

Steps Taken Report

(Status as on 26-10-2018)

(in Compliance of Hon'ble NGT Order dated 03rd August, 2018 in the matter of Paryavaran Suraksha Samiti & Anr. Vs. Union of India & Ors. (OA No. 593 of 2017))



CENTRAL POLLUTION CONTROL BOARD
"Parivesh Bhawan", East Arjun Nagar,
Delhi-110032

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1.0 Background

The Hon'ble Supreme Court matter of Paryavaran Suraksha Samiti & Anr. v/s Union of India & Ors. (WP(C)-375 of 2012) was taken up by the Hon'ble National Green Tribunal, Principal Bench, Delhi in OA No. 593 of 2017, in furtherance to the order of Hon'ble Supreme Court dated 22.02.2017. The matter was last heard by Hon'ble NGT on 03rd August, 2018 and orders were passed. The Hon'ble NGT has stated that this matter requires continuous monitoring by statutory authorities and passed following orders:

- i. *We direct the Central Pollution Control Board (CPCB) to forthwith prepare an action plan after looking into all the status reports. The action plans must have mechanism to ensure compliance or all the directions in the order of the Hon'ble Supreme Court. To enable this to be done, a Nodal officer must be identified to deal with the issue of CETPs/ETPs/STPs.*
- ii. *A representative of the Ministry of Environment, Forest and Climate Change may be associated with the Nodal Officer of the CETP for monitoring. The Monitoring by the said two officers- the representative of the MoEFCC and the Nodal Officer of the CPCB must be held at least once in a month and on the basis of such meeting and the feedback taken, appropriate directions issued. This process may be a continuous process.*
- iii. *It must be ensured that STPs, CETPs and ETPs are functional and meet the requisite standards.*
- iv. *There is already a direction in the above judgment under which 50% of the funds for the purpose are to be provided by the Central Government, 25% by the States and remaining 25% to be arranged by way of loans which is to be re-paid by the user industries. Local bodies and the States have duties as clearly stipulated in the judgment. There has to be online monitoring system by each State to display emission levels in public domain in terms of paragraph 17 of the order of the Hon'ble Supreme Court.*
- v. *A report of the steps taken may be placed on the website of the Central Pollution Control Board at least once in three months. Deficiencies if any may also be so displayed.*
- vi. *The Central Pollution Control Board may take penal action for failure, if any, against those accountable for setting up and maintaining STPs, CETPs and ETPs. Central Pollution Control Board may also assess and recover compensation for damage to the environment and the said fund be kept in a separate account and utilized in terms of an action plan for protection of the environment. Such action plan may be prepared by the Central Pollution Control Board within three months from today.*
- vii. *A compliance report in terms of the above order may be furnished to this Tribunal within four months from today by e-mail at filing.ngt@gmail.com.*

2.0 Steps taken by CPCB for compliance of the Hon'ble NGT order dated 03.08.2018

- i. CPCB is conducting monthly meeting of the Monitoring Committee on regular basis.
- ii. CPCB has circulated the formats to all SPCBs/PCCs through letter dated 30.08.2018 for furnishing the compliance status reports for ETPs/CETPs/STPs by 10th of every month.
- iii. CPCB has interacted with SPCBs/PCCs in Review Meeting through video conferencing held on 28.08.2018 and 25.10.2018, for ensuring the compliance of the Hon'ble NGT Order dated 03.08.2018.
- iv. CPCB has sent reminder letter dated 01.10.2018 to 29 SPCBs/PCCs, which have not submitted the status reports for the month of August, 2018.
- v. CPCB has prepared Action Plan for SPCBs/PCCs for ensuring the compliance of the Hon'ble NGT Order dated 03.08.2018 in the Matter of Paryavaran Suraksha Samiti & Anr. v/s Union of India & Ors. (OA No. 593/2017) for implementation by SPCBs/PCCs and circulated the same to all SPCBs/PCCs on 12.10.2018.
- vi. CPCB has analysed the status reports for the month of August and September, 2018, received from various SPCBs/PCCs and communicated the shortcomings observed in the report to the concerned SPCB/PCC through letter dated 12.10.2018 and 26.10.2018.
- vii. CPCB has developed an online portal for submission of compliance status reports by SPCBs/PCCs. The details of the portal have been communicated through video conferencing held on 25.10.2018 and vide letter dated 26.10.2018.
- viii. The Chairman, CPCB constituted a Committee under the Chairmanship of Shri A. Sudhakar, DH WQM-I with Shri A. K. Vidyarthi, DH WQM-II, Shri P. K. Gupta, DH IPC-VI, Shri Nazimuddin I/c IPC-II and Dr. S. K. Paliwal, Scientist 'D' as members to deliberate on the issue of "Methodology for Assessing Penalty & Environmental Compensation and Action Plan to Utilize the Fund". The Committee has prepared the policy and placed in Board Meeting on 23.10.2018. The Board has approved the policy for further consideration of the Hon'ble NGT.

