

Item No. 05 to 08

Court No. 1

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

Original Application No. 33/2013 (THC)

(With report dated 15.02.2021)

Karnail Singh & Ors.

Applicant

Versus

CPCB & Ors.

Respondent(s)

WITH

Original Application No. 30/2013 (THC)
(I.A. No. 326/2020)

Jai Singh & Ors.

Applicant

Versus

U.O.I. & Ors.

Respondent(s)

WITH

Original Application No. 101/2020

Suhail Durani

Applicant

Versus

State of Punjab

Respondent(s)

WITH

Original Application No. 164/2020

Satinder Mohan Singh Grover & Ors.

Applicant

Versus

Central Pollution Control Board & Ors.

Respondent(s)

Date of hearing: 25.02.2021

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

Applicant(s): Mr. Karan Jund Mullanpur, Advocate in OA No. 33/2013 & OA
No. 30/2013
Mr. Karan Rajpurohit, Advocate in OA No. 164/2020
Mr. Gagan Kumar, Advocate in IA No. 326/2020

Respondent(s): Ms. Munisha Gandhi, Senior Advocate with Ms. Suvineet Sharma,
Advocate for R-5 in OA 33/2013
Mr. Raj Kumar, Advocate for CPCB

Ms. Richa Kapoor, Advocate for PPCB
Mr. Atul V. Sood, Advocate for R-11
Ms. Suvineet Sharma, Advocate for R-7
Mr. A.R. Takkar, Advocate
Mr. Naginder Benipal, Advocate
Mr. Raktim Gogoi, Advocate
Mr. Praveen Mahajan, Advocate
Mr. Gagan Gupta, Advocate

ORDER

1. This group of matters relates to remedial action against violation of environmental norms by several industries in Dera Bassi, District SAS Nagar (Mohali), Punjab, adversely affecting the environment and the public health on account of release of hazardous effluents in the drain, resulting in water, air and soil pollution.
2. While the first two matters have been pending before this Tribunal for the last eight years, after transfer from the Punjab and Haryana High Court, next two matters have been filed in the year 2020. Vide order dated 8.7.2020 in OA101/2020 and dated 17.08.2020 in OA 164/2020, the Tribunal, directed the joint Committee of Central Pollution Control Board (CPCB) and the State PCB (SPCB) to visit the site and furnish a factual report with recommendations for remedial action. The Tribunal also requested the Committee headed by Justice Jasbir Singh, former Judge of the Punjab and Haryana High Court¹ to oversee the remedial action and give its independent report.
3. Accordingly, two reports have been filed by the joint Committee on 19.11.2020 and 08.01.2021. The Monitoring Committee headed by Justice Jasbir Singh has also filed two reports on 30.12.2020 and 15.02.2021. We have heard learned Counsel for the appearing parties and considered the reports.

¹ Constituted vide order dated 01.10.2019 in OA 138/2016, Stench Grips Mansa's Sacred Ghaggar River

4. Before dealing with the same, we may mention brief procedural history of the four matters.

OA 33/2013 (T_{HC}):

5. OA 33/2013 (T_{HC}) has been registered on transfer of a Writ Petition on the file of the Punjab and Haryana High Court being CWP No. 18052/2011, *Karnail Singh & Ors. v. CPCB & Ors.*, seeking preventive action and restoration of water and air by the factories near *Dhabi nala* in Dera Bassi, District SAS Nagar (Mohali). In the said application apart from official respondents, following eight industrial units are parties:

- “1. *Punjab Chemicals & Crop Protection Ltd. (PCPL) Bhankarpur Tehsil Dera Bassi, District Mohali (SAS Nagar), through its Director.*
2. *Power Drugs Ltd., C-25, Industrial Focal Point, Tehsil Dera Bassi District Mohali (SAS Nagar), through its Director.*
3. *Piyansu Chemical Pvt. Ltd., D-23, Industrial Focal Point, Tehsil Dera Bassi, District Mohali (SAS Nagar), through its Director.*
4. *Varindea Organic Pvt. Ltd., D-24, Industrial Focal Point, Tehsil Dera Bassi, District Mohali (SAS Nagar), through its Director.*
5. *ESSIX Biosciences Ltd., 4&5, Industrial Focal Point, Tehsil Dera Bassi, District Mohali (SAS Nagar), through its Director.*
6. *Ally Chemical Lab Pvt. Ltd., E-68-69, Industrial Focal Point, Tehsil Dera Bassi, District Mohali (SAS Nagar), through its Director.*
7. *Nectar Life Sciences Limited (Unit 2), village Saidpura, Tehsil Dera Bassi, District Mohali (SAS Nagar), through its Director.*
8. *Saurav Chemical Factory situated at Barwala road, village Saidpura, Tehsil Dera Bassi, District Mohali (SAS Nagar), through its Director.”*

6. After the matter was received from the High Court, the Tribunal issued notice to all the parties on 21.02.2013. Thereafter several orders have been passed in the last eight years. The orders required verification of factual position with regard to the water, air and soil pollution and the remedial action. Reference may be made to some of the orders. Vide order dated 29.08.2014, the Tribunal noted from the status report filed by the State PCB that groundwater pollution was being caused not only by the industries which were parties before the Tribunal but also 87

other industrial units which were members of Punjab Small Industries & Export Corporation Ltd. (PSIEC) discharging effluents in Dhabi nala. The PSIEC was accordingly added as a party. The Tribunal also monitored establishment of CETP, installation of online monitoring mechanism and CCTV cameras. CETP was to particularly cater to the effluents discharged by the pharmaceutical industries. Vide order dated 07.04.2016, all the industrial units in and around Dera Bassi were directed to be inspected by the joint Committee of CPCB and the SPCB and status report was required to be filed. Vide order dated 02.11.2018, the matter was exhaustively reviewed in the light of stand of the State PCB that there was continuing pollution by some industrial units for which criminal prosecution was being initiated. It was also mentioned that 57 industries were closed down on that account. Civil Appeal No. 10997/2018, *Federal Agro Industries Private Limited v. Union of India & Ors.*, was preferred against the order of this Tribunal dated 25.10.2018 which was disposed of by the Hon'ble Supreme Court vide order dated 02.11.2018 relegating the said industrial units to the remedy of appearing before this Tribunal. Vide order dated 03.12.2018, cases of individual industrial units were considered and dealt with. Similar course of action was adopted vide orders dated 09.01.2019, 06.02.2019, 18.02.2019, 08.03.2019, 22.04.2019, 08.05.2019, 16.05.2019, 31.05.2019, 08.07.2019, 19.07.2019, 21.08.2019, 18.12.2019, 08.01.2020, 14.02.2020 and finally on 15.06.2020. Thereafter the matter has been put up today.

OA 30/2013 (THC):

7. OA No. 30/2013 (THC) was also registered on the basis of transfer of proceedings from the Punjab and Haryana High Court (CWP No. 1164/2013, *Jai Singh & Ors. v. Union of India & Ors.*). The Writ Petition

sought directions to close polluting industries and to recover compensation on “Polluter Pays” principle. In the said Writ Petition two individual industrial units were party being M/s Nectar Life Sciences Limited and M/s Rajasthan Liquors Limited, out of which one (M/s Rajasthan Liquors Limited) was deleted later, vide order dated 11.08.2016. The Tribunal issued notice to the parties on 20.02.2013 and dealt with the matter in the last eight years by several orders on the same pattern as in OA No. 33/2013 (T_{HC}), supra. In fact, most of the time, the matter has been taken up alongwith OA No. 33/2013 (T_{HC}) supra, and common orders have been passed for the present matter and the said matter, last order being dated 15.06.2020.

