommendations for future action. The Tribunal observed:

"23. We find that the third and the fourth reports of the Committee are based on verification of data by site visits and interaction with the stakeholders. As per directions of this Tribunal, the reports have been shared with the concerned authorities. No objection has been raised to the conclusions in the report. The reports thus need to be accepted and acted upon. Directions of this Tribunal in OA

673/2018 in a separate order of date will also apply to Sutlej and Beas rivers which are covered by the list of 351 polluted river stretches.

XIII. Directions:

24. Accordingly, we direct:

- (a) **Let the concerned authorities in the State of Punjab take steps in terms of observations and recommendations of the Committee in the third and the fourth reports, particularly in the matter of setting up of requisite treatment plants in the State, compliance to standards by the existing STPs and fixing responsibility on officials for non-performance of duties, compliance to standards by CETP leather complex, inadequate inspections by officials of SPCB, slow pace with regard to new/upgradation/rehabilitation of STPs, setting up of new CETPs textile and dyeing industrial cluster, setting up of new ETP for dairy waste, bridging of gap in terms of sewage quantity to be treated, interception of the drains, maintaining flow/release of fresh water in Buddha Nallah and Holy Bein, dealing of Buddha Nalla utilization of treated waste water, treatment facilities for villages, laying down pretreatment standards, desilting of drains, shifting of dyeing industries, organizing health check-ups, preventing direct discharges into the drains, increased surveillance of polluting industries, training of the staff. If the timelines laid down in the order of this Tribunal dated 06.12.2019 in O.A. No. 673/2018 as modified vide order dated 29.06.2020 are crossed, compensation in terms of the directions in the said order will be payable.**
- (b) **Local bodies in the catchment area may ensure that solid waste is not dumped into the rivers or the drains connected to the rivers.**

25. Further report in the matter may be furnished by the Committee after verifying the status of compliance after four months by e-mail at judicial-ngt@gov.in (preferably in the form of searchable/OCR PDF and not image PDF). A copy thereof may be furnished simultaneously by the Committee to the Chief Secretary, State of Punjab for comments, if any.”

13. Accordingly, the 5th report has been filed by the Committee on 15.10.2020. Conclusions and recommendations in the report are:

“3.17 Conclusions and Recommendations

In view of the latest status w.r.t performance of existing sewage treatment plants, construction of new sewage treatment plants, upgradation and capacity enhancement of existing sewage treatment plants,

treatment facilities for treatment of sewage in rural areas, gaps in treatment of sewage, utilization of treated sewage for irrigation, water quality of drains / Nallahs/ river, environment flow, septage and faecal sludge management, the Monitoring Committee has made the following conclusions recommendations.

3.17.1 River Sutlej

1. The Monitoring Committee has held its meeting with District Level Officers of District Ludhiana on 13.05.2020 and 21.05.2020 (pages: 3 to 5 and 5 to 13), District Jalandhar on 29.05.2020 (pages: 13 to 21), District Ferozepur on 25.06.2020 (pages: 22 to 25), District Gurdaspur on 07.07.2020 (pages: 26 to 31), District Bathinda on 10.07.2020 (pages: 31 to 33), District Tran Taran on 14.07.2020 (pages: 34 to 37), District Faridkot on 20.07.2020 (pages: 37 to 40), District Pathankot on 31.07.2020 (pages: 40 to 42), District Fazilka on 07.08.2020 (pages: 42 to 45), State Level meeting on 13.08.2020 (pages: 46 to 50), District Ludhiana on 24.08.2020 (pages: 50 to 58), District Ropar on 14.09.2020 (pages: 51 to 61), District Hoshiarpur on 18.09.2020 (pages: 61 to 64). In these meetings the Monitoring Committee has made detailed discussion on each issue w.r.t various activities to be carried out to control of pollution in river Sutlej. The Monitoring Committee has given directions to the District Level Officers in each meeting.

The Monitoring Committee recommends that District Level Officers should comply with the directions given by Monitoring Committee timely so as to control pollution in river Sutlej.

2. Punjab Pollution Control Board is monitoring the performance of existing Sewage Treatment Plants of the towns located in the catchment area of river Sutlej on monthly basis. The analysis results that indicate that out of 50 STPs, 28 STPs (56%) are complying with all the norms w.r.t BOD, TSS and F. Coli parameters. 13 STPs (26%) are not meeting with standards for BOD, TSS and F.Coli parameters, out of which STPs Muktsar Sahib (3.5 MLD) and Jamalpur, Ludhiana (48 MLD) are lying defunct for which, department of Water Supply and Sanitation and Municipal Corporation, Ludhiana have been directed upgrade/rehabilitate the same by 31.03.2021. 03 STPs (6%) are meeting BOD and F. Coli parameters. 02 STPs (4%) are meeting with TSS and F. coli parameters. 01 STP (2%) is complying with BOD parameters. 29 STPs (58%) are complying with F. Coli parameters. 01 STP (2%) is complying with only TSS parameter. Therefore, the Monitoring Committee recommends as under:

- ✓ Municipal Corporations/ Municipal Councils/ PWSSB or any other agency operating the STPs, should operate

their STPs as per the operation and maintenance manual prepared by PWSSB.