3.0 Constitution of Monitoring Committee

In compliance of the Hon'ble NGT Directions, the CPCB has nominated Shri Ajay Aggarwal, Scientist "E" as Nodal Officer to deal with the issue of CETPs/ETPs/STPs. The MoEF&CC has nominated Dr. (Ms.) Susan George K., Scientist "D" as a representative, associated with the Nodal Officer for monitoring.

4.0 Meetings of the Monitoring Committee

So far, three meetings of the Monitoring Committee have been held on 24th August, 2018, 24th September, 2018 and 26th October, 2018 at CPCB Head Office, Delhi.

During the meetings of Monitoring Committee, status reports received from various SPCBs/PCCs were reviewed and it was observed that these reports lack uniformity and completeness with respect to the total no. of industries requiring ETPs, no. of industries without ETPs / non-complying with effluent standards, action taken against defaulters etc. Similar shortcomings in status reports were also observed in case of STPs/CETPs. In order to

maintain the uniformity and completeness of compliance status, formats were developed (**Annexure-I**), for SPCBs/PCCs for furnishing/ updating the information on monthly basis. The Monitoring Committee has also deliberated on the comprehensive action plan for implementation by SPCBs/PCCs and finalized the same, which is given at **Annexure-II**.

5.0 Compliance Status Reports received from SPCBs/PCCs

The response received from various SPCBs/PCCs, as on 26.10.2018, for the month of August, 2018 is summarized below:

Status Reports Received for Month of August, 2018 by 10th September, 2018	Status Reports Received for Month of August, 2018 after 10th September, 2018	Shortcomings Observed and Communicated	No Response Received
4 States/UTs Andhra Pradesh, Chandigarh, Meghalaya and Puduchery	15 States/UTs Tamil Nadu, Jammu and Kashmir, Tripura, Telangana, Punjab, Bihar, Nagaland, Sikkim, Chhattisgarh, Daman & Diu, Dadar Nagar Haveli, Goa, Arunachal Pradesh, West Bengal and Maharashtra	19 SPCBs/PCCs Andhra Pradesh, Chandigarh, Meghalaya, Puduchery, Tamil Nadu, Jammu and Kashmir, Tripura, Telangana, Punjab, Bihar, Nagaland, Sikkim, Chhattisgarh, Daman & Diu, Dadar Nagar Haveli, Goa, Arunachal Pradesh, West Bengal and Maharashtra	17 States/UTs Assam, Gujarat, Haryana, Himachal Pradesh, Jharkhand, Karnataka, Kerala, Madhya Pradesh, Manipur, Mizoram, Orrisa, Rajasthan, Uttar Pradesh, Uttarakhand, Andaman and Nicobar Islands, Delhi and Lakshadweep

The response received from various SPCBs/PCCs, as on 26.10.2018, for the month of September, 2018 is summarized below:

Status Reports Received for Month of September, 2018 by 10th October, 2018	Status Reports Received for Month of September, 2018 after 10th October, 2018	Shortcomings Observed and Communicated	No Response Received
3 States Bihar, Chandigarh and Nagaland	6 States/UTs Arunachal Pradesh, Chhattisgarh, Daman and Diu, Dadar Nagar Haveli, Tripura and Goa	9 States/UTs Bihar and Nagaland, Arunachal Pradesh, Chandigarh, Chhattisgarh, Daman and Diu, Dadar Nagar Haveli, Tripura and Goa	27 States/UTs Andhra Pradesh, Assam, Gujarat, Haryana, Himachal Pradesh, Jammu and Kashmir, Jharkhand, Karnataka, Kerala, Madhya Pradesh, Maharashtra, Manipur, Meghalaya, Mizoram, Odisha, Punjab, Rajasthan, Sikkim, Tamil Nadu, Telangana, Uttar Pradesh, Uttarakhand, West Bengal, Andaman and Nicobar Islands, Delhi, Lakshadweep and Pondichery

Compliance Status of Effluent Treatment Plants

Table No. 1 : Month-wise Number of Industries Inspected for compliance verification