OA No. 101/2020:

8. OA No. 101/2020 was taken up independently on 08.07.2020 complaining against air pollution in the industrial belt at Dera Bassi affecting health of the inhabitants in the radius of one km of the industrial area. The Tribunal directed a joint Committee of CPCB and the State PCB to visit the site and furnish a factual report alongwith recommendations for remedial action. The Tribunal also requested the Committee headed by Justice Jasbir Singh, former Judge of the Punjab and Haryana High Court to oversee the remedial action and to give an independent report, as has already been mentioned. The filing of the reports has already been mentioned.

OA No. 164/2020:

9. OA No. 164/2020 was likewise independently taken up on 17.08.2020 with similar grievance against named industrial units - M/s. SBL Specialty Coating Private Ltd, Mani Majra, Chandigarh, M/s Kamla Dials & Devices Limited, M/s Samrat Plywood Limited, M/s Nector

Lifesciences Ltd, M/s Hansa Tubes Private Ltd, M/s Winsome Yarns Ltd, Chandigarh and M/s Crop Care Pesticides (I) Private Ltd, Dera Bassi, S.A.S Nagar, Punjab which were 'red' category units in proximity of residential areas particularly Gulmohar City, situated at Haibatpur Road, Tehsil Dera Bassi, Kailash Enclave, Shree Bala Ji Golf View, Sai Enclave, Gulmohar City Extension and ATS Golf Meadows Colonies at Dera Bassi. Prayer of the applicant is to ensure compliance of environmental norms on the pattern of directions in O.A No. 1038/2018, News item published in "The Asian Age" Authored by Sanjay Kaw Titled "CPCB to rank industrial units on pollution levels" for identified polluted industrial clusters. The Tribunal, after referring to OA No. 101/2020, directed the same joint Committee to look into the averments of this application also. The Committee was further directed to include in its report status of compliance of industries, Comprehensive Environment Pollution Index (CEPI) of the area, water quality of drain/Choe in the vicinity, ground water status in terms of permission for extraction and quality, ambient air quality and action plan for mitigation of the area with relevant details.

Today's proceedings and consideration of reports (last being report dated 15.02.2021)

10. We now proceed to deal with all the four matters in a consolidated manner in the light of reports which cover the issues raised in all the four matters i.e. the compliance of environmental norms in the industrial area within one km radius of Dera Bassi, affecting the inhabitants therein. It is not necessary to refer to all the reports in view of the fact that the latest report dated 15.02.2021 filed by the Committed headed by Justice Jasbir Singh covers the entire issue. **The Committee broadly found that problem of air and water pollution did exist in the area**

and also examined the emissions and discharge by individual industrial units. The Committee has recommended action of maintaining vigilance and conducting further investigation about the level of air and water pollution. Reference has also been made to an action plan for clean air by the Department of Environment, Government of Punjab on 12.02.2019. The Committee looked into the joint report of the CPCB and the State PCB based on its inspection of industrial units in 1 km radius of the habitations in question in Dera Bassi area, particularly the following:

- “1. *M/s. SBL Specialty Coating Private Ltd., Haibatpur Road, Dera Bassi, Distt. SAS Nagar.*
2. *M/s KDDL Limited, Haibatpur Road, Dera Bassi, Distt. SAS Nagar.*
3. *M/s Crop Care Pesticides (India) Pvt. Ltd., Haibatpur Road,*
4. *M/s Hansa Tubes Pvt.Ltd., Haibatpur Road, Dera Bassi, Distt. SAS Nagar.*
5. *M/s Samrat Plywood Ltd., Haibatpur Road, Dera Bassi, Distt. SAS Nagar.*
6. *M/s Contour Automotive Products Ltd., Village Bhankarpur, Mubarikpur Road, Dera Bassi, Distt. SAS Nagar.*
7. *M/s Nectar Lifesciences Ltd (Unit-2), Village Saidpura, Tehsil Dera Bassi, Distt. SAS Nagar.*
8. *M/s Nectar Lifesciences Ltd (Unit-1), Village Saidpura, Tehsil Dera Bassi, Distt. SAS Nagar.*
9. *Punjab Chemicals &Crop Protection Ltd. (Agro-Division), Village Bhankarpur, Dera Bassi, Distt. SAS*
10. *M/s Rajasthan liquors limited (Distillery Division), Vill. Haripur Hinduan, Barwala Road, Dera Bassi, SAS Nagar.”*

11. The Committee found that for dealing with the problem further relevant data and information was required to be compiled with reference to:

- “1. **Comprehensive environmental pollution index (CEPI) of Dera Bassi area.**
2. **Collection of stack emissions samples w.r.t parameters VOC, SO₂, HC, where ever, applicable.**
3. **Water quality of the drain/choe in the vicinity.**
4. **Ground water status in terms of permission for extraction of ground water, quality of ground water.**
5. **Quality of soil.**

6. **Hazardous waste generation and its disposal by the industries**
7. **Disposal of solid waste including rice hush ash and its management**
8. **Ambient air quality of Dera Bassi area.**
9. **Action plan for mitigation of pollution in the area with relevant details.”**

12. The Committee then considered the issue of four non-compliant units namely sl. no. 4 and 7 to 9 out of the above list. The recommendations in respect of each of the 10 industrial units are as follows:

“2.1 M/s. SBL Specialty Coating Private Ltd., Haibatpur Road, Dera Bassi, Distt. SAS Nagar.

- i. *The industry should provide proper scrubbing system to control VOC parameter in the spray paint section within 3 months so as to meet with the prescribed norms.*
- ii. *The industry should adopt adequate mechanism to control VOC emission generated during open handling of raw material and finished products within 03 months.*
- iii. *The transfer systems of solvents from the storage tank to the mixing tank and further transfer of the product to the final storage tanks should be done in closed loop so as to control fugitive emissions.*
- iv. *The industry shall provide green belt along its boundary to attenuate air pollution.*
- v. *The industry shall regularly operate and maintain its sewage treatment plant to ensure that the treated effluent conforms to the standards laid down by the Board for such type of industrial discharges.*
- vi. *The industry shall not generate any trade effluent and domestic effluent shall be discharged onto land for plantation after adequate treatment.*
- vii. *The industry will maintain its plantation area in scientific manner so as to ensure that no stagnation occurs at any time due to the discharge of treated domestic effluent in the said area.*

2.2 M/s KDDL Limited, Haibatpur Road, Dera Bassi, SAS Nagar.

- i. *The industry has the processes of electroplating for shining and finishing of Watch Dials and uses Potassium Cyanide, Sodium Cyanide, Gold Potasium Cynide, Silver Potasium Cynide, Nickel Sulphate, which are very toxic chemicals. For the treatment of wastewater of the industry, it has installed an ETP based on physico-*

chemical treatment and the treated effluent is discharged onto land for plantation. The Monitoring Committee is of the view that mode of disposal of toxic effluent on to land for plantation for longer period is not advisable as effluent may leach and contaminate the ground water and soil of the area.

Therefore, the monitoring Committee recommends that the industry shall install ETP based on Zero Liquid Discharge (ZLD) Technology within 4 months and the recovered effluent (permeate) may be recycled in the processes of the industry and the hazardous sludge generated from ZLD system shall be properly dried on the impervious platform and dried sludge may be sent to TSDF for its scientific disposal.

