



ਪੰਜਾਬ ਪ੍ਰਦੂਸ਼ਣ ਕੋਕਥਾਮ ਬੋਰਡ
PUNJAB POLLUTION CONTROL BOARD

No. 5273

(Through E-mail only)

Dated 15-11-2022

To

The Registrar General,
Hon'ble National Green Tribunal,
New Delhi.

Sub:

Original Application No. 682 / 2019 titled as Beant Singh
Bajwa Applicant Vs State of Punjab Respondent(s).

Enclosed find herewith the status report on behalf of Punjab
Pollution Control Board in compliance of order dated 08.02.2022 in the
subject cited matter for kind consideration and taking further necessary
action in the matter, please.

DA/As Above

Endst. No.


Environmental Engineer

Dated

A copy of the above is forwarded to the Senior Environmental
Engineer, Punjab Pollution Control Board, Zonal Office-II, Patiala for
information please.

DA/As above

-sd-
Environmental Engineer

ਖੇਤਰੀ ਦਫ਼ਤਰ, ਇੰਡਸਟਰੀਅਲ ਫੋਕਲ ਪੁਆਇੰਟ, ਸੰਗਰੂਰ

REGIONAL OFFICE, INDUSTRIAL FOCAL POINT, SANGRUR

Email: eerosangrur@gmail.com; Web: www.ppcb.gov.in

Ph./Fax No. 01672-233475

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL, NEW DELHI
(PRINCIPAL BENCH)**

Original Application No. 682 of 2019

In the matter of

Beant Singh Bajwa, President,
National Anti-Corruption Council

..... Applicant

V/s

State of Punjab

..... Respondent

Status report by way of affidavit of Vijay Kumar, Environmental Engineer, Regional Office, Sangrur on behalf of Punjab Pollution Control Board in compliance of order dated 8.2.2022

I, the above named deponent, do hereby, solemnly affirm and state as under:

RESPECTFULLY SHOWETH

- 1) That the deponent is presently working as Environmental Engineer in the Regional Office of the Punjab Pollution Control Board at Sangrur and as such is conversant with the facts of the present case and is duly authorized and competent to swear this affidavit in his official capacity on behalf of Punjab Pollution Control Board.
- 2) That this Hon'ble Tribunal was pleased to pass an order dated 8.2.2022 in the above mentioned case whereby the industrial unit namely M/s Trident Factory, Dhanaula, Mansa Road, Barnala was held liable to contribute a sum of Rs. 5.00 Crore on 'Polluter Pay Principle', to be deposited in a separate account by the PP with itself, which is to be used for improvement of environment of the area as per action plan to be prepared by Central Pollution Control Board and the State Pollution Control Board taking into account District Environment Plant. The execution of the action plan is to be overseen by the Joint Committee of Central Pollution Control Board and State Pollution Control Board of the area. The relevant extract of paragraph

16 of the order dated 8.2.2022 is reproduced herein below for kind perusal and reference:

"Accordingly, while giving six months to the PP for compliance, we hold it liable to contribute a sum of Rs. 5 crores on 'polluter pays' principle, considering the period and nature of violations and financial capacity of the unit but on a conservative estimate, having regard to the peculiar facts and circumstances, including the failure of the regulators in clearly specifying the requirements and vaguely laying down ZLD condition. The said amount be deposited in a separate account by the PP with itself, to be used for improvement of environment in the area as per action plan to be prepared by the CPCB and the State PCB taking into account the District Environment Plan. The execution of action plan may be overseen by the joint Committee of CPCB and State PCB of the area. The deposit may be made within one month. In case compliance is not ensured within six months, the unit will be held liable to pay further compensation at the rate of Rs. 1 crore per month, till compliance."

3) That the industrial unit M/s Trident Limited has apprised the Board vide letter dated 8.3.2022 that the industry has created a separate account having total sum of Rs. 5.00 Crore to be used for improvement of environment in the area as per the action plan to be prepared by the Central Pollution Control Board and State Pollution Control Board taking into account the District Environment Plan. The details of the account as given by the project proponent are given herein below:

- a) Account name : M/s Trident Limited
- b) Account no : 7175419136
- c) Bank Name: Indian Bank
- d) Amount deposited: INR 5.0 crores

4) That after the passing of the order dated 8.2.2022, the Punjab Pollution Control Board has convened a meeting of the officers of Ministry of Environment, Forest and Climate Change, Central Pollution Control Board and Punjab Pollution Control Board under the Chairmanship of Chairman, Punjab Pollution Control Board for 9.5.2022 to deliberate and conclude the



issues mentioned in the order dated 8.2.2022. The meeting was held on 9.5.2022 under the Chairmanship of Dr. Adarsh Pal Vig, Chairman, Punjab Pollution Control Board, wherein Dr. K.K. Garg, Deputy Director (S), Ministry of Environment, Forest and Climate Change participated through video conferencing and Sh. Gurman Singh, Regional Director, Central Pollution Control Board, Chandigarh, Sh. J.P Mena, Scientist (D) of Central Pollution Control Board and the officers of the Punjab Pollution Control Board namely Member Secretary, Chief Environmental Engineer, Senior Environmental Engineer, Environmental Engineers, Assistant Environmental Engineer, Sangrur participated in person. The issues relating to the emission standards norms, violation of discharge norms, ZLD condition, imposition of cost of Rs. 5.00 crores, preparation of action plan, status report with respect to compliance of ZLD by other categories of other industries to be filed by Central Pollution Control Board and Ministry of Environment, Forest and Climate Change were deliberated in the meeting. After detailed deliberations, following decisions were taken by the committee of officers:

- a) To achieve emission standard of 75 mg/Nm³, the industry shall upgrade its existing APCD within stipulated timelines of six months allowed by NGT vide order dated 8.2.2022.
- b) As informed and agreed upon by the industry vide its letter dated 5.5.2022, HTD unit shall install and commission ZLD system (MBR / ATFD) to recycle its treated waste water within stipulated timelines as provided in NGT order dated 8.2.2022.
- c) In case of PCD unit, the industry shall divert its entire treated trade effluent for reuse in the process and surplus effluent onto land for plantation as proposed by 30.6.2022 and shall not discharge any trade effluent into drain after 30.6.2022. The industry shall also clarify with respect to. use of treated trade effluent during no demand period and rainy season. The industry shall also submit its foolproof monitoring mechanism which will ensure that proper ferti-irrigation plan is maintained, securing Integrity of the soil as well as groundwater quality in prevalling conditions.
- d) Regional Office, Sangrur of PPCB shall carryout an extensive field survey of the area and prepare a draft



action plan as already deliberated above. This excise shall be completed within 15 days. Report of Regional Office, Sangrur shall be placed before a sub-committee to be constituted by Chairman, PPCB and then placed in the next joint meeting of MoEF&CC, CPCB & PPCB.