- ✓ *These departments should impart trainings to the Supervisory staff.*
- ✓ *In order to bring down the F. coli parameter within the norms, adequate dosing of disinfectant with proper disinfectant contact mechanism should be provided.*
- ✓ *Concerted efforts may be made by all the concerned departments to bring down the non compliance of STPs to significantly low level.*
- ✓ *OCEMS along with flow meters shall be installed at inflow, outflow and bye-pass of the STPs and record in this regard may be maintained by the STP operator.*
- ✓ *OCEMS and CCTV cameras on all the STPs should be installed by 31/10/2020, failing which environment compensation may be imposed by PPCB on the defaulting STPs.*

3. *The performance of STPs of capacity 466 MLD of Ludhiana alone indicates as under:*

- *STP Bhattian of capacity 50 MLD, based on SBR technology, is working effectively and meeting with the prescribed norms.*
- *STP Bhattian of capacity 111 MLD is also meeting with the parameters w.r.t. BOD parameter, whereas, the values of F.Coli ranging between 2700-3500 are beyond the permissible limits.*
- *STP Balloke of capacity 152 MLD is not meeting with the prescribed standards w.r.t. BOD (180-340 mg/l) and F.Coli (430000-840000 MPN/100 ml).*
- *STP Balloke of capacity 105 MLD is also not meeting with the prescribed standards w.r.t. BOD and F.Coli parameters.*
- *48 MLD STP at Jamalpur is non functional because the machinery of the STP is lying defunct and there is proposal to construct new STP.*

4. *The Monitoring Committee noted that there is slow progress with regard to construction of 9 STPs of capacity 110.8 MLD during the period 01.04.2020 to 15.09.2020.*

- *Construction of 2 STPs of capacity 8 MLD and 6 MLD of Kotkapura has been hardly increased to 86% and 85%, respectively, as compared to the progress of 85% and 84% on 31.03.2020. These STPs should be completed by 31.03.2021.*
- *Slow progress (20-25%) has been achieved in case of 2 STPs of capacity 4 MLD and 1 MLD of Guru Harsahai. These 02 STPs of Guru Harsahai (4 MLD and 01 MLD) should be completed by 31.03.2021. 2 STPs of capacity 6 MLD and 18 MLD for Jaitu and Ferozepur towns, respectively, have been completed and are at testing stage. These 02 STPs (6 MLD and 18 MLD) should be commissioned by 31.12.2020.*
- *For STPs of capacity 14 MLD for Faridkot Town, land has been arranged and work shall be started soon,*

whereas, work has been allotted in case of 50 MLD STP for Jalandhar STP. These 2 STPs of capacity 14 MLD and 50 MLD for Faridkot and Jalandhar towns should be completed by 31.03.2021.

5. *The Monitoring Committee has observed that Out of 23 STPs of capacity 366 MLD which are under planning, 8 STPs of capacity 295 MLD are at tendering stage. In case of 2 STPs (Patti: 8 MLD and Ferozpur: 1 MLD) land issues are yet to be resolved. 2 STPs (Jalndhar: 15 MLD, Nawashahr: 4 MLD) are at DPR/DNIT stage. No sewerage system exists in case of 9 towns. Funds have not been tied up in case of Arniwala STP of capacity 2 MLD.*

The Monitoring Committee recommends that the department of Local Govt. and PWSSB shall sort out all the issues like land issues, installation of sewage system in the unsewered areas and availability of funds for installation of Sewage Treatment Plant so that all the 23 Sewage Treatment Plants of capacity 366 MLD may be completed by 30.06.2020.

6. *In order to meet with the prescribed standards, there is need to upgrade the existing Sewage Treatment Plants technologically. Presently, out of 9 STPs of capacity 389.5 MLD, which are to be technologically upgraded, 2 STPs of capacity 152 MLD and 111 MLD are at tendering stage. 3 STPs (Phillaur: 2.6 MLD, Malaut: 3 MLD and Goniana: 3 MLD) are at DPR Stage. Work has been allotted in case of 100 MLD STP of Jalandhar. Upgradation work of 3 STPs of Sri Mukatsar Sahib of capacity 8.7 MLD, 5.7 MLD and 3.5 MLD are to be done by department of Water Supply and Sanitation.*

The Monitoring Committee recommends that all the 09 Sewage Treatment Plants of capacity 389.5 MLD should be technologically upgraded by 30.06.2020.