- ii. The industry shall ensure that no wastewater from its industrial premises / plantation area or otherwise shall be discharged into storm water drains directly or indirectly under any circumstances.
- iii. In order to control toxic emissions generated within the processes, the industry shall provide proper suction system and the sucked emissions may be treated through scrubbing system with suitable scrubbing media. The said liquid scrubbing system may be installed within 03 months.
- iv. Punjab Pollution Control Board shall collect and analyse the stack emissions sample from lacquering section within 15 days.

2.3 M/s Crop Care Pesticides (India) Pvt. Ltd., Haibatpur Road, Dera Bassi, SAS Nagar.

- i. In order to control fugitive emissions from underground solvent storage tanks, vents of these tanks may be connected with common duct and the fugitive emissions may be passed through scrubbing medium. The control mechanism with scrubbing system may be installed within 03 month.
- ii. Punjab Pollution Control Board shall collect and analyse the stack emissions samples from the stack attached to pesticides grinding section within 15 days.
- iii. The industry shall obtain renewal of consent under the provisions of Water Act, 1974 and Air Act, 1981 within 03 months.
- iv. The industry shall earmark and provide dedicated storage space for storage of chemicals with full safety measures, which are presently lying packed in HDPE containers in an open area.

2.4 M/s Hansa Tubes Pvt. Ltd., Haibatpur Road, Dera Bassi.

- i. PPCB shall continue to make surprise inspection of the area around the industry to ensure that no treated/untreated effluent is discharged into any drain.

- ii. *The industry shall treat entire scrubbing effluent in Effluent Treatment Plant based on zero liquid discharge (ZLD) technology to be installed.*
- iii. *The industry is discharging its physico-chemical treated effluent on to land for plantation and its continuous application containing metal contents, on to land is not advisable as the effluent may seep underground and contaminate the groundwater and soil and may also affect its fertility. Moreover, the parameters namely TDS, Chloride, Sulphate, Iron & Total Chromium, with their high values as mentioned in the report cannot be brought within the permissible limits by imparting physico-chemical treatment, therefore, the industry should install Zero liquid discharge technology (RO system followed by multi effect evaporator) within 4 months and the recovered water (permeate) may be recirculated back into the process and the hazardous sludge may be dried in dryer and after drying, the same may be sent to TSDF, Nimbuan.*
- iv. *Since the values of TDS, chloride and sulphate in the analysis results of the effluent sample collected by PPCB in the month of August, 2020 are higher than the permissible limits, therefore, PPCB shall impose an environmental compensation of suitable amount for the damage caused to the environment and the same may be utilized for rejuvenation of quality of environment as per guidelines prescribed by Central Pollution Control Board.*
- v. *Punjab Pollution Control Board shall collect the stack emission sample from the stack attached to air pollution control device of pickling section within 15 days.*
- vi. *PPCB shall carry out groundwater sampling by getting install piezometers within the premises of the industry so as to assess ground water contamination due to continuous application of effluent on land for plantation.*
- vii. *The industry shall remove the HSD fired hot water generated boiler which is lying redundant in its premises within 15 days and submit the compliance to the Board within next 3 days.*

2.5 M/s Samrat Plywood Ltd., Haibatpur Road, Dera Bassi.

- i. *PPCB shall keep watch on operation of air pollution control system installed by the industry so as to ensure that the stack emissions are always within the norms.*
- ii. *The industry shall evaporate its effluent @100 litres/month in solar evaporation pan with additional heating arrangements and ensure that no effluent is discharged by the industry.*

2.6 M/s Contour Automotive Products Ltd., Village Bhankarpur, Mubarikpur Road, Dera Bassi.

- i. Punjab Pollution Control Board may conduct comprehensive study of air pollution control devices installed on induction furnace, sand regeneration plant and shot blasting machines for two days so as to assess the effectiveness of the air pollution control systems and necessary modifications/upgradation in the system shall be made by the industry within 03 months.
- ii. Punjab Pollution Control Board shall conduct ambient air quality analysis within premises of the industry as well as 100m away from boundary wall of the industry on all the four sides within 15 days.
- iii. For the control of fugitive emissions generated during pouring of molten metal, cooling, shake-out processes and other processes, the industry should engage the services of consultant of repute within 01 month to evolve best available technology and provide the same within 03 months. PPCB shall monitor the said activities of the industry on monthly basis.

2.7 M/s Nectar Lifesciences Ltd (Unit-2), Village Saidpura, Tehsil Dera Bassi, Distt. SAS Nagar.

- i. Since there is problem of handling of rice husk ash and it flows into the nearby drain and cause obstructions to the flow of drain water, therefore, the industry shall construct a covering shed of 1000 m² within 01 month so that it may store the rice husk ash for the period till its disposal. The dumping yard may be provided quite away from the drain. Proper record of quantity of rice husk generated per day, quantity of rice husk lifted and balance quantity of rice husk at dumping site may be maintained by the industry.
- ii. The industry shall construct a brick wall of adequate length and height not less than 3m towards the residential areas within 01 month so that no fly ash may blow towards residential areas.
- iii. The industry shall provide retaining wall/ structure along the drain towards the rice husk dumping yard to prevent the flow of fly ash into the drain, within 01 month.
- iv. The industry shall collect accumulated rice husk ash/fly ash from the drain and the same may be disposed of in an environmentally sound manner within 01 month.
- v. The industry shall ensure that the vehicles will be covered with the tarpaulin during transportation of ash and ash will be transported in wet conditions to prevent it becoming the same air borne during transportation.
- vi. Treated/untreated effluent should not be discharged on rice husk dumping yard for quenching purposes.
- vii. PPCB shall collect and analyse the ground water samples within the premises of the industry to check its quality within 21 days.

- viii. *The industry shall ensure that no wastewater from its industrial premises / plantation area or otherwise should be allowed to discharge into storm water drain directly or indirectly under any circumstances.*
- ix. *The industry shall get the channels carrying wastewater within its premises to the ETP/ MEE lined with impervious material like FRC lining etc. and repair the eroded drains within 01 month.*
- x. *The industry should install electromagnetic flow meters at all the effluent carrying streams/ pipelines originating from each process /section leading to ETP/ MEE installed within its premises within 03 months.*
- xi. *The industry shall comply with the guidelines mentioned in the SOP for utilization of the spent solvents and install minimum required facility as delineated in the Standard Operating Procedure issued by the CPCB for recovery of spent solvents, immediately.*
- xii. *PPCB shall get conduct performance study of ETP of the industry from its Environment Protection squad within 15 days to assess as to whether the ETP is adequate and effective to treat wastewater from both the units of industry. The performance study may be conducted by collecting 4 hourly composite samples of Effluent Treatment Plant for 2 days. Thereafter further action in the matter shall be taken accordingly.*
- xiii. *The industry shall provide temporary bridge/structure after getting approval from the concerned authorities so that plantation areas across the drain could also be inspected.*
- xiv. *The industry shall submit its permission for abstraction of ground water from central ground water authority within 01 month.*

2.8 M/s Nectar Lifesciences Ltd (Unit-1), Village Saidpura, Tehsil Dera Bassi, Distt. SAS Nagar.

- i. *The industry shall install flow measuring device for measurement of effluent from each section to the collection tanks meant for collection of high TDS and low TDS effluent within 03 months.*
- ii. *The industry shall maintain proper record of the effluent streams (low TDS and High TDS streams) generated per day, collected in different collection tanks and transferred to its sister concern unit for treatment and electromagnetic flow meters at all these points should be installed within 03 months.*
- iii. *For the management of rejects of DM water and RO system, the industry shall install dryer of adequate capacity within 03 months for drying of rejects and dried sludge should be disposed of at TSDF, Nimbuan.*
- iv. *Since the industry is disposing of its rice husk ash in its sister concern unit. Therefore, before sending rice husk ash to the other unit, its weighment should be made and proper record of rice husk ash generated per day, quantity of rice husk sent to other unit and balance*

quantity of rice husk left with the industry should be maintained. The industry should provide storage shed of adequate capacity to store rice husk ash within 01 month.