- 5) That the minutes of the meeting held on 9.5.2022 were recorded in writing and were conveyed to the officers of Ministry of Environment, Forest and Climate Change, Central Pollution Control Board and Punjab Pollution Control Board vide letter no. 1509-11 dated 24.5.2022 for information and necessary action and a copy of the same is enclosed herewith as **Annexure A-1.**
- 6) That in compliance to the decisions taken during the meeting of officers of Ministry of Environment, Forest and Climate Change, Central Pollution Control Board and Punjab Pollution Control Board on 9.5.2022 and keeping in view the District Environment Plan of District Barnala, the order dated 8.2.2022 of Hon'ble National Green Tribunal, the action plan for improvement of environment in the area was prepared by the Board and the same was forwarded to the Central Pollution Control Board and Ministry of Environment, Forest and Climate Change vide letter no. 2095-98 dated 26.7.2022. The Central Pollution Control Board and Ministry of Environment, Forest and Climate Change desired some amendments in the allocation of funds for various activities. Accordingly, all the activities envisaged earlier were reconsidered viz-a-viz allocation of funds for each of the activities clearly indicating the timelines. Thereafter, the competent authority of the Board has convened a meeting on 18.8.2022 to finalize the action plan. Dr. K.K. Garg, Deputy Director (S) on behalf of Ministry of Environment, Forest and Climate Change, Sh. Gurnam Singh, Regional Director, Central Pollution Control Board, Chandigarh on behalf of Central Pollution Control Board had participated in the meeting on 18.8.2022 wherein the officers of the Board namely Member Secretary, Chief Environmental Engineer, Senior Environmental Engineer, Environmental Engineer, Assistant Environmental Engineer were also present. After deliberating the matter in detail in accordance with the mandate of the order dated 8.2.2022 passed by the Hon'ble National Green Tribunal, the action plan with various activities alongwith timelines of its completion and requirements of funds was finalized by the officers as under:

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Sr. No.	Name of Activity	Timelines	Approx. Expenditure (In Crore)	Remarks
1.	Plantation at Lands identified focusing on chunks including development of Mini Forest, Urban Forest, Bio-Diversity Park and its maintenance.	Oct, 2022	Rs. 1.0	Oxygen emitting plant i.e. broad leaf plants shall be provided.
2.	In-situ bio-remediation of Dhanaula Drain	Nine months	Rs. 1.0	-
3.	Cleaning, Rejuvenation of village ponds, water bodies, wet lands, storm water drain etc. and repair of water course originating from Harigarh Canal to facilitate farmers of 12 villages for using canal water for irrigation to avoid ground water abstraction.	Six months	Rs. 1.0	-
4.	De-silting, Cleaning, beautification, plantation & berm pitching of Dhanaula Drain.	Six months	Rs. 0.50	-
5.	Rain Water Harvesting System	Six months	Rs. 0.50	Only for Govt. offices building and institutions.
6.	Solid Waste Management i.e. Vermi-Composting, promotion of reuse of plastic waste etc.	Six months	Rs. 0.75	Creation of MRF, compost pits, plastic waste management in rural areas. Awareness regarding reuse, recycle & recovering of plastic waste.
7.	Miscellaneous need based activities for reclamation of Air, Water & Soil pollution of the area and IEC activities in this regard.	Six months	Rs. 0.25	-

In compliance to the implementation of Action Plan submitted by the industry, it has planted about 1.5 Lacs saplings of different species of trees in the surrounding about 102 villages and the total expenses incurred on the plantation is about Rs. 61 Lacs.

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7) That the minutes of the meeting held on 18.8.2022 were recorded in writing and were conveyed to Dr. K.K. Garg, Deputy Director (S), Ministry of Environment, Forest and Climate Change, North Zone Office, Chandigarh; Sh. Gurnam Singh, Regional Director, Central Pollution Control Board, Chandigarh and Deputy Commissioner, Barnala for information and necessary action vide letter no. 2511 dated 1.9.2022. The said minutes of meeting held on 18.8.2022 were also endorsed to Environmental Engineer, Punjab Pollution Control Board, Regional Office, Sangrur and M/s Trident Limited, (PCD and HTD Division), Trident Complex, Village Dhaura, Tehsil and District Barnala vide endorsement no. 2512 dated 1.9.2022 for information and implementation of the action plan at ground level. A copy of letter dated 2511-12 dated 1.9.2022 alongwith the minutes of the meeting held on 18.8.2022 containing the details of action plan is enclosed herewith as **Annexure A-2**.

8) That thereafter, the Paper and Chemical Division (PCD) and Home Textile Division (HTD) of the industrial unit in question M/s Trident Limited were visited by the officers of Punjab Pollution Control Board, Regional Office, Sangrur on 6.10.2022 in the presence of Sh. Rajat Monga, President Sustainability of the industry. The details of the visit of site of Paper and Chemical Division (PCD) and Home Textile Division (HTD) alongwith observations of the officers are mentioned herein below:

A) Paper and Chemical Division (PCD)

- i) The industry as well as ETP & APCDs were in operation.
- ii) No flow of treated wastewater was observed at outlet of PCD leading to Dhanaula drain. But, the industry has not yet plugged the outlet with cement concrete already provided into Dhanaula drain for discharge of treated trade effluent of PCD division. During visit, it was seen that the entire treated effluent was found diverted into land for plantation. However, the representative of the industry available during visit informed that during no demand period i.e. rainy season, some quantity of treated trade effluent is required to be discharged into the drain for 10-12 days in a year, due to which the outlet of PCD division already provided by the industry cannot be plugged permanently with cement concrete.
- iii) The industry has installed Online Continuous Effluent Monitoring System at the outlet of ETP and readings were noted to be pH-

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7.54, COD – 233.9 mg/l , TSS- 24.4 mg/l and BOD – 20.8 mg/l.