7. *Further, considering the poor quality of treated/ partially treated sewage of STPs of capacity 48 MLD, 111 MLD, 152 MLD, 105 MLD, and 50 MLD of Ludhiana area, the Monitoring Committee took serious view and directed to the Municipal Corporation, Ludhiana in its meeting with District Level Officers of District Ludhiana on 24.08.2020 that these STPs should be completed and rehabilitated by 31.3.2021 and till then, MC Ludhiana shall install in-situ remediation technology on all the drains carrying untreated sewage within 02 months. In order to show the seriousness to adhere to the said time schedule, MC Ludhiana shall submit a bank guarantee of Rs. 7 Lakh as an assurance within 10 days in office of Punjab Pollution Control Board to comply with the said directions. If by the time given, the target is not achieved by the Municipal Corporation, Punjab Pollution Control Board is free to encash the said bank guarantee treating it as a compensation for the damage caused to the environment.*

Presently, 14 direct outlets carrying untreated sewage of Ludhiana city are falling into Budha Nallah. Municipal Corporation, Ludhiana has covered these 14 outlets into comprehensive plan prepared for rehabilitation of existing STPs and installation of new STPs.

The Monitoring Committee has directed Municipal Corporation, Ludhiana to construct new STPs and rehabilitate the existing STPs by 31.3.2021 and ensure that all the outlets carrying untreated sewage and directly discharging into Budha Nallah shall be closed by 31.3.2021.

8. Based on the discharge of all the towns located in the catchment area of river Sutlej, the present discharge of the towns is 1231.41 MLD and present capacity of 77 Sewage Treatment Plants is 1422.5 MLD and gap in quantity of sewage to be treated has been assessed as 342.46 MLD and STPs to treat the gap in sewage quantity have been planned.

The Monitoring Committee recommends that these STPs should be completed by 30.6.2021.

9. For utilization of treated sewage for irrigation to conserve the water, the irrigation schemes to utilize treated sewage of 134.7 MLD of 23 towns, located in the catchment area of river Sutlej, have been completed. These irrigation schemes shall cater 3661 hectares of agriculture land and treated sewage shall be utilized in these irrigation fields. **It is recommended that Punjab Pollution Control Board shall check all the irrigation schemes laid down for utilization of treated sewage of 23 towns for irrigations and submit report as to whether these irrigations have been commissioned and implemented.**
10. To utilize the treated sewage of 151.5 MLD of 14 STPs, irrigation schemes to cater 5638.5 hectares of agriculture land have been sanctioned and mobilization advance of Rs. 14.72 crore has been released to the department to start the project.

The department of Soil and Water Conservation should take up the matter with State Government for release of the amount sanctioned to lay irrigation network to utilize treated sewage of 151.5 MLD of 14 Sewage Treatment Plants for irrigation.

11. For utilization of treated sewage of 16 STPs of capacity 244.4 MLD, irrigation schemes have been prepared but the funds have not been tied up so far. The department of Soil & Water Conservation shall take up the matter with department of Finance for release of funds to lay irrigation network to utilize the treated sewage for irrigation. Further, the department of Soil and Water Conservation vide its letter No 8326 dated 7.9.2020 has submitted that the department has already submitted

proposal to the State Govt. for formulation a State Plan scheme for irrigation projects for completed/new STPs. Although every effort is being made for tie up of funds but considering the time required for tendering and other department procedure and the constraints that underground pipeline can only be laid when the crops are harvested and the fields are vacant. It has been requested that timelines to lay irrigation network may be revised.

The Monitoring Committee recommends that the department of Soil and Water Conservation shall start laying irrigation network to utilize the treated sewage of 16 Sewage Treatment Plants of capacity 244.4 MLD with in 01 month after the release of funds by the State Government.

12. *Since the feasibility to utilize the treated sewage 100 MLD of Pholariwal, Jalandhar 111 MLD and 50 MLD of STPs of Bhattian, Ludhiana, has become feeble, therefore, the Monitoring Committee recommends as under:*
 - i. *The Department of Soil and Water Conservation and Municipal Corporation Jalandhar shall jointly conduct IEC activities to bring awareness among the farmers about the benefits of utilization of treated sewage for irrigation.*
 - ii. *The Department of Soil and Water Conservation shall take up the matter with Department of Finance for early release of funds amounting to 142.43 crores to lay irrigation network in the agriculture fields to utilize 267 MLD treated sewage of STPs Balloke (152 MLD and 105 MLD) for irrigation.*
 - iii. *Municipal Corporation, Jalandhar shall complete and commission the upgradation of 100 MLD STPs by 31.12.2020.*
 - iv. *Municipal Corporation, Ludhiana shall start upgradation work of 152 MLD and 111 MLD STPs by 31.10.2020.*
13. *Out of 75 villages covered in Phase-1 for installation of STPs, treatment facilities have been completed in 4 villages.*

The Monitoring Committee recommends that STPs for the remaining 71 villages to treat their sewage may be completed by 31.03.2021.