- v. The industry shall ensure that the vehicles will be covered with the tarpaulin during transportation of ash and ash will be transported in wet conditions to prevent it becoming the same air borne during transportation.
- vi. The industry shall comply with guidelines mentioned in the Standard operating procedure for recovery of spent solvent prescribed by CPCB and accordingly, the industry shall install VOC absorption media connected to the vent of condenser, online analyzer for TOC at the vent outlet and shall made connection of vent of all the storage tanks with the condenser unit etc. within 02 months.
- vii. The industry shall not operate the furnace oil fired boiler of capacity 5 TPH without obtaining consent to establish/ varied consent to operate under the provisions of the Air (Prevention & Control of Pollution) Act, 1981 for re-instating the furnace oil fired boiler of capacity 5 TPH which was earlier sealed by the PPCB.

2.9 M/s Punjab Chemicals &Crop Protection Ltd. (Agro Division), Village Bhankharpur, Dera Bassi.

- i. The industry may phase out all the existing storage cum collection tanks containing highly contaminate effluent with very high values of BOD, COD and TDS, within 6 months and shall construct an impervious storage tank having storage capacity not more than 03 days considering the exigency or any other unforeseen events. In order to show the seriousness by the industry to adhere the time schedule for phasing out old storage cum collection tanks and construction of new impervious tank or rehabilitation of one existing tank with proper imperviousness under the guidance of structure designer, the industry may be directed by Punjab Pollution Control Board to submit the bank guarantee of Rs. 25 lakh.
- ii. Since, the industry has failed to achieve the standards w.r.t. BOD parameter at the outlet of STP (sample collected on 28.1.2021), Punjab Pollution Control Board may issue necessary directions u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 to impose environmental compensation of Rs. 5 lakh upon the industry and the said amount may be utilized for rejuvenation of quality of environment.
- iii. For the treatment of effluent generated in the form of condensate from MEE, containing high values of BOD and COD, the industry may provide biological treatment system and the treated effluent conforming to the standards may be utilized for cooling tower or any other useful usage.
- iv. In order to assess the effect of ground water contamination, if any, due to storage of effluent in various storage tanks, piezometers at different locations may be setup within the premises of the industry and

Punjab Pollution Control Board shall collect the groundwater samples from the piezometer from time to time.

- v. The industry shall construct dedicated storage chamber for the storage of rice husk ash and the same shall be disposed of in an environmentally sound manner.*
- vi. The industry shall ensure that the vehicles will be covered with the tarpaulin during transportation of ash and ash will be transported in wet conditions to prevent it becoming the same air borne during transportation.*
- vii. The industry should install electromagnetic flow meters at each effluent streams/pipelines origination from each process/ section, inlet pipe leading to MEE and condensate line.*
- viii. The industry shall obtain authorization under the Hazardous Waste Management Rules, 2016.*
- ix. The industry shall immediately get its continuous online emissions monitoring system calibrated from the supplier of online system and also ensure its regular operation, maintenance and calibration so as to obtain reliable and accurate results continuously and shall also maintain record of operation & maintenance, calibration of online monitoring system as per SOP / guidelines.*
- x. The industry shall get permission from Central Ground Water Authority (CGWA) for abstraction of ground water.*
- xi. PPCB shall analyse the soil samples from its premises within 15 days.*

2.10 M/s. Rajasthan liquors limited (Distillery Division), Vill. Haripur.

- i. The industry shall reuse its entire treated effluent for industrial activities.*
- ii. Rejects from R.O system shall be dried in dryer of adequate capacity and dried residue shall be disposed of TSDF, Nimbuan. R.O rejects shall not be discharged onto land for plantation as its regular application on land may increase TDS level in groundwater and may cause infertility of land.*
- iii. The industry shall ensure that no trade and domestic effluent (treated or untreated) shall find its way into choe/ drain/ storm water drain or any inland surface water at any time or any other unauthorized place by any unauthorized means.*
- iv. Punjab Pollution Control Board shall carry out the ground water monitoring from the piezometer wells installed by it within 15 days.*
- v. PPCB shall analyze the stack emissions of the stack attached with the coal pulverizing section, within 15 days and further action in the matter may be taken accordingly.*
- vi. The industry shall not consume any other fuel for burning purpose except HSD for D.G. Set & Coal/ Rice Husk for the 36 TPH boiler installed within its premises, without the prior written permission of the Board.*
- vii. The industry shall ensure that the vehicles will be covered with the tarpaulin during transportation of ash*

- and ash will be transported in wet conditions to prevent it becoming the same air borne during transportation.*
- viii. *The industry shall get permission for abstraction of groundwater from Central Ground Water Authority within 02 months.”*

13. The Committee has then referred to the report submitted with regard to 9 points mentioned in above and given its comments as follows:

“3.1.1 Comprehensive environmental pollution index (CEPI) of Dera Bassi Area.

Therefore, the Monitoring Committee recommends that the Punjab Pollution Control Board may conduct comprehensive monitoring of ambient air and calculate air quality index of Dera Bassi along with risks associated. The said air quality index data of the area may be provided within 2 months.

3.1.2 Collection of stack emission samples w.r.t parameters VOC, SO₂, HC, wherever, applicable.

The Monitoring Committee has observed that in order to calculate air quality index (AQI) of Dera Bassi, ambient air quality of the area needs to be analyzed continuously for at least 21 days in two seasons (winter and summer). Punjab Pollution Control Board may also install continuous ambient air quality monitoring system (CAAQMS) in Dera Bassi area to get real time data and Air Quality Index. The stack emissions samples of the industries located in Dera Bassi area within the radius of 2 Km from the residential colonies may be analyzed by reputed third agency. Based on the analysis results of the stack emissions, area may be selected, where ambient air quality may be analyzed and air quality index may be calculated.

3.1.3 Water quality of the drain/ choe.

The Monitoring Committee is of the view that there is need to carry out surprise inspections / raids on the industries located in the catchment area of Haibatpura Drain and Dhabi Drain by Punjab Pollution Control Board and in case the industries are found discharging untreated / partially treated wastewater, not conforming to the standards, suitable action under the provisions of Water Act, 1974 may be taken in a time bound manner.

Punjab Pollution Control Board may also identify the villages which have significant flow/ discharge with high concentration of BOD and COD and department of Rural development & Panchayat be directed to provide treatment facilities to treat the wastewater of the villages in time bound manner so that water quality of the drains may be improved.

3.1.4 Groundwater quality monitoring

The Monitoring Committee recommends that Punjab Pollution Control Board may conduct ground water monitoring at 5 different locations for all the parameters as mentioned in IS 10500: 2012 including F.Coli. parameter within 1 month.