- iv) The trade effluent samples were collected on 16.09.2022 and sent to Head Office lab Patiala. As per analysis report, the concentration of various parameters of treated trade effluent leading to plantation area were found within permissible limits as prescribed by the Board. The details are tabulated as below:

Sr. No	Parameters	Inlet of ETP	Outlet of ETP leading to Plantation	Aeration Tank-I	Aeration Tank-II	Prescribed Standard
1	pH	6.9	7.4	-	-	7.0-8.5
2	Total Suspended Solids mg/I	158	24	-	-	50
3	Total Dissolved Solids mg/l	1378	1298	-	-	-
3	Chemical Oxygen Demand mg/I	840	148	-	-	350
4	Bio-chemical Oxygen Demand mg/I	170	13	-	-	30
5	Sodium Absorption Ratio	-	4.7	-	-	-
6	Mixed Liquid Suspended Solids mg/I	-	-	4420	3870	-
7	Mixed Liquid Volatile Suspended Solids mg/I	-	-	2840	2010	-

- v) The industry was granted Environmental Clearance vide F.No. J-11011/1/2013-UA II(I) dated 3rd August, 2016 to increase paper production from 135000 TPA to 210000 TPA and increase in Captive Cogeneration Plant from 45.9 MW to 90.9 MW subject to the suitable conditions mentioned therein and one of the specific condition that the industry shall achieve the particulate emission below 50 mg/Nm³. In this regard, it is intimated that the industry has not carried out expansion of the project, as such, the particulate emission standard below 75 mg/Nm³ will be applicable on the industry. The industry has upgraded its existing APCD with boiler of capacity 130 TPH and recovery boiler of capacity 54 TPH by installing high frequency controller to achieve the desired stack emission standard imposed in environment clearance by MoEF i.e. 75 mg/Nm³. As per the latest

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monitoring carried out by the Board's lab on 16.09.2022, the industry is achieving a desired standard of 75 mg/Nm³ collected from common stack of 2 no. boilers of capacity 130 TPH each and a stack of boiler 54 TPH. The air emission samples from three stacks were collected during visit on 16.09.2022 and the analysis results are mentioned herein below:

S. No.	Point of sample	Parameter	Results
1	From port hole on common stack after APCD of boilers of capacity 130 TPH each	Particulate matter (mg/Nm ³ at 12% CO ₂)	66
2	From port hole on stack after APCD of Chemical recovery plant-II of capacity 54 TPH	Particulate matter (mg/Nm ³)	71

- vi) The industry has developed additional land of 23 acres (in addition to existing 165 acre land area developed for utilization of treated wastewater) outside its premises and pipeline has already been laid across the drain for discharge of treated trade effluent of PCD division onto land for plantation. During visit, the industry was advised to provide proper monitoring system for discharge of treated trade effluent onto land for plantation.
- vii) During visit, the industry has submitted the record maintained by the industry with respect to discharge of treated trade effluent. The perusal of the records submitted by the industry reveals that the industry is discharging its treated trade effluent onto land of plantation in an area of 187 acre developed by it inside and outside of industrial premises and no quantity of treated / untreated trade effluent is being discharged into Dhanaula drain since 21.06.2022. Further, it has been seen from the records that the average discharge of treated trade effluent is to the tune of 15477 KL for the month of Sept, 2022 and 15580 KL for the month of

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August, 2022 with an average production of 412.64 TPD. Thus, the hydraulic loading being achieved by the industry is to the tune of 83.31 KL / Acre / day.

- viii) The industry has been directed by the Punjab Pollution control Board to ensure periodically monitoring of top soil quality viz-a-viz all parameters prescribed for healthy soil by the National approved institute/ agency and will submit six monthly report with respect to the soil quality in the plantation area.

B) Home Textile Division (HTD)

- i) The industry as well as ETP was in operation.
- ii) The industry is not using ground water as source of water supply and has started using canal water w.e.f 15/03/2021 in its process and also maintaining the record of the same.
- iii) During visit, the industry has submitted the record maintained by the industry with respect to. discharge of treated trade effluent onto land for plantation and discharge into Dhanaula drain. The records submitted by the industry has been examined and found that the industry has stopped discharging its treated trade effluent into Dhanaula drain on 15/11/2021. The industry has also plugged the pipeline from inside & outside of the industry with cement concrete. It was further found that the industry is generating average quantity of trade effluent @ 4073 KLD & 4139 KLD during the month of August, 2022 & September, 2022 respectively with an average production of 58.35 TPD & 54.03 TPD, respectively. The entire treated trade effluent was discharging onto land for plantation & the outlet of Dhanaula drain was found plugged from inside & outside the premises. Now, the total plantation area available with M/s Trident Ltd. (HTD) is to the tune of 100 acres as per the hydraulic loading of 90 KL/Acre/day. Thus, the hydraulic loading being achieved by the industry is to the tune of 41.06 KL / Acre / day.

- iv) The compliance with respect to make the plant ZLD, the representative of the industry informed that the industry has already received the plant along with execution drawings from Italy of capacity 2100 KLD only to make the unit partially ZLD (MBR) and same was found lying in the industrial premises. However, the executing team could not visit the unit from Italy to make the plant partially ZLD as Italy remained closed during the month of August. He further informed that an executing team from Italy will likely visit the unit in the first week of November 2022. To verify the compliance, the industry was visited by the officer of the Regional Office, Sangrur, Punjab Pollution Control Board on 11/11/2022 and observed that the work of installation of ZLD machinery i.e Membrane Bio-reactor (MBR) followed by the RO system was under progress. The work of installation of ATFD has been completed and the final touches of the same are under progress. The representative of the industry informed that installation of MBR and ATFD will be completed by 30/11/2022 and both will be commissioned upto 31/12/2022.
- v) The treated trade effluent samples were collected by this office on 16/09/2022 and the concentration of various parameters were found within the permissible limit as prescribed by the Board.
- vi) There is no source of air pollution in the industrial premises of this unit and the steam requirement is being met from the boilers installed in the premises of its sister concern unit namely M/s. Trident Ltd (PCD).
- vii) The domestic effluent of the industry is being treated in the STP provided by its sister concern i.e. M/s Trident Ltd. (PCD). The industry has got wastewater sample analyzed from Board's lab on 16.09.2022 and analysis results reveals that the industry is achieving the prescribed standards.
- 9) That the Hon'ble National Green Tribunal in paragraph 14 of the order dated 08.02.2022 has asked the Board to clarify as to which technical

option will be followed to achieve Zero Liquid Discharge in true sense ensuring that water recovered is utilized in the process itself.