14. *15 MLD CETP for Bahadur Ke Road dyeing industry cluster has been commissioned. Punjab Pollution Control Board should start monitoring the performance of 15 MLD CETP on monthly basis.*
15. *02 CETPs of capacity 40 MLD and 50 MLD for treatment of effluent of cluster of dyeing industries of Focal point and Tajpur Road & Rahon Road, has been completed to 98.5% and 88%, respectively. Punjab Pollution Control Board should take up the matter with MOEF&CE for release of Central Govt. share for completion of CETPS so that these CETPs shall be completed by 31.12.2020.*

16. *For upgradation of 5 MLD CETP for leather complex, Jalandhar, PPCB shall pursue the matter with PETS, Leather Complex, Jalandhar to upgrade the same by 31.03.2020.*
17. *In order to restart the construction work of 0.15 MLD CETP for electroplating industries of Jalandhar, PPCB shall pursue the matter with Hon'ble High Court for vacation of stay order.*
18. *In order to install biogas plant to manage 330 TPD animal dung of Jamsher dairy complex, the design statement is being prepared by the contractor. Further in order to treat 05 MLD wastewater, Municipal Corporation, Jalandhar shall install ETP to treat the liquid effluent by 31.03.2021.*
19. *In order to manage cow dung of Haibowal dairy complex, biogas plant of capacity 1 MW has already been installed. There is proposal to upgrade biogas plant to bio CNG plant but the delay in purchase of machinery, project has been delayed. The Monitoring Committee recommends that efforts should be made to upgrade biogas plant to BioCNG plant by 31.03.2021.*
20. *For the treatment of liquid effluent about 5 MLD from Tajpur Road dairy complex and 10 MLD from Haibowal dairy complex, the project has been covered under comprehensive proposal and after the opening of the tenders, priority should be given for the installation of ETPs for these dairy complex.*
21. *For development of biodiversity parks by Municipal Corporation, Ludhiana and Jalandhar along catchment area of Budha Nallah and Kala Singhian drain, Municipal Corporation, Ludhiana has already identified 06 sites, out of which site at Tajpur Road, near Balloke STP and Hambran Road, Haibowal site are along Budha nallah. In these parks, sapling of shady, medicinal, fruit and flowering trees have been selected. Barbed wire around the site opposite SDM office, Hambran road, Haibowal has been provided. Plants of different varieties have also been planted.*

Municipal Corporation, Ludhiana has been directed to develop biodiversity park along catchment area of river Sutlej and Budha Nallah with infrastructures and environment feature required for biodiversity parks.

Municipal Corporation, Jalandhar has also been directed to identify suitable sites along Kala Singhian drain for development of biodiversity park immediate and start the process of developing biodiversity parks within 02 months.

22. *Punjab Pollution Control Board is monitoring the water quality of river Sutlej at 14 locations. The comparison of data w.r.t DO, BOD and F. coli parameters for the months January, 2020 to March, 2020 and April, 2020 to August, 2020, indicates that there is improvement in the water quality. The water quality remains A class upto D/S of PACL Nangal and it comes down to B class upto u/s of Budha Nallah. After mixing of water of Budha Nallah and upto d/s of East Bein confluence with river Sutlej, it remains D class and again during its course of flow, it regains to class C upto Harike Head works.*
23. *Punjab Pollution Control Board is monitoring the water quality of Budha Nallah at 05 locations. There is no improvement in water quality of Budha Nallah w.r.t BOD and F. coli parameters. This is because of malfunctioning of existing 48 MLD, which is presently lying defunct and discharge of untreated effluent from 16 outlets and dairy effluent from dairy complex, Tajpur Road and Haibowal dairy complex, heavy metals like Hexa chrome, copper and lead have not been detected, whereas, the values of T.Cr, Zinc, Iron, Nickel and Maganese have been found varying between 0.07 to 0.35 mg/I, 0.19 to 1.5 mg/I, 1.42 to 14.2 mg/I, 0.06 to 0.25 mg/I, and 0.13 to 0.48 mg/I, respectively.*
24. *The water quality of East Bein is monitored at 04 locations. The values of BOD, TSS and F. coli have been found varying between 12-68 mg/I, 36-132 mg/I and 700 -46000 MPN/100m1. Water quality further indicates that East Bein at Phagwara contains low values of BOD, TSS and F. coli. Its quality starts degrading at its entry at Jalandhar because of discharge of part of untreated sewage of Jalandhar area and untreated effluent from dairy complex, Jamsher and scattered dairies. Total Chrome, Nickel and Lead have not been detected in East Bein water. The values of Zinc and Iron have been found varying between 0.08 to 0.14 mg/I and 0.54 to 1.08 mg/I, respectively.*
25. *Punjab Pollution Control Board monitors the water quality of Kala Singhian drain and the values of BOD and TSS have been observed as 28-66 mg/I and 42-118 mg/I at its section at Pathankot-Jalandhar Road. The water quality of Kala Singhian drain degrades (BOD: 80- 192 mg/I) at section crossing culvert at village Khanpur. The values of Zinc, Total Chromium and Lead have not been detected. The values of Zinc have been found varied between 0.09 to 0.54 mg/I.*
26. *PPCB has installed 02 Real Time Water Quality Monitoring System (RTWQMS) in Budha Nallah, Ludhiana. Punjab Pollution Control Board shall monitor the water quality of Budha Nallah at this location manually and shall compare the data with the data obtained from Real Time Water Quality Monitoring System (RTWQMS).*