3.1.5 Quality of Soil

The Monitoring Committee recommends that soil samples from plantation areas and agriculture fields, where, the effluent of the industries is utilized may be collected by Punjab Pollution Control Board within 1 month and be analyzed for the parameters organic, inorganic and heavy metals.

3.1.6 Hazardous waste generation and its disposal by the industries

The Monitoring Committee has observed that detailed survey of area along the drains has not been carried out to check as to whether there is any illegal disposal of Hazardous waste by the industries. Moreover, the information from the nearby residents is also required to be taken for any dumping of hazardous waste by any industry in the area because lot of Hazardous waste is generated by the industries.

3.1.7 Disposal of solid waste including rice husk ash and its management

Therefore, the Monitoring Committee recommends as under.

- 1. All the rice husk consuming industries should construct proper and effective storage system with high walls and covering sheds for the storage of rice husk ash generated by them.*
- 2. The vehicles used for transportation of rice husk ash for its final disposal should be covered from all the sides and rice husk ash in wet form may be loaded in the vehicles and water spray system may be used at the places where it is unloaded. If the rice husk ash is dumped in low lying area then it should be disposed off in layered manner with mechanism of spreading of one layer of rice husk ash followed by layer of earth / soil and its full compaction and again second layer of rice husk ash and thereafter a layer of soil and so on. For this purpose, PPCB may prescribe Standard Operating Procedure (SOP) for the safe and environmentally sound management and handling of rice husk ash. At the end the system, proper compaction and development of plantation may be made or these can be converted into useful usages.*
- 3. Punjab Pollution Control Board shall constitute a Committee to visit the area, where the industries dispose of their rice husk ash and check as to whether proper mechanism is adopted for its compaction and covering with earth while dumping at low lying area and about end use of the closed sites.*
- 4. The brick kiln owners may be motivated by Punjab Pollution Control Board to use rice husk ash in their brick kilns for the manufacturing of bricks.*

5. *All the 3 industries as mentioned above may get joint R & D studies from a reputed institute for best use of rice husk ash for its usage in other sectors or recovery of useful constituents.*

3.1.8 Ambient air quality of Dera Bassi area

The Monitoring Committee has observed that installation of two ambient quality monitoring stations in Dera Bassi area is not sufficient to depict the real air quality of ambient in Dera Bassi area. Atleast 4 ambient air quality stations may be installed at different locations to monitor the ambient air quality. Moreover, for the calculation of air quality index of the area for information of the public of the area, monitoring of ambient air quality is required to be conducted for 7 days, which may also be helpful for taking steps by the concerned agencies to improve the air quality of the area in case it goes beyond the desired level.

3.1.9 Action plan for mitigation of pollution in the area with relevant details

The Joint Committee has mentioned in the report that Action Plan for mitigation for air pollution of Tehsil Dera Bassi has already been notified by the department of Environment, Punjab on 30.4.2019 and the progress w.r.t various activities mentioned in the Action Plan is reviewed on monthly basis at District level.”

14. The Committee has then recommended action against the four non-compliant units mentioned earlier as follows:

“4.1 M/s Nectar Life Sciences Ltd., (Unit-I), Vill. Saidpura, Tehsil Dera Bassi, SAS Nagar.

4.1.1 Major violations observed by the Joint Committee.

- *Not fully complying with the SOPs prescribed by CPCB for Solvent Recovery Plants.*
- *No provisions for measurement of effluent from each source of effluent generation / manufacturing process have been made. The industry is required to provide flow measuring devices (EML) for measurement of effluent from each section to the treatment plant to summarize record of effluent generated / effluent treated.*
- *The industry needs to shift and install the old Multi Effect Evaporator (MEE) which has now become surplus after installation of new MEE from its sister concern M/s Nectar Lifesciences Ltd. (Unit-II) in their premises for treatment of LTDS and HTDS.*

4.1.2 Action taken by PPCB

Show cause Notice for revocation of consent to operate granted under Water Act, 1974 and under Air Act, 1981, with an opportunity of personal hearing before Chairman of the Board has been issued to the industry vide no. 5939 dated 23/12/2020. Hearing has been fixed for 7/1/2021.

4.2 M/s Nectar Life Sciences Ltd., (Unit-II), Vill. Saidpura, Tehsil Dera Bassi, SAS Nagar.

4.2.1 Major violations observed by the Joint Committee.

- *Ash from boilers is being dumped adjoining the natural drain. Drain was found covered with ash particle, indicating uninterrupted flow of ash in adjoining drain.*
- *Retaining wall has not been provided along the drain / ash dumping yard to prevent the flow of water mixed with fuel ash into the drain.*
- *Subsistence of ash along the banks and in the course of drain shows discharge of rain water mixed with ash particle from the ash dumping yard.*
- *The industry has failed to provide permanent shed for storage of fly ash near the boiler area.*
- *Not complying the SOPs prescribed by the CPCB for Solvent Recovery Plants.*
- *Flow measuring devices are required to be installed for measurement of effluent from each section to the treatment plant to summarize record of effluent generated / effluent treated.*

4.2.2 Action taken by PPCB

- *Show cause notice for refusal of consent to operate under Water Act, 1974 and Air Act, 1981 has been issued vide no. 3717 dated 29/9/2020.*
- *Notice to issue directions u/s 33-A of the Water Act, 1974 vide no. 3719 dated 29/9/2020 has been issued.*
- *Personal hearing held before the Chairman of the Board on 13/10/2020 and the progress was reviewed on 17/11/2020.*
- *Directions have been issued to the industry for compliance in time bound manner. Further action will be taken accordingly.*

4.3 M/s Punjab Chemical and Crop Protection Ltd., (Agro Division), Vill. Bhankarpur, Dera Bassi, SAS Nagar

4.3.1 Major violations observed by the Joint Committee.

- *No segregation of LTDS and HTDS steams and all trade effluent streams are fed to the MEE installed by the industry for disposal.*
- *Pre-treatment system before the MEE feed seems to be ineffective and the same is evident from the comparison of the analysis results of the raw effluent intake and the feed to MEE. The concentration of TSS and TDS in the*

effluent at the inlet of MEE has increased rather than decreasing. The whole pre-treatment system has been put-in place for removal of solids/ settleable material from the influent, to improve the working efficiency of the MEE, but the ineffective pre-treatment is reducing the working efficiency of the MEE.

- No provisions for measurement of effluent from each source of effluent generation / manufacturing plant(s). The industry is required to install flow measuring devices (EMFs) for measurement of effluent flow from each section to the treatment plant to summarize a clear record of the effluent generated/ treated.
- The adequacy and efficacy of the treatment system is required to be got checked from an institute of repute and implement the recommendations given by the institute at the earliest.
- Pre-treatment system is to be redesigned to support the working efficiency of the already installed MEE Plant.
- Required to treat the high volume of effluent retained in the equalization tank in a timely manner through the MEE plant and if required the treatment capacity of its MEE is to be enhanced.

4.3.2 Action taken by PPCB

Show Cause Notice for revocation of Consent to operate under Water Act, 1974 and Air Act, 1981, with an opportunity of personal hearing before Chairman of the Board issued to the industry vide no. 5941 dated 23/12/2020. Hearing has been fixed for 7/1/2021.