S. No.	Month	No. of Industries
1	July, 2018	
2	Aug, 2018	
.....		
.....		

Table No. 2: Details of all Industries Generating Trade Effluent and Requiring ETP as on _____ (to be updated on last day of the month)

S. NO.	Name of SPCBs/PC Cs	Total No. of Industries which require ETP	No. of industries having functional ETP	# No. of industries operating without ETP	Action taken against industries operating without ETP				Details of Industries having functional ETP		Action taken against industries having ETP but Non-complying with the Effluent Standards				Remarks
					No. of industries against which show cause notice/directions issued under the Env. Acts.	No. of industries against which closure directions issued under the Env. Acts.	No. of industries against which legal cases filed in the court (s)	No. of industries against which action is under process / any other (prescribed)	No. of industries complying with Effluent Standards	* No. of industries Non-complying with Effluent Standards	No. of industries against which show cause notice/directions issued under the Env. Acts.	No. of industries against which closure directions issued under the Env. Acts.	No. of industries against which legal cases filed in the court (s)	No. of industries against which action is under process / any other (prescribed)	
A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P
1															

and * : Please provide the list of industries in Table No.3 and 4

#Table No. 3: List of industries operating without ETP as on _____ (to be updated on last day of the month)

*Table No. 4 : List of industries Non-complying with Effluent Standards as on _____ (to be updated on last day of the month)

IMPORTANT INSTRUCTIONS

For ensuring the authenticity of data in Table No. 2, please apply following checks before submission of data

S. No.	Name and Address of the Industry	Sector	S. No.	Name and Address of the Industry	Sector	S. No.	Check
1			1			1	C = D + E
2			2			2	E = F + G + H + I
.....					3	D = J + K
.....					4	K = L + M + N + O

Compliance Status of Common Effluent Treatment Plants

Table No. 5 : Month-wise Number of CETPs Inspected for Compliance Verification

S. No.	Month	No. of CETPs	<u>IMPORTANT INSTRUCTIONS</u>	
1	July, 2018		To ensure the authenticity of data please apply the	
2	Aug, 2018		S. No.	Check
.....			1	C = D + E
.....			2	E = F + G + H + I

Table No. 6: Details of Existing Common Effluent Treatment Plants as on (to be updated on last day of the month)

S. NO.	Name of SPCBs/PCCs	Total No. of CETPs in the state	No. of CETPs complying	No. of CETPs Non-complying	Action taken against CETP Non-complying				Remarks
					No. of CETPs against which show cause notice/directions issued under the Env. Acts.	No. of CETPs against which closure directions issued under the Env. Acts.	No. of CETPs against which legal cases filed in the court (s)	No. of CETPs against which action is under process / any other (prescribed)	
A	B	C	D	E	F	G	H	I	J

Table No. 6(a): List of Non-complying CETPs

S. No.	Name and Address of Municipal CETP
1	
2	
3	
4	

Table No. 7: Details of Under Construction/Proposed Common Effluent Treatment Plants

S. No.	Name and Address of CETP	Designed Capacity (MLD)	Stage (Construction/proposal)	Target date of completion
1				
2				
.....				
.....				

Compliance Status of Sewage Treatment Plants

Table No. 8 : Month-wise Number of STPs Inspected for Compliance Verification

S. No.	Month	No. of STPs	IMPORTANT INSTRUCTIONS	
1	July, 2018		To ensure the authenticity of data please	
2	Aug, 2018		S. No.	Check
.....			1	C = D + E
.....			2	E = F + G + H + I

Table No. 9: Details of Existing Sewage Treatment Plants as on (to be updated on last day of the month)

S. NO.	Type of STP	Name of SPCBs/PCCs	Total No. of STPs in the state	No. of STPs complying	No. of STPs Non-complying	Action taken against STP Non-complying				Remarks
						No. of STPs against which show cause notice/directions issued under the Env. Acts.	No. of STPs against which closure directions issued under the Env. Acts.	No. of STPs against which legal cases filed in the court (s)	No. of STPs against which action is under process /	
A	B	C	D	E	F	G	H	I	J	K
1	Municipal STPs									
2	STPs (Other than Municipal)									
3	Total									

Table No. 9(a): List of Non-complying STPs

S. No.	Name and Address of Municipal STP	Name and Address of STP (other than Municipal STP)
1		
2		
3		
4		

Table No. 10: Details of Under Construction/Proposed Sewage Treatment Plants

S. No.	Name and Address of CETP	Designed Capacity (MLD)	Stage (Construction /proposal)	Target date of completion
1				
2				
.....				
.....				