27. Punjab Pollution Control Board shall carry out the performance of In-situ bio remediation technology installed in Phulana drain and replicate the same in other drains carrying untreated sewage not connected to any STP.
28. NGO office, Ludhiana has set up micro forest at various locations in Budha Nallah to increase its aesthetic value.
29. Punjab Pollution Control Board shall conduct surprise inspection of large scale electroplating industries of Ludhiana to ensure that zero liquid discharge technology effluent treatment plants, installed by these industries, are operated at all the times and effluent from these industries should not be allowed to discharge into sewerage system further leading to Budha Nallah. The permeate from zero liquid discharge technology ETPs should be recycled back into the processes of the industries. The toxic sludge from the ZLD system should be disposed off to TSDF, Nimbuan.
30. In order to maintain Environment flow in river Sutlej, the Monitoring Committee recommends that the following directions be given to the various departments of State of Punjab.
- Department of Water Resources and Department of Soil & Water conservation shall identify the area / stretches in the catchment area of river Sutlej for providing check dams / storage tanks for storage of run off / storm water during rainy days and the stored water may be released in regulated way so as to maintain the quality of drains/Nallah/river water at down streams.
 - The Municipal Councils / Corporations / Department of Local Govt. shall install STPs to achieve the stringent parameters i.e. BOD: 10 mg/I, so that the resultant value of BOD after mixing with the river water may be nearly 3 mg/I.
 - The industries be directed to achieve the stringent parameters i.e. BOD: 10 mg/I. The industries discharging wastewater, having toxic constituents, may not be allowed to discharge their effluent into drains/Nallah/rivers / water bodies. These industries may be directed to achieve Zero Liquid Discharge technology.
31. With regard to release of fresh water from Sirhind Canal into Budha Nallah, it was informed to the Monitoring committee in the meeting held with District level officers of District Ludhiana that tendering processes shall be completed by 15.08.2020 and work shall be allotted to the Contractor by September, 2020, work shall be started by October, 2020 and project shall be completed by April, 2021.

The Monitoring Committee directed that the Department of Water Resources shall ensure that the project regarding release of fresh water from Sirhind Canal into Budha Nallah shall be completed by 31.03.2021.

32. For management of Septage and Faecal sludge, the Monitoring Committee recommends that the Deptt. of Rural Development & Panchayat and Department of Local Govt. shall jointly constitute committees to identify the sources of generation of septage and faecal sludge from rural and urban areas and these departments shall prepare a comprehensive plan to dispose of these materials in an environmentally sound manner in a time bound manner.

3.17.2 River Beas

1. Presently, sewage treatment plants of capacity 76.1 MLD for 10 towns, located in the catchment area of River Beas, have been installed by Punjab water Supply and sewerage Board and 5 STPs have been installed by MES authorities. The performance study of STPs located in the catchment area of river Beas, as monitored by Punjab Pollution Control Board, indicates as under.

There is improvement w.r.t parameters BOD, TSS and F. coli parameter is case of 05 STPs, whereas, no improvement has been observed in case of 02 STPs. 01 Sewage Treatment Plant has been found complying BOD and TSS parameters. 01 Sewage Treatment Plant has been found achieving BOD parameter and 01 STP found achieving TSS parameters.