4.4 M/s Hansa Tubes (P) Ltd., Habitpur Road, Dera Bassi, SAS Nagar

4.4.1 Major violations observed by the Joint Committee.

- ETP was found fully defunct. ETP is required to be upgraded to achieve the prescribed discharge standards or to explore the possibility of achieving ZLD.
- The analysis results of effluent samples indicate the concentration of various parameters in trade effluent beyond limits.
- Water Consumption for rinsing in phosphating section needs to be minimized by providing cascading.

4.4.2 Action taken by PPCB

Show cause notice for revocation of consent to operate under Water Act, 1974 and Notice for issuing directions under the provisions of the Water Act 1974 with an opportunity of personal hearing before Chairman of the Board have been issued to the industry vide no. 5976-77 dated 24.12.2020. Personal hearing has been fixed for 7.1.2021.”

15. The Committee visited three industries on 28.01.2021 alongwith officers of the State PCB and inspected the status of compliance of water and air quality norms and it found as follows:

“5.1 KDDL Limited, Vill. Haibatpur, Haibatpur Road, Dera Bassi

5.1.5. Observations and recommendations

The industry has the processes of electroplating for shining and finishing of Watch Dials and uses Potassium Cyanide, Sodium Cyanide, Gold Potassium Cyanide, Silver Potassium Cyanide, Nickel Sulphate, which are very toxic chemicals. For the treatment of wastewater of the industry, it has installed an ETP based on physico- chemical treatment and the treated effluent is discharged onto land for plantation.

The Monitoring Committee is of the view that mode of disposal of toxic effluent, containing heavy metals, on to land for plantation for longer period with its continuous application is not advisable as effluent may leach and contaminate the ground water and soil of the area. Therefore, the monitoring Committee recommends as under:

The industry shall install ETP based on Zero Liquid Discharge (ZLD) Technology within 4 months and the recovered effluent (permeate) may be recycled in the processes of the industry and the hazardous sludge generated from ZLD system shall be properly dried on the impervious platform and dried sludge may be sent to TSDF for its scientific disposal.

Other recommendations as mentioned at II, III and IV as at page no. 6 are reiterated as under:

- i. The industry shall ensure that no wastewater from its industrial premises / plantation area or otherwise shall be discharged into storm water drains directly or indirectly under any circumstances.*
- ii. In order to control toxic emissions generated within the processes, the industry shall provide proper suction system and the sucked emissions may be treated through scrubbing system with suitable scrubbing media. The said liquid scrubbing system may be installed within 03 months.*
- iii. Punjab Pollution Control Board shall collect and analyse the stack emissions sample from lacquering section within 15 days.*

5.2 M/s Punjab Chemicals &Crop Protection Ltd. (Agro Division), village Bhankharpur, Dera Bassi

5.2.4 Observations and recommendations

The industry has provided number of storage cum collection tanks for collection of combined effluent containing high values of BOD, COD and TDS. The capacity of the multi effect evaporator and incinerator provided to evaporate and incinerate the effluent seems to very low as the effluent is lying stored in storage tank for number of days for even month together and may become the source of ground water contamination due to leaching because the storage tanks are old. Therefore, there is urgent need to phase out all these storage tanks in a time bound manner and it needs to keep only one storage tank of storage capacity not more than 3 days and multi effect evaporator and incinerator of higher capacity may be setup by the industry or capacity of existing MEE and incinerator may be enhanced.

For the treatment of MEE condensate containing high values of BOD and COD, the industry may provide biological treatment system to bring these parameters within the norms before its further utilization for any other usages. Further, the value of BOD at the outlet of STP has been observed as 36 mg/I, which is more than the permissible limits of 30 mg/I.

In view of the above, the Monitoring Committee recommends as under:

- i. The industry may phase out all the existing storage cum collection tanks containing highly contaminated effluent with very high values of BOD, COD and TDS, within 6 months and shall construct an impervious storage tank having storage capacity not more than 03 days considering the exigency or any other unforeseen events. In order to show the seriousness by the industry to adhere the time schedule for phasing out old storage cum collection tanks and construction of new impervious tank or rehabilitation of one existing tank with proper impervious ness under the guidance of structure designer, the industry may be directed by Punjab Pollution Control Board to submit the bank guarantee of Rs. 25 lakh.*
- ii. Since, the industry has failed to achieve the standards w.r.t. BOD parameter at the outlet of STP, Punjab Pollution Control Board may issue necessary directions u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 to impose environmental compensation of Rs. 5 lakh upon the industry and the said amount may be utilized for rejuvenation of quality of environment.*
- iii. For the treatment of effluent generated in the form of condensate from MEE, containing high values of BOD and COD, the industry may provide biological treatment system and the treated effluent conforming to the*

standards may be utilized for cooling tower or any other useful usage.

- iv. In order to assess the effect of ground water contamination, if any, due to storage of effluent in various storage tanks, piezometers at different locations may be setup within the premises of the industry and Punjab Pollution Control Board shall collect the groundwater samples from the piezometers from time to time.*

Further recommendations as mentioned at page No 18 of the report are reiterated as under:

- i. The industry shall construct dedicated storage chamber for the storage of rice husk ash and the same shall be disposed of in an environmentally sound manner.*
- ii. The industry shall ensure that the vehicles will be covered with the tarpaulin during transportation of ash and ash will be transported in wet conditions to prevent it becoming the same air borne during transportation.*
- iii. The industry should install electromagnetic flow meters at each effluent streams/pipelines origination from each process/ section, inlet pipe leading to MEE and condensate line.*
- iv. The industry shall obtain authorization under the Hazardous Waste Management Rules, 2016.*
- v. The industry shall immediately get its continuous online emissions monitoring system calibrated from the supplier of online system and also ensure its regular operation, maintenance and calibration so as to obtain reliable and accurate results continuously and shall also maintain record of operation & maintenance, calibration of online monitoring system as per SOP / guidelines.*
- vi. The industry shall get permission from Central Ground Water Authority (CGWA) for abstraction of ground water.*
- vii. PPCB shall analyse the soil samples from its premises within 15 days.*

5.3 M/s Hansa Tubes (P) Ltd., Habitpur Road, Dera Bassi, SAS Nagar

5.3.4. Recommendations of the Monitoring Committee

In view of the above, the mentoring committee recommends that:

1. The industry is discharging its physico-chemical treated effluent on to land for plantation and its continuous application containing metal contents, on to land is not advisable as the effluent may seep underground and contaminate the groundwater and soil and may also affect its fertility. Moreover, the parameters namely TDS, Chloride, Sulphate, Iron & Total Chromium, with their high values.

The recommendation No. I, II, IV, V, VI and VII, mentioned at Page No. 8 of the report are reiterated.

- i. PPCB shall continue to make surprise inspection of the area around the industry to ensure that no treated/untreated effluent is discharged into any drain.
- ii. The industry shall treat entire scrubbing effluent in Effluent Treatment Plant based on zero liquid discharge (ZLD) technology to be installed.
- iii. Since the values of TDS, chloride and sulphate in the analysis results of the effluent sample collected by PPCB in the month of August, 2020 are higher than the permissible limits, therefore, PPCB shall impose an environmental compensation of suitable amount for the damage caused to the environment and the same may be utilized for rejuvenation of quality of environment as per guidelines prescribed by Central Pollution Control Board.
- iv. Punjab Pollution Control Board shall collect the stack emission sample from the stack attached to air pollution control device of pickling section within 15 days.
- v. PPCB shall carry out groundwater sampling by getting install piezometers within the premises of the industry so as to assess ground water contamination due to continuous application of effluent on land for plantation.
- vi. The industry shall remove the HSD fired hot water generated boiler which is lying redundant in its premises within 15 days and submit the compliance to the Board within next 3 days.”