Other than Municipal STPs. Other than Municipal STPs includes STPs of Hotels/Hospitals/Industries/Industrial Townships/Residential Societies etc.

Table No.11 : Display of "Online real time, continuous monitoring system" (OCEMS)

S. No.	Name of SPCBs/PCCs	Display of OCEMS data on website (Yes/No)	If Yes: Weblink of Website for Data Display	If No: Likely date by which data will be displayed on website
1				

Action Plan for SPCBs/PCCs for Ensuring the Compliance of the Hon'ble NGT Order dated 03.08.2018 in the Matter of Paryavaran Suraksha Samiti & Anr. v/s Union of India and Ors. (OA No. 593/2017)

1. Action Plan for Effluent Treatment Plants (ETPs)

1.1. Installation of ETPs in Water Polluting Industries

SPCBs/PCCs shall ensure that industries requiring ETPs to operate, if they have functional ETPs. For this purpose;

- a. SPCBs/PCCs shall close-down such industries with immediate effect, which are operating without functional ETPs.
- b. Electricity and water supply of such defaulting industries shall be disconnected, if required.
- c. SPCBs/PCCs shall submit monthly compliance status report, including action taken details, in this matter through the online portal developed by CPCB for review of Monitoring Committee, constituted in accordance to the Hon'ble NGT order dated 03.08.2018 (OA No. 593/2017).

(Note: Presently, the online portal is being developed by CPCB. Till such time, SPCBs/PCCs are required to submit the information in the prescribed formats (hard copy), which are already circulated.)

1.2. Environmental Standards Compliance Verification of ETPs

SPCBs/PCCs shall ensure that industries operating with functional ETPs meet the requisite environmental standards. To ensure this;

- a. SPCBs/PCCs shall carryout regular inspections-cum-monitoring to verify the compliance.
- b. If it is found that industry is not meeting the prescribed environmental standards, appropriate action shall be taken as per the provisions of Water (Prevention and Control of Pollution) Act, 1974 and Environment Protection Act, 1986.
- c. SPCBs/PCCs shall submit monthly status report through the online portal.

2. Action Plan for Common Effluent Treatment Plants (CETPs)

2.1 Installation of CETPs

SPCBs/PCCs shall issue appropriate directions under Water Act, 1974 to the concerned departments of State Government/Union Territory to take up the matter of setting up of CETPs on priority basis, to carry-out adequacy analysis of these systems and to ensure that under-construction CETPs to be completed within the stipulated time lines and the CETPs which are yet to be set up, to be completed by 22.02.2020. Progress in this matter shall be communicated to CPCB through the online portal.

2.2 Environmental Standards Compliance Verification of CETPs

SPCBs/PCCs shall ensure that CETPs meet the requisite environmental standards. To ensure this;

- a. SPCBs/PCCs shall carryout regular inspections-cum-monitoring to verify the compliance.
- b. If it is found that CETP is not meeting the prescribed environmental standards, appropriate action shall be taken as per the provisions of Water (Prevention and Control of Pollution) Act. 1974 and Environment Protection Act, 1986.
- c. SPCBs/PCCs shall submit monthly status report through the online portal.

3. Action Plan for Sewage Treatment Plants (STPs)

3.1 Installation of STPs

SPCBs/PCCs shall issue appropriate directions under Water Act, 1974 to the concerned departments of State Government/Union Territory to take up the matter of setting up of STPs on priority basis, to carry-out adequacy analysis of these systems and to ensure that under-construction STPs to be completed within the stipulated time lines and the STPs which are yet to be set up, to be completed by 22.02.2020. Progress in this matter shall be communicated to CPCB through the online portal.

3.2. Environmental Standards Compliance Verification of STPs

SPCBs/PCCs shall ensure that STPs meet the requisite environmental standards. To ensure this;

- a. SPCBs/PCCs shall carryout regular inspections-cum-monitoring to verify the compliance.
- b. If it is found that STPs is not meeting the prescribed environmental standards, appropriate action shall be taken as per the provisions of Water (Prevention and Control of Pollution) Act. 1974 and Environment Protection Act, 1986.
- c. SPCBs/PCCs shall submit monthly status report through the online portal.

4. Display of data of Online Continuous Effluent Monitoring System (OCEMS) in Public Domain

- a. SPCBs/PCCs shall display the data of Online Continuous Effluent Monitoring System (OCEMS) on their website, with immediate effect.
- b. SPCBs