2. It has been observed by the Monitoring Committee there is proposal to construct 11 new Sewage Treatment Plants of capacity 30.5 MLD. Out of these 11 Sewage Treatment Plants, 02 Sewage Treatment Plants are at tendering stage. Land issues are yet to be resolved in case of 04 Sewage Treatment Plants. 03 Sewage Treatment Plants are at DNIT stage. In case of 01 Sewage Treatment Plant (Rawal and its colonies: 03 MLD), funds are yet to be received from) DA. 01 Sewage Treatment Plant of capacity 1.3 MLD for Goindwal Sahib town, department of Water Supply and Sanitation has to installed the Sewage Treatment Plant.

The Monitoring Committee recommends that these STPs should be completed completed by 31.03.2021.

3. 25 MLD Sewage Treatment Plant of Kapurthala which is based on old technology, was required to be upgraded to meet with the standards prescribe. Now PWSSB has completed the upgradation work of Sewage Treatment Plant.

Punjab Pollution Control Board should check the performance 25 MLD sewage treatment plant of Kapurthala within 15 days.

3. *The total discharge of 21 towns located in the catchment area of river Beas is 83.1 MLD and present capacity of Sewage Treatment Plant is 104 MLD. There is gap of 17.10 MLD sewage quantity to be treated of 09 Sewage Treatment Plants.*

The Monitoring Committee recommends that gap in sewage quantity to be treated should be completed by 31.03.2021.

4. *In order to utilize the treated sewage of STPs of 09 towns of capacity 52.7 MLD, irrigation schemes have been completed. Under these irrigation schemes, 1371 hectares of land has been covered.*

Punjab Pollution Control Board shall check these irrigation schemes and ensure that these irrigation schemes should have been commissioned to utilize the treated sewage for irrigation.

5. *Irrigations schemes to utilize treated sewage of 07 towns have been prepared but the funds have not been tied up so far.*

The department of Soil and Water conservation shall take up the matter with State Government to refunds so that irrigation network for 07 towns may be laid.

6. *Water quality of river Beas is monitored by Punjab Pollution Control Board on monthly basis at 10 locations. The water quality of river Beas has been found complying B class parameters as per the water quality criteria prescribed by CPCB.*

7. *Water quality of Holy Bein (Kali Bein) is monitored at 07 locations on monthly basis. The analysis results indicate that the water quality of Holy Bein meets with B class as per the water quality prescribed by CPCB.*

8. *To maintain the Environment flow and to restore the quality of river Beas, the following recommendations are made:*

- i. *Department of Water Resources and Department of Soil & Water conservation shall identify the areas / stretches in the catchment area of river Beas for providing check dams / storage tanks for storage of run off / storm water during rainy days and the stored water may be released in regulated way so as to maintain its quality at down streams.*
- ii. *The Municipal Councils / Corporations / Department of Local Govt. shall install STPs to achieve the stringent parameters i.e. BOD: 10 mg/I, so that the resultant value of BOD after mixing with the river water may be nearly 3 mg/I.*
- iii. *The industries be directed to achieve the stringent parameters i.e. BOD: 10 mg/I. The industries discharging wastewater having toxic constituents may not be allowed to discharge their effluent into rivers / water bodies. These*

industries may be directed to achieve Zero Liquid Discharge (ZLD) technology.

9. *PPCB shall install Real Time Water Quality Monitoring System (RTWQMS) at the appropriate locations by 31.12.2020.*
10. *Punjab Pollution Control Board shall carry out the performance of In-situ bio remediation technology installed in Phulana drain and replicate the same in other drains carrying untreated sewage not connected to any STP.*
11. *For management of Septage and Faecal sludge, the Monitoring Committee recommends that the Deptt. of Rural Development & Panchayat and Department of Local Govt. shall jointly constitute committees to identify the sources of generation of septage and faecal sludge from rural and urban areas and these departments shall prepare a comprehensive plan to dispose of these materials in an environmentally sound manner in a time bound manner.”*

14. From the report of the Monitoring Committee, it can be seen that there are still huge gaps in capacity and functioning of the STPs, CETPs as well as the ETPs, reuse of treated water for irrigation, preventing dumping of Solid Waste, industrial pollution, preventing direct discharge of pollution in the drains and the rivers, irrigation scheme for using treated sewage water, in situ remediation of drains, maintaining e-flow of rivers and septage management. There is need to set up CCTV cameras, more monitoring stations, creating awareness and organizing health check-ups, apart from other administrative measures as suggested by the Committee. This requires sustained efforts at different levels of the administration, local bodies, District Administration and policy level of the State. There is no opposition to the recommendations. In fact, learned Counsel for the State Water Supply and Sewerage Board and Municipal Corporation, Ludhiana submitted that further action on the basis of the recommendations of the Committee will go a long way in restoration of the rivers. Accordingly, we direct acceptance of the recommendations of the Committee and further action on that basis.