16. The overall observations and recommendations are as follows:

“6.0 Overall recommendations of the Monitoring Committee:

- i. 07 industries as mentioned at point No. 2.1, 2.3, 2.5, 2.6, 2.7, 2.8 and 2.10 visited by the Joint Committee, constituted by the Hon'ble National Green Tribunal, may implement the recommendations made by the Monitoring Committee w.r.t each industry as mentioned at points 2.1.1, 2.3.1, 2.5.1, 2.6.1, 2.7.1, 2.8.1 and 2.10.1 based on the report, observations

and recommendations of the Joint Committee in a time bound manner.

- ii. 03 industries as mentioned at point No. 2.2, 2.4, and 2.9 visited by the Joint Committee and Monitoring Committee, constituted by the Hon'ble National Green Tribunal, may implement the recommendations made by the Monitoring Committee w.r.t each industry as mentioned at points 2.2.1, 2.4.1 to 2.9.1 based on the report, observations and recommendations of the Joint Committee and Monitoring Committee in a time bound manner.*
- iii. Punjab Pollution Control Board shall take suitable action under the provisions of Water Act, 1974, and Air Act, 1981, against the industries, wherever since recommendations have been made by the Monitoring Committee.*
- iv. Punjab Pollution Control Board shall finalize the action against the 4 violating namely M/s Hansa Tubes Pvt. Ltd., Haibatpura Road, Dera Bassi; M/s Nectar Lifesciences Ltd (Unit-2), Village Saidpura, Tehsil Dera Bassi, Distt. SAS Nagar; M/s Nectar Lifesciences Ltd (Unit-1), Village Saidpura, Tehsil Dera Bassi, Distt. SAS Nagar and M/s Punjab Chemicals &Crop Protection Ltd. (Agro Division), Village Bhankharpur, Dera Bassi in a time bound manner.*
- v. Joint Committee may conduct comprehensive monitoring of ambient air and calculate air quality index of Dera Bassi area along with risks associated. The said air quality index data of the area may be provided within 2 months.*

In order to calculate air quality index (AQI) of Dera Bassi area, ambient air quality of the area needs to be analyzed continuously for at least 21 days in two seasons (winter and summer). Punjab Pollution Control Board may also install continuous ambient air quality monitoring system (CAAQMS) in Dera Bassi area to get real time data and Air Quality Index. The stack emissions samples of the industries located in Dera Bassi area within the radius of 2 Km from the residential colonies may be analyzed by reputed third agency.

Installation of two ambient quality monitoring stations in Dera Bassi area is not sufficient to depict the real air quality of ambient in Dera Bassi area. Atleast, 4 ambient air quality stations may be installed at different locations to monitor the ambient air quality. Moreover, for the calculation of air quality index of the area for information of the public of the area, monitoring of ambient air quality is required to be conducted for 21 days which may also be helpful for

taking steps by the concerned agencies to improve the air quality of the area.

- vi. There is need to carry out surprise inspections / raids on the industries located in the catchment area of Haibatpura Drain and Dhabi Drain by Punjab Pollution Control Board and in case the industries are found discharging untreated / partially treated wastewater, not conforming to the standards, suitable action under the provisions of Water Act, 1974 may be taken in a time bound manner.*

Punjab Pollution Control Board may also identify the villages which have significant flow/dischARGE with high concentration of BOD and COD and department of Rural development & Panchayat be directed to provide treatment facilities to treat the wastewater of the villages in time bound manner so that water quality of the drains may be improved.

- vii. Punjab Pollution Control Board may conduct ground water monitoring of ground water sources at 5 different locations for all the parameters as mentioned in IS 10500: 2012 including F.Coli. parameter within 1 month.*
- viii. Soil samples from plantation areas and agriculture fields, where, the effluent of the industries is utilized may be collected by the Joint team within 1 month and be analyzed for the parameters organic, inorganic and heavy metals.*
- ix. Joint team may conduct detailed survey of area along the drains to check as to whether there is any illegal disposal of Hazardous waste by the industries. The information from the nearby residents may also be taken for dumping of any hazardous waste by any industry in the area because lot of Hazardous waste is generated by the industries.*
- x. All the rice husk consuming industries should construct proper and effective storage system with high walls and covering sheds for the storage of rice husk ash generated by them.*
- xi. The vehicles used for transportation of rice husk ash for its final disposal should be covered from all the sides and rice husk ash in wet form may be loaded in the vehicles and water spray system may be used at the places where it is unloaded. If the rice husk ash is dumped in low lying area then it should be disposed off in layered manner with mechanism of spreading of one layer of rice husk ash followed by layer of earth / soil and its full compaction and again second layer of rice husk ash and thereafter a layer of soil and so on. For this purpose, PPCB may prescribed Standard Operating*

Procedure (SOP) for the safe and environmentally sound management and handling of rice husk ash. At the end the system, proper compaction and development of plantation may be made or these can be converted into useful usages.

- xii. Punjab Pollution Control Board shall constitute a Committee to visit the area, where the industries dispose of their rice husk ash and check as to whether proper mechanism is adopted for its compaction and covering with earth while dumping at low lying area and about end use of the closed sites.*
- xiii. The brick kiln owners may be motivated by Punjab Pollution Control Board to use rice husk ash in their brick kilns for the manufacturing of bricks.*
- xiv. All the 3 industries(M/S Nectar Lifesciences Ltd (Unit-1), Village Saidpura, Tehsil Dera Bassi; M/S Nectar Lifesciences Ltd (Unit-2), Village Saidpura, Tehsil Dera Bassi and M/S Rajasthan Liquors Ltd. (Distillery Division), Village Haripur Hinduan, Tehsil Dera Bassi) may get joint R & D studies from a reputed institute for best use of rice husk ash for its usage in other sectors or recovery of useful constituents.*
- xv. The department of Environment, Govt. of Punjab has prepared an Action Plan for clear air in Dera Bassi on 12.2.2019, which has been submitted by Punjab Pollution Control Board to Central Pollution Control Board. In the said Action Plan major sources of air pollution like vehicular emission, road dust, industrial emission, construction and demolition activities and other sources have been identified and contribution of main activities like industrial emissions, road dust and vehicular pollution has been mentioned as 35%, 25% and 20%, respectively. In the said Action Plan, various activities to control vehicular emission, road dust, burning of garbage and biomass, industrial emissions, construction demolition activities and action to be taken by the various departments in case of severe Air Quality Index (AQI) (401 to 500), very poor AQI (301 to 400), poor AQI (201 to 300) and moderately polluted AQI (101 to 200) occur have been mentioned. The data mentioning the trends in air quality of Dera Bassi during the year 2014 to 2018 has also been reported in the Action Plan.*

The Monitoring Committee recommends that all the departments shall implement the various activities mentioned in the Action Plan for mitigation of air pollution of Tehsil Dera Bassi in a time bound manner.

- xvi. The recommendations made by the monitoring committee w.r.t. 3 industries namely M/s KDDL Limited, Vill. Haibatpur, Haibatpur Road, Dera Bassi; M/s Punjab Chemicals & Crop Protection Ltd.*

(Agro Division), Village Bhankharpur, Dera Bassi and M/s Hansa Tubes (P) Ltd., Habitpur Road, Dera Bassi, SAS Nagar as mentioned at point no. 5 above may be implemented for which Punjab Pollution Control Board shall issue necessary directions to all the industries to comply with the such recommendations in a time bound manner.”