In this regard, it is submitted that the Ministry of Environment, Forest & Climate Change has notified the standards of discharge onto land for irrigation, into sewer and into drain under the provisions of Environment (Protection) Act, 1986. Hence, an industrial unit is required to achieve the parameters for discharge of treated water onto land, sewer or drain as the case may be and it is not mandatory to achieve or adopt Zero Liquid Discharge technology. The condition to impose Zero Liquid Discharge technology depends upon the facts and circumstances of the case and is to be decided on a case to case basis.

As far as the industry is concerned, it is clarified that in the year 2013 there was a complaint against the industry for discharge of effluent into drain. The Board at that time has imposed the condition upon the industry adopt Zero Liquid Discharge technology, so as to restrain the industry from discharging the effluent into drain. The Zero Liquid Discharge technology is the last option available to the industry to take care of the effluent, in case adequate land is not available.

Now, the industry is having adequate land for discharge of treated effluent for the purpose of irrigation. At the same time, the industry has opted to adopt Zero Liquid Discharge for 2100 KLD of effluent for textile division to reduce the pollution load onto land for irrigation with proper ferti irrigation plan. The dual arrangement to take care of the treated effluent while adopting Zero Liquid Discharge technology for 2100 KLD of effluent and partial use of treated trade effluent onto land for irrigation is acceptable to the Board.

10) That after taking into account the visit and inspection of the Paper and Chemical Division and Home Textile Division of the industrial unit and the observations of the visiting officers and also considering the deliberations with officers of the Ministry of Environment, Forest and Climate Change and Central Pollution Control Board, following conclusions are drawn:

- a) The industry has stopped discharging its treated trade effluent into Dhanula Drain.
- b) The industry is having 100 acres of land for plantation in Home Textile Division and 188 acres of land in Paper and Chemical

Division for plantation, adequate for utilization of treated trade effluent onto land for plantation.

- c) The industry has been asked to submit foolproof monitoring mechanism which will ensure that proper ferti-irrigation plan is maintained, securing integrity of the soil as well as groundwater quality, when the effluent is utilized onto land for plantation.
- d) The analysis results of the treated trade effluent samples and air emissions were found to be within the permissible limits in both the units i.e. Paper and Chemical Division (PCD) and Home Textile Division (HTD).
- e) The industry was visited by the officer of the Regional Office, Sangrur, Punjab Pollution Control Board on 11.11.2022 and observed that the work of installation of ZLD machinery i.e Membrane Bio-reactor (MBR) followed by the RO system was under progress. The work of installation of ATFD has been completed and the final touches of the same are under progress. The representative of the industry informed that installation of MBR and ATFD will be completed by 30.11.2022 and both will be commissioned upto 31/12/2022.
- f) The activities of industrial unit relating to the compliance and execution of action plan and its timelines are being monitored by the officers of the Central Pollution Control Board and Punjab Pollution Control Board from time to time and appropriate action will be taken in case non compliance is observed. Further, to monitor the progress so far, a meeting through VC was held on 02.11.2022 by the CPCB wherein, apart from monitoring the compliance made by the industry, issue of implementation of ZLD on Pan-India basis was also deliberated and further action will be taken accordingly.

11) That the deponent may kindly be allowed to place on record the above status report in compliance to order dated 8.2.2022, for kind consideration and appropriate orders of this Hon'ble Tribunal.

Date: 15.11.2022

Place: Sangrur

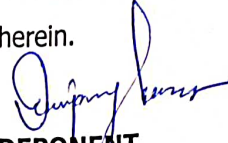

DEPONENT
(Vijay Kumar)
Environmental Engineer,
Punjab Pollution Control Board
Regional Office, Sangrur

VERIFICATION:

Verified that the contents of paragraphs 1 to 9 of the above affidavit are true and correct to my knowledge as derived from the official record. The contents of paragraph 10 are prayer No part of the above affidavit is false and nothing material has been kept concealed or suppressed therein.

Date: 15.11.2022

Place: Sangrur



DEPONENT
(Vijay Kumar)
Environmental Engineer,
Punjab Pollution Control Board
Regional Office, Sangrur



ਪੰਜਾਬ ਪ੍ਰਦੂਸ਼ਣ ਕੰਟਰੋਲ ਬੋਰਡ
PUNJAB POLLUTION CONTROL BOARD

No.1509-11.....

Dated.24-5-2022.....

Through e-mail

To

1. Dr. K.K.Garg,
Deputy Director (S)
Ministry of Environment, Forest & Climate Change,
North Zone Office, Chandigarh.
2. Sh. Gurnam Singh,
Regional Director,
Central Pollution Control Board,
Chandigarh.
3. Environmental Engineer,
Regional Office, Sangrur.

AEEL
For compliance
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23/5/22

Subject :- Minutes of the Meeting taken by Chairman Punjab Pollution Control Board with the Officers of MoEF & CC, New Delhi, Central Pollution Control Board, New Delhi and Punjab Pollution Control Board on 09.05.2022 to discuss the directions of NGT to be complied with as per orders dated 08.02.2022 in the matter of O.A No.682/2019.

A copy of the minutes of meeting taken by Chairman Punjab Pollution Control Board on the subject cited matter is enclosed herewith for information & necessary action please.