15. *As already noted, that the general issue of restoration of 351 river stretches, including the rivers in question is being separately dealt with in OA 673/2018, (In Re: News item published in “The Hindu” authored by Shri Jacob Koshy, titled “More river stretches are now critically polluted: CPCB”). After orders dated 6.12.2019 and 29.6.2020 in the said matter, mentioned earlier, the matter was last considered on 21.9.2020 in the light of report of the CPCB and the Central Monitoring Committee (CMC), headed by the Ministry of Jalshakti, in pursuance of earlier orders in the said matter. **The matter was considered with OA 593/2017, in pursuance of directions of the Hon’ble Supreme Court in (2017) 5 SCC 326, requiring all the States in the country to ensure requisite water treatment devices in time bound manner by 31.3.2018, after which coercive measures must be taken. Following the orders of the Hon’ble Supreme Court, the Tribunal directed that the River Rejuvenation Committees and the Chief Secretaries of all States/UTs must ensure preventing of any pollution of the***

rivers by enforcing the statutory law and norms and Constitutional obligation of providing pollution free environment. The said directions are:

“Going Forward

24. We have duly considered the CPCB, CMC and OC reports as above and noted the gaps and recommendations. We accept the recommendations of the Committees already quoted above that the States should furnish quality information and comply with the directions of this Tribunal in terms of orders dated 06.12.2019 and 29.06.2020. The violation of mandate of 100% treatment of sewage may be visited with the assessment and recovery of compensation and violation of timelines for setting up of pollution control devices may also be likewise strictly enforced with the compensation regime in place. There is also need for fully utilizing and augmenting the existing infrastructure as already noted above.

25. The States/UTs may consider using HAM as a business model as well as OCOP concept, FSSM Policy, alternative models for treatment of sewage/faecal sludge, decentralized STPs and also strengthen the online monitoring system. We are also of the view that flood plain zones of all the rivers need to be mapped and demarcated and encroachments removed therefrom. The same be utilized for plantation, creation of bio-diversity parks and constructed wetlands or other recreational purposes, consistent with the environmental concern. We agree with the OC that river side mining needs to be regulated. To reduce the timelines for setting up of STPs, many States/UTs are consuming time in preparing DPRs whereas model DPRs can be prepared and used for shortening the timelines. Similarly, SOPs need to be prepared for the timeline to be taken in setting up of STPs as well as for maintenance and operation of existing STPs particularly those not meeting the norms. Number of monitoring stations also needs to be suitably increased. We are also of the view that the State RRCs must function effectively and the Chief Secretaries must hold monthly meetings as it is found from the report of the OC for the State of UP that the Chief Secretaries may not be doing so. Huge failures of the States/UTs may show poor governance as far as environment is concerned which may need to be remedied. As found by the CMC, neither delay is explained nor accountability is fixed for the failure of the concerned officers which is not a happy situation.

26. While dealing with the control of pollution of River Ganga, the Tribunal noted that following action points for monitoring:

- i. Setting up of STPs, Interception and Division (I&D) of drains and preventing untreated sewage and effluents**

- ii. Use of treated water
- iii. Use of sludge manure
- iv. Status of septage management
- v. Compliance in relation to industries
- vi. Installation of STPs/treatment facilities in Hotels/Ashrams and Dharmshalas.
- vii. Water quality monitoring of river Ganga and its tributaries.
- viii. Maintenance of environmental flow in river Ganga.
- ix. Disposal of Bio-medical waste.
- x. Compliance of Solid Waste Management (SWM) Rules, 2016.
- xi. Preparation of maps and zoning of flood plains.
- xii. Mining activity under supervision of the concerned authorities.
- xiii. Action against identified polluters, law violators and officers responsible for failure for vigorous monitoring.

CMC/RRCs/ OC for UP may conduct further monitoring keeping in mind the above action points.

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36. Accordingly, we issue following directions:

- i. All the States/UTs may address gaps in generation and treatment of sewage/effluents **by ensuring setting up of requisite number of functional ETPs, CETPs and STPs**, as directed by the Hon'ble Supreme Court in (2017) 5 SCC 326.
- ii. The timeline for commissioning of all STPs fixed by the Hon'ble Supreme Court, i.e., 31.03.2018, has long passed. The Hon'ble Supreme Court directed that the State PCBs must initiate prosecution of the erring Secretaries to the Governments, which has also not happened. This Tribunal was directed to monitor compliance and, in the course, thereof, we direct that compensation may be recovered in the manner already directed in earlier orders (See, **Paras 5 and 6** herein), which may be deposited with the CPCB for restoration of the environment.
- iii. The unutilized capacity of the existing STPs may be utilized expeditiously.
- iv. The States/ UTs may ensure that the CETP, ETPs and STPs meet the laid down norms and remedial action be taken wherever norms are not met.
- v. It must be ensured that no untreated sewage/effluent is discharged into any water body. Prompt remedial action may be taken by the State PCBs/PCCs against non-compliant ETPs/CETPs by closing down or restricting the effluents generating activity, recovering compensation and taking other coercive measures following due process of law.
- vi. Directions outlined in **Paras 24-26** herein may be implemented by the States/ UTs, and their compliance

monitored by the Chief Secretaries at the State level, and the CMC at the National level.