17. In view of the exhaustive report furnished by the Committee which is also available on the website of this Tribunal so as to be accessed by the concerned parties, as per procedure being followed by the Tribunal, what is required is further action by the concerned authorities as well as the industrial units for compliance of the norms in the light of observations and recommendations. Such action is particularly required for calculating CEPI (even if it is not in the list of ‘critically’ or ‘severely’ polluted category), compiling information about the number of industries in different categories and whether ground water extraction is permissible, water quality monitoring stations, status of execution of action plan for air quality management, action plan for restoration of environmental quality management and its monitoring mechanism at District level. It needs to be verified whether MSIHC Rules, 1989 are being followed by the industries handling hazardous chemicals in respect of onsite and offsite emergency plans and conducting mock drills. This is necessary to prevent industrial accidents resulting in deaths and injuries and damage to the environment, the Tribunal has come across recently several such accidents². Menace of rice husk use and ash management also needs to be controlled.

²

- i. Order dated 01.06.2020, relating to incident of gas leak dated 07.05.2020 in **LG Polymers India Pvt. Limited** at Vishakhapatnam, resulting in death of 11 persons and injuries to more than 100, apart from other damage (OA No. 73/2020, In re: Gas Leak at LG Polymers Chemical Plant in RR Venkatapuram Village Visakhapatnam in Andhra Pradesh);
- ii. Order dated 03.02.2021, relating to incident dated 03.06.2020 in a chemical factory, **Yashyashvi Rasayan Pvt. Ltd.** at Dahej, District Bharuch, Gujarat resulting in deaths and injuries and other damage (OA No. 85/2020) (Earlier OA 22/2020) (WZ), Aryavart Foundation through its President vs. Yashyashvi Rasayan Pvt. Ltd. & Anr.);

18. Accordingly, the State authorities and the industrial units in question may take further remedial action expeditiously. The State PCB may ensure compliance in exercise of its statutory powers, including those under the Water (Prevention and Control of Pollution) Act, 1974, the Air Prevention and Control of Pollution) Act, 1981 and the Environment (Protection) Act, 1986 to ensure compliance by the concerned industries in a time bound manner, including preventing pollution, assessment and recovery of compensation for the past violations and restoration of water, air and soil quality, following due process. Restoration plan be got prepared by the joint Committee of

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- iii. Order dated 06.08.2020, in relation to incident of **oil well blow out on 27.05.2020 at Baghjan in the Tinsukia District of Assam** resulting in deaths, injuries and damage to the environment (OA No. 43/2020(EZ), Bonani Kakkar vs. Oil India Limited & Ors.).
 - iv. Orders dated 06.07.2020 and 22.12.2020, relating to incident dated 30.06.2020 on account of gas leakage at **Sainor Life Sciences** factory at Parawada in industrial area on the outskirts of Vishakhapatnam (OA No. 106/2020, News item published in the local daily “Economic Times” dated 30.06.2020 titled “Another Gas Leakage at Vizag Factory kills two, critically injures four...”);
 - v. Orders dated 08.07.2020 and 22.12.2020, dealing with the incident dated 01.07.2020 resulting in death of 6 person and injury to 17 due to blast of boiler in **M/s Neyveli Thermal Power Station** (NLCIL), Cuddalore (OA No. 108/2020, News item published in the “Indian Express” dated 01.07.2020 titled “Tamil Nadu Neyveli boiler blast: 6 dead, 17 injured”) and;
 - vi. Orders dated 23.07.2020 and 22.12.2020, in relation to incident of **fire engulfed the chemical plant of Visakha Solvents Ltd**, Vizag on 13.07.2020 at Ramky CETP Solvents building in Pharma City resulting in injuries (OA No. 134/2020, News item published on 13.07.2020 in the local daily named “India Today” titled “Massive fire engulf Vizag chemical plant, explosions heard, injuries reported”).
 - vii. Order **dated 18.12.2020**, in relation to incident of **explosion in a plastic recycling factory at Sujapur in Malda on 1.12.2020** resulting in death of six persons, including two minors and serious injuries to four persons (OA No. 272/2020, News item published in the “Times of India” dated 20.11.2020 entitled “Six killed as blast tears through Malda Plastic recycling factory”).
 - viii. Order dated **18.12.2020**, in relation to incident of **methane gas leak in a sugar factory** called Lokenete Bapurao Patil Agro Industries Ltd. in Mohol Taluka of Solapur District, Maharashtra on 21.11.2020 resulting in deaths and injuries and other damage (OA No. 274/2020, News item published in the “Indian Express” dated 23.11.2020 entitled “Maharashtra: Two Killed, eight injured in methane gas leak in sugar factory”).
 - ix. Order dated 08.01.2021, in relation **to Gas Leak in Agro Company** (O.A No. 107/2020, In RE: News item published in the local daily “Indian Express Sunday Express” dated 28.06.2020 titled “Gas Leak in Agro Company Claims life of one”)
 - x. Order dated 18.01.2021, in relation to News item published in Navbharat Times dated 24.12.2020 titled **“Gas leaks in IFFCO Plant, 2 Officers dead”** (O.A No. 04/2020, In re : News item published in Navbharat Times dated 24.12.2020 titled “Gas leaks in IFFCO Plant, 2 Officers dead”)
 - xi. Order dated **11.02.2021**, in relation to accident of **toxic gas leak in Rourkela Steel Plant in Orissa** (O.A. No. 09/2021, In re: News item published in The Indian Express dated 07.01.2021 titled “Four workers dead due to toxic gas leak in Rourkela Steel Plant”)
 - xii. Order dated **16.02.2021**, in relation to accident of **Virudhunagar firecracker factory blast** (O.A. No. 44/2021, In re: News item published in The News Indian Express dated 12.02.2021 titled “At least 19 dead in Virudhunagar firecracker factory blast, more than 30 injured”)

CPCB and State PCB, in consultation with such other individuals/organizations as may be necessary, and timely execution of the action plan may also be overseen. The Committee may specify the authorities responsible for execution, including the role to be played by the industrial units. The restoration plan must provide for treatment of waste water in areas where water quality has deteriorated, particularly the locations identified by the Committee. The action plan may further include, apart from measures already mentioned, restoration of the soil quality where the soil quality has deteriorated and on the same pattern, restoration of drains adversely affected by discharge of pollutants including hazardous waste. The State PCBs may also act on the recommendation for rice husk management and VOCs. The action plan may be prepared within three months, stipulating its execution within six months thereafter. Status of compliance as on 31.12.2021 may be compiled by the joint Committee of CPCB and State PCB and report furnished to the Chairman, CPCB for such further remedial action as may be found necessary.

The applications are disposed of.

In view of above order, all pending IAs will stand disposed of as the matter will henceforth be dealt with by the joint Committee of CPCB and State PCB in accordance with the statutory provisions of the Water Act, Air Act and EP Act or any other relevant law.

A copy of this order be forwarded to the CPCB and the State PCB by e-mail for compliance.

Adarsh Kumar Goel, CP

S.K. Singh, JM

Dr. Nagin Nanda, EM

February 25, 2021
Original Application No. 33/2013 (T_{HC})
and other connected matters
DV & A