DA/as above

Environmental Engineer
For & on behalf of Chairman

Endst.No. _____

dated _____

A copy of the above is forwarded to the following for information:-

1. Private Secretary to Chairman, Punjab Pollution Control Board, Patiala.
2. P.A to Member Secretary, Punjab Pollution Control Board, Patiala.

DA/as above

Environmental Engineer
For & on behalf of Chairman

ਵਾਤਾਵਰਣ ਭਵਨ, ਨਾਭਾ ਰੋਡ, ਪਟਿਆਲਾ - 147001
Vatavaran Bhawan, Nabha Road, Patiala - 147001

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Phone : Chairman. : 0175-2215793, Member Secretary : 0175-2215802 (O), 2215636 (FAX)
Website : www.ppcb.gov.in | E-Mail : chairmanppcb@yahoo.in | msppcb@gmail.com |

Minutes of the Meeting taken by Dr. Adarsh Pal Vig, Chairman Punjab Pollution Control Board with the Officers of MoEF & CC, New Delhi, Central Pollution Control Board, New Delhi and Punjab Pollution Control Board on 09.05.2022 to discuss the directions of NGT to be complied with as per orders dated 08.02.2022 in the matter of O.A No.682/2019.

The following were present:-

MoEF & CC, New Delhi:

Dr.K.K.Garg, Deputy Director (S) (Through V.C)

Central Pollution Control Board:

1. Sh. Gurnam Singh, Regional Director, Chandigarh
2. Sh. J.P.Meena, Scientist 'D', RO, Chandigarh

Punjab Pollution Control Board:

1. Sh. Krunesh Garg, Member Secretary
2. Sh. Pardeep Gupta, Chief Environmental Engineer (B) (Through V.C)
3. Sh. Rajeev Sharma, Senior Environmental Engineer, ZP-II
4. Sh. Om Parkash, Environmental Engineer, ZP-II
5. Sh. Rajeev Gupta, Environmental Engineer, RO, Sangrur
6. Sh. Vipam Jindal, Asstt. Environmental Engineer, RO, Sangrur

At the outset, Member Secretary welcomed all the officers present in the meeting.

Senior Environmental Engineer, ZP-II brought out that Hon'ble NGT in the matter of OA No.682/2019 titled as Beant Singh Bajwa, President National Anti Corruption Council v/s State of Punjab has passed orders dated 8.2.2022 related to Trident Group, Dhaura, Barnala.

Thereafter deliberations in the matter were held as under:-

1. **Issue of Emission standards covered by item 6 in the joint Committee report**
NGT in its order dated 8.2.2022 has observed and directed as under:-

As per EC condition of 2012 referred to in the report of the Joint Committee, standard of emission required is 75 mg/Nm³ which stands further revised to 50 mg/Nm³ by later EC while permitting expansion on 07.11.2005 for 265 – 375 TPD and on 23.08.2016 for the

expansion from 1,35,000 – 2,10,000 TPA. Accordingly, emissions of particulate matter required is 50 mg/Nm³. Thus, the stand of the PP that general standard 150 mg/Nm³ is applicable and the unit is compliant is not factually correct, being against EC condition which is binding. It is clear from the report of the joint Committee that the violations have been continuing and are still continuing. PP has sought time to comply till September, 2022. Further, in report of the State PCB under item (b), violations in this regard are found established. The State PCB has issued show cause notice dated 24.09.2021 for the said violation, but final action has not been taken. PCB has determined compensation of Rs. 58.32 lacs for this violation for the period from 1.7.2020 to 30.10.2021. The PP has filed its reply dated 19.12.2021 and submitted that the standard has been achieved on 07.12.2021, but the EC conditions are not referred to. The equipment is to be installed by August, 2022. Consent condition has to be in consonance with the EC. The consent conditions indicate enhancement in the production, but corresponding change in applicable emission norms does not appear to have been made. This aspect needs to be looked into by the PCB and remedial action taken.

Deliberations

It was apprised that the industry was granted Environmental Clearance vide letter dated 08.11.2005 for expansion of unit for manufacturing of writing & printing paper from 265 TPD to 375 TPD with certain conditions mentioned therein. As per the said EC, the industry was required to achieve stack emission standard of 75 mg/Nm³.

Thereafter, the industry was granted EC vide letter dated 23.08.2016 for expansion of unit for manufacturing of writing & printing paper from 375 TPD to 550 TPD with certain conditions mentioned therein. As per the said EC, the industry was required to achieve stack emission standard of 50 mg/Nm³.

It was further apprised that the industry has not yet made the expansion of the unit for manufacturing of writing & printing paper from 375 TPD to 550 TPD. However, the industry has been granted consent to operate under the Water Act, 1974 & the Air Act, 1981 for manufacturing of writing & printing paper @ 415 TPD from own pulp and 35 TPD from purchased bleached pulp against a permitted quantity of 375 TPD in the Environmental Clearance granted to the industry vide letter dated 08.11.2005. However, this production capacity is without any proposed expansion for which Environmental clearance is obtained.

It was also apprised that the industry in its reply dated 5.5.2022 submitted in response to PPCB letter no. 1123 dated 19.4.2022 has informed that it has started achieving emission standard of 75 mg/nm³ in respect of energy boiler by installing the HF controller. In case of recovery boiler-2, the industry has informed that it has placed order to M/s Hamon Research for installation of new ESP. Work is under progress for installation of new ESP and equipment is expected to be delivered in the month of August, 2022. The industry has already submitted timeline for commissioning of new ESP on recovery boiler by September, 2022.

2. Violation of discharge norm

The Unit has to be made accountable for the past violations as per polluter pays principle. Compensation assessed is inadequate as the period of violation is taken only from

1.7.2020 though it is not shown that there was compliance earlier. EC condition has not been referred to. Further, financial capacity of the unit has not been considered as required in view of law laid down inter alia in M. C. Mehta & Anr. v. Union of India (1987) 1 SCC 395, Sterlite Industries (India) Ltd. v. Union of India (2013) 4 SCC 575 and Goel Ganga Developers India Pvt. Ltd. v UOI (2018) 18 SCC 257. Thus, the amount will have to be suitably enhanced and compliance ensured for future. We hold accordingly.