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- x. CMC may consider development of an appropriate App to enable easy filing and redressal of grievances with regard to illegal discharge of sewage/effluents.
- xi. The monitoring by the CMC may have the target of reduction of pollution loads and improvement of water quality of rivers and coastal areas.
- xii. The CMC may also monitor the setting up of the bio-diversity parks, constructed wetlands and other alternative measures to reduce pollution load.
- xiii. The CMC may also monitor demarcation of flood plain zones.
- xiv. The treated sewage water may be duly utilized for secondary purposes by preparing appropriate action plans and reports in this regard be filed with the CPCB periodically.
- xv. CMC may submit its consolidated update report incorporating all the above, before the next date. Each action point mentioned in Para 26 may be individually covered, and summarized in a tabular format.”

16. The case in hands has been pending for the last almost seven years. There have been several orders passed finding pitiable condition of the rivers and the drains connected thereto with inadequate steps by the administration to perform its obligation. Even the State was required to pay compensation of Rs.50 crore for its neglect. The same was also upheld by the Hon'ble Supreme Court. The Monitoring Committee, constituted by this Tribunal, first of statutory regulators (like CPCB, State PCB) and later with a former Judge of the High Court, a former Chief Secretary of the State and a former Member Secretary of the State PCB has functioned for more than two years. Monitoring by the Tribunal or the Tribunal appointed Committee cannot be a regular feature and is only a last resort for some period. It is finally for the State to take ownership of the subject and take stern measures and evolve effective monitoring mechanism to remedy the situation to give effect to its Constitutional obligation to provide clean environment to the citizens and protect natural and scarce environmental resources like water, air and soil for current and future generations. Violators of environmental norms need to be sternly dealt with in the same manner as other criminals threatening the safety of the citizens.

17. Accordingly, as already directed earlier, the ownership of the issue may now be taken over by the Chief Secretary, Punjab who may, having regard to seriousness of the issue, affecting health and environment, personally monitor progress of compliance atleast once in a month and also evolve an appropriate administrative mechanism to handle the grim situation. We may also note that the RRCs headed by Environment Secretaries in all the States/UTs have already been directed to monitor execution of action plans for the

polluted river stretches on continuous basis. The RRC Punjab may also accordingly monitor execution of action plans for Sutlej and Beas rivers in continuation of 5th report of the Monitoring Committee, referred to above, subject to overall oversight of the Chief Secretary. The Chief Secretary while reviewing the status of various issues may focus on timely completion of the ongoing works. Quarterly reports be sent by the Chief Secretary to the CMC in terms of the order dated 21.09.2020 in OA 673/2018 which deals with the subject of restoration of 351 polluted river stretches, including the rivers in question.

6. In view of above, the problems already stand identified and directions issued. What survives is continuous monitoring which is primary responsibility of the State Authorities. As noted earlier, vide order dated 22.01.2021, the Tribunal directed the Chief Secretary, Punjab to take initiative in the matter in coordination with the River Rejuvenation Committee headed by Environment Secretary in continuation of 5th report of the Monitoring Committee. The Tribunal also directed the Chief Secretary to submit quarterly reports to the Central Monitoring Committee headed by the Secretary, Ministry of Jal Shakti (MoJS) in terms of order dated 21.09.2020 in OA 673/2018 which deals with the subject of restoration of 351 polluted river stretches, including the rivers in question.

7. Accordingly, the Secretary, MoJS may take follow up action in the matter in coordination with the concerned States. The concerned States may make available relevant information about the status of compliance of environmental norms and in case of violations, remedial action including requisite operational ETPs meeting with the standards, water quality at interstate border, arrangements for remedying impact in downstream areas, setting up of Real time water quality systems.

The application is disposed of.

The applicant may provide a set of papers on Secretary, MoJS and Chief Secretaries of Punjab and Rajasthan for further action.

A copy of this order be forwarded to the Secretary, MoJS and Chief Secretaries of Punjab and Rajasthan by e-mail for compliance.

Adarsh Kumar Goel, CP

Sudhir Agarwal, JM

M. Sathyanarayanan, JM

Dr. Nagin Nanda, EM

July 14, 2021
Original Application No. 167/2021
DV