The original ZLD condition which was required to be achieved by June 2014 has still not been achieved. Though time for achieving the same was extended by the State PCB till June 2020, the same is at variance with the original consent conditions. Even if the PCB could extend time, till extension violation has continued. Even after expiry of the extended time till 30.06.2020, compliance has still not been achieved. The non-compliance has continued since 2014. The discharge in drain was proposed to be stopped by December 2021 and discharge on land is said to be meeting the standards which cannot be permanent arrangement having regard to the consent conditions and adverse consequences of discharge of so much water on the land. It is seen that the paper and textile units will altogether discharge 22,710 KLD (16,800 KLD from the paper division and 5910 KLD average daily discharge from the textile division) of treated effluents in an area of 165 acres. Discharge of such huge quantity of effluents on land may result in inundation/flooding of the land. It is not clear where the effluents will go during non-usage period of effluents and during rainy season. Further, there is no foolproof monitoring mechanism which will ensure that proper ferti-irrigation plan is maintained, securing integrity of the soil as well as groundwater quality in prevailing conditions in the command area in question. Further, it needs to be determined as to which technical options will be followed to achieve zero liquid discharge in true sense, ensuring that the water recovered is utilized in the process and the rejects from liquid to solid phase are properly managed as per Hazardous Management Rules, 2016. Given the understanding of the concept of the ZLD, the water recovered has to be used in the process itself and no waste water is discharged in recipient environment. This has to be clarified and affirmed by State PCB and separately by CPCB and MoEF&CC for pan India application.

Deliberation :

The Hon'ble NGT vide its order dated 08.02.2022 after considering the period, nature of violations and financial capacity of the unit, has already decided / imposed the EC amounting to Rs. 5.0 crore in para no. 16.

In para no. 14 of NGT order dated 08.02.2022, it has been mentioned that the paper and textile units will all together discharge 22710 KLD (1680 KLD from Paper Div. & 5910 KLD from Textile Div.) of treated effluent in an area of 165 acres. But, total land available with the industry is 245.5 acres (Paper div. 165 acres & HTD div. 80.5 acres) to utilize treated trade effluent onto land for plantation. Thus, this point is required to be clarified to the Hon'ble NGT w.r.t. availability of land with the industry.

It was apprised that the industry vide Board's letters No.1123 & 1125 dated 19.4.2022 was requested to intimate the compliance status of order dated 8.2.2022 and submit an action plan to the Board immediately for implementation of directions of NGT and to ensure compliance thereof within stipulated time period. The industry in response vide letters dated 5.5.2022 has submitted its reply in respect of PCD & HTD separately. In case of HTD the industry has stated that it has already stopped the discharge of trade effluent into drain since 15.11.2021. As far as recycling of treated waste water is concerned, the industry has informed that it has already initiated action with supplier of the plant for installation of MBR / ATFD and to take trials of the new technology.

In case of PCD, the industry has informed that it has already ordered the pipe line for utilization of treated water on additional adequate land. With the installation of this pipe line, the industry will achieve 100 % utilization of treated water on to irrigation within stipulated timelines.

The industry is required to clarify w.r.t. use of treated trade effluent during no demand period and rainy season. The industry is also required to submit its foolproof monitoring mechanism which will ensure that proper ferti-irrigation plan is maintained, securing integrity of the soil as well as groundwater quality in prevailing conditions.

Regarding Pan India application of ZLD concept, the matter is required to be looked into by MoEF&CC and CPCB separately.

3. **MoEF&CC and CPCB need to resolve the issue how the PP will secure compliance with ZLD condition. Huge quantity of discharge of treated effluents on land for long time is bound to cause damage to the soil as well as groundwater**

The standards notified by the MoEF&CC under Environment (Protection) Act, 1986 with respect to Textile and Pulp and Paper industries. Standards for discharge with respect to textile industries vide GSR, 978(E) dated 10.10.2016, serial no. 6 and other relevant entries are BOD: 30 mg/l, Suspended Solid 100 mg/l, COD 250 mg/l, TDS 2100 mg/l and sodium absorption ratio is 26. CPCB/SPCB can specify more stringent standards depending on the recipient system. Treated effluents can be allowed to be discharged in the ambient environment only after exhausting option for reuse in industrial process/irrigation, to minimize fresh water usage. Standalone large scale units have to meet the values specified. However, the SPCBs with approval of CPCB, may mandate ZLD in large scale units in environmentally sensitive/critical areas. In case of large pulp and paper industries, standards notified vide GSR 546(E) dated 30.08.2005 with capacity above 24,000 MTPA have to achieve BOD 30 mg/l, suspended solid 500 mg/l and effluent discharge should be 200 cubic meter per ton of paper produced.

MoEF&CC and CPCB need to resolve the issue how the PP will secure compliance with ZLD condition. Huge quantity of discharge of treated effluents on land for long time is bound

to cause damage to the soil as well as groundwater. Thus, on resolution of this issue, further action of installing the requisite equipments has thus to be completed within a reasonable time. While holding the PP liable for the past and continued violations on polluter pays principle, the PP has to ensure compliance within reasonable time.

Deliberation:

This issue has already been deliberated above in item No. 2. In case of HTD division, the industry has agreed to achieve ZLD. In case of PCD, the industry has informed that it is in process of laying pipe line to utilized 100% of treated trade effluent onto land for plantation. However, the industry is required to clarify w.r.t. use of treated trade effluent during no demand period and rainy season. The industry is also required to submit its foolproof monitoring mechanism which will ensure that proper ferti-irrigation plan is maintained, securing integrity of the soil as well as groundwater quality in prevailing conditions.

4. **Six months of time for compliance, imposition of 5 crore as Environmental compensation, preparation and execution of action plan to be overseen by CPCB & PPCB:**

Accordingly, while giving six months to the PP for compliance, we hold it liable to contribute a sum of Rs. 5 crores on 'polluter pays' principle, considering the period and nature of violations and financial capacity of the unit but on a conservative estimate, having regard to the peculiar facts and circumstances, including the failure of the regulators in clearly specifying the requirements and vaguely laying down ZLD condition. The said amount be deposited in a separate account by the PP with itself, to be used for improvement of environment in the area as per action plan to be prepared by the CPCB and the State PCB taking into account the District Environment Plan. The execution of action plan may be overseen by the joint Committee of CPCB and State PCB of the area. The deposit may be made within one month. In case compliance is not ensured within six months, the unit will be held liable to pay further compensation at the rate of Rs. 1 crore per month, till compliance.

Deliberation :

It was apprised that the industry has informed that it has created a separate account having total sum of Rs. 5.0 crore to be used for improvement of environment in the area as per the action plan to be prepared by the CPCB & SPCB taking into account of District Environment Plan. The details of the account are as under:

1. A/c name - M/s Trident Ltd.
2. A/c no. - 7175419136
3. Bank name - Indian bank
4. Amount deposited - INR 5.0 crores.

It was deliberated and felt that Regional Office, Sangrur of PPCB shall carry out an extensive field survey of the area and identify the Environmental concerns / issues required to be redressed in the area. A list of activities to be carried out /included in the action plan should be prepared with tentative budget cost and timelines.

5. Action plan by PPCB in consultation with CPCB and MoEF &CC for ensuring compliances of emissions norms, ZLD etc.

The State PCB in consultation with CPCB and MoEF&CC may draw an action plan for ensuring that the industries in question (Paper and Textile) comply with the applicable emission norm i.e. 50 mg/nm³ and achieving ZLD, considering the best technological options and not damaging the soil and groundwater in case of disposal on land and may monitor compliance and file a compliance report of status as on 31.10.2022 by 15.11.2022 with the Registrar General, NGT 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.

Deliberation:

As already deliberated above, the industry is required to achieve emission standard of 75 mg/nm³ as it has not carried out the expansion of project for which environment clearance has been obtained wherein condition of achieving emission standard of 50 mg/Nm³ has been imposed. It was also apprised that the industry in its reply dated 5.5.2022 submitted in response to PPCB letter no. 1123 dated 19.4.2022 has informed that it has started achieving emission standard of 75 mg/nm³ in respect of energy boiler by installing the HF controller. In case of recovery boiler-2, the industry has informed that it has placed order to M/s Hamon Research for installation of new ESP. Work is under progress for installation of new ESP and equipment is expected to be delivered in the month of August, 2022. The industry has already submitted timeline for commissioning of new ESP on recovery boiler by September, 2022.

As per as achieving ZLD and issue of not damaging the soil and groundwater in case of disposal on land is concerned, the industry in case of HTD division, the industry has agreed to achieve ZLD. In case of PCD, the industry has informed that it is in process of laying pipe line to utilized 100% of treated trade effluent onto land for plantation. However, the industry is required to clarify w.r.t. use of treated trade effluent during no demand period and rainy season. The industry is also required to submit its foolproof monitoring mechanism which will ensure that proper ferti-irrigation plan is maintained, securing integrity of the soil as well as groundwater quality in prevailing conditions.

6. Status report with regard to compliance of ZLD by other categories of industries to be filed by CPCB and MoEF&CC :

We also direct that CPCB and MoEF&CC through the CPCB to file separate status report on the status of compliance of ZLD with reference to the other categories of industries

particularly for distilleries, textile, pulp and paper, pharmaceutical etc. viz-a-viz with reference to standards notified and implications of permitting for disposal of effluents on land, posing serious threat to soil and groundwater in long run, by 15.11.2022. If any further direction appears to be necessary, the Registrar General, NGT may place the matter before the Bench.

Deliberations:

It was deliberated that action in the matter is required to be taken by CPCB and MoEF&CC separately.

Decisions:

1. To achieve emission standard of 75 mg/Nm³, the industry shall upgrade its existing APCD within stipulated timelines of six months allowed by NGT vide order dated 8.2.2022.
2. As informed and agreed upon by the industry vide its letter dated 5.5.2022, HTD unit shall install and commission ZLD system (MBR / ATFD) to recycle its treated waste water within stipulated timelines as provided in NGT order dated 8.2.2022.
3. In case of PCD unit, the industry shall divert its entire treated trade effluent for reuse in the process and surplus effluent onto land for plantation as proposed by 30.6.2022 and shall not discharge any trade effluent into drain after 30.6.2022. The industry shall also clarify w.r.t. use of treated trade effluent during no demand period and rainy season. The industry shall also submit its foolproof monitoring mechanism which will ensure that proper ferti-irrigation plan is maintained, securing integrity of the soil as well as groundwater quality in prevailing conditions.
4. Regional Office, Sangrur of PPCB shall carryout an extensive field survey of the area and prepare a draft action plan as already deliberated above. This excise shall be completed within 15 days. Report of Regional Office, Sangrur shall be placed before a subcommittee to be constituted by Chairman, PPCB and then placed in the next joint meeting of MoEF&CC, CPCB & PPCB.



ਪੰਜਾਬ ਪ੍ਰਦੂਸ਼ਣ ਕੰਟਰੋਲ ਬੋਰਡ
PUNJAB POLLUTION CONTROL BOARD

No.

(Through e-mail also)

Dated.

To

1. Dr. K.K. Garg,
Deputy Director (S),
MoEF & CC, North Zone Office,
Chandigarh.
2. Sh. Gurnam Singh,
Regional Director,
Central Pollution Control Board,
Chandigarh.
3. Deputy Commissioner,
Barnala.

A.E.S.I

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2/9/22

ਇਨ੍ਹਾਂ ਵਿੱਚ:

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Subject: Minutes of the Meeting taken by Dr. Adarsh Pal Vig, Chairman, PPCB with the Officers of, MoEF & CC, CPCB on 18.08.2022 to finalize the Action Plan for improvement of environment in the area in compliance to the orders of Hon'ble NGT dated 08.02.2022 in the matter of O.A No.682/2019.

In continuation to this office letter No. 2095-2100 dated 26.7.2022, the matter was deliberated in the subject cited meeting and the Action Plan has been amended in reference to the observations of CPCB and MoEF & CC received through e-mail dated 26.8.2022. The proceedings of the meeting containing **Action Plan** for improvement of Environment in the area are sent herewith for further necessary action.

DA/As above

Environmental Engineer (ZP-2),
for and on behalf of the Chairman.

Endst. No. 2511-12Dated: 1-9-2022

A copy of the above is forwarded to the following for information and implementation of the Action Plan at ground level.

1. Environmental Engineer, Pollution Control Board, Office, Sangrur.
2. M/s Trident Ltd., (PCD & HTD Division), Trident Complex, Village Dhaura, Tehsil & Distt. Barnala for ensuring the compliance of order dated 8.2.2022 within the stipulated period.

DA/As above

Environmental Engineer (ZP-2),
for and on behalf of the Chairman.

ਵਾਤਾਵਰਣ ਭਵਨ, ਨਾਭਾ ਰੋਡ, ਪਟਿਆਲਾ-147001

Vatavaran Bhawan, Nabha Road, Patiala -147001

Phone : Chairman. : 0175-2215793, Member Secretary : 0175-2215802 (O)

Website : www.ppcb.gov.in | E-Mail : chairmanppcb@yahoo.in | msppcb@gmail.com |

Minutes of the Meeting taken by Dr. Adarsh Pal Vig, Chairman, Punjab Pollution Control Board with the Officers of, MoEF & CC, New Delhi, Central Pollution Control Board, New Delhi and Punjab Pollution Control Board on 18.08.2022 to finalize the action plan for improvement of environment in the area in compliance to the orders of Hon'ble NGT dated 08.02.2022 in the matter of O.A No.682/2019 titled as Beant Singh Bajwa, President National Anti-Corruption Council v/s State of Punjab.

The following were present:-

MoEF & CC, New Delhi :

Dr.K.K.Garg, Deputy Director (S)

Central Pollution Control Board :

Sh. Gurnam Singh, Regional Director, Chandigarh

Punjab Pollution Control Board :

1. Er. Krunesh Garg, Member Secretary
2. Er. Pardeep Gupta, Chief Environmental Engineer (B)
3. Er. Ashok Sharma, Senior Environmental Engineer, ZP-II
4. Er. Om Parkash, Environmental Engineer, ZP-II
5. Er. Rajeev Gupta, Environmental Engineer, RO, Sangrur
6. Er. Vipam Jindal, Asstt. Environmental Engineer, RO, Sangrur

At the outset Environmental Engineer, Regional Office, Sangrur welcomed all the committee members and apprised about the orders passed by the Hon'ble NGT dated 08.02.2022 in the matter of OA no. 682 / 2019 titled as Beant Singh Bajwa, President National Anti-Corruption Council v/s State of Punjab. It was further apprised that as per the orders of the Hon'ble NGT, an action plan is required to be prepared by the Committee consisting of CPCB and State PCB taking into account the activities mentioned in the District Environment Plan of District Barnala. The relevant para of the orders passed by the Hon'ble NGT is reproduced as under:

Accordingly, while giving six months to the PP for compliance, we hold it liable to contribute a sum of Rs. 5 crores on 'polluter pays' principle, considering the period and nature of violations and financial capacity of the unit but on a conservative estimate, having regard to the peculiar facts and circumstances, including the failure of the regulators in clearly specifying the requirements and vaguely laying down ZLD condition. The said amount be deposited in a separate account by the PP with itself, to be used for improvement of environment in the area as per action plan to be prepared by the CPCB and the State PCB taking into account the District Environment Plan. The execution of action plan may be overseen by the joint Committee of CPCB and State PCB of the area. The deposit may be made within one month. In case compliance is not ensured within six months, the unit will be held liable to pay further compensation at the rate of Rs. 1 crore per month, till compliance.

The activities mentioned in the District Environment Plan of District Barnala which had already been finalized, were deliberated in detail by the committee members. It is pertinent to mention here that Action Plan for improvement of environment in the area was prepared and approved by the Competent Authority of the Board. The same was sent to the CPCB and MoEF & CC, New Delhi vide Board's letter No. 2095-98 dated 26.7.2022. However, officers of the CPCB & MoEF& CC desired some amendments in the allocation of funds for various activities. Accordingly, all the activities envisaged earlier were reconsidered viz-a-viz allocation of funds for each activity clearly indicating the timelines.

The details regarding various activities along with timelines of its completion and funds required are as under:

Sr. No.	Name of Activity	Timelines	Approx. Expenditure (In Crore)	Remarks
1.	Plantation at Lands identified focusing on chunks including development of Mini Forest, Urban Forest, Bio-Diversity Park and its maintenance.	Oct, 2022	Rs. 1.0	Oxygen emitting plant i.e. broad leaf plants shall be provided.
2.	In-situ bio-remediation of Dhanaula Drain	Nine months	Rs. 1.0	-
3.	Cleaning, Rejuvenation of village ponds, water bodies, wet lands, storm water drain etc. and repair of water course originating from Harigarh Canal to facilitate farmers of 12 villages for using canal water for irrigation to avoid ground water abstraction.	Six months	Rs. 1.0	-
4.	De-silting, Cleaning, beautification, plantation & berm pitching of Dhanaula Drain.	Six months	Rs. 0.50	-
5.	Rain Water Harvesting System	Six months	Rs. 0.50	Only for Govt. offices building and institutions.
6.	Solid Waste Management i.e. Vermi-Composting, promotion of reuse of plastic waste etc.	Six months	Rs. 0.75	Creation of MRF, compost pits, plastic waste management in rural areas. Alternative to Single Use Plastic (SUP) and awareness regarding reuse, recycle & recovering of plastic waste.
7.	Miscellaneous need based activities for reclamation of Air, Water & Soil pollution of the area and IEC activities in this regard.	Six months	Rs. 0.25	-

It was further decided that all the above mentioned activities are required to be carried out by the industry as per the Hon'ble NGT orders dated 08/02/2022 under the supervision of committee consisting of officers of CPCB & PPCB. Also, it was decided that the industry will maintain the records / bills / vouchers of expenditure for the completion of said activities and get these pre-audited before making actual payments. The accounts of expenditure as mentioned above will be maintained by the industry and will be audited by the committee on monthly basis. The PPCB shall convey the above said Action Plan to the industries with the directions to immediately start the activities in the field and shall complete the same within timelines prescribed for each activity. Also, industry shall submit progress report to the committee on regular basis.

Meeting ended with vote of thanks to the chair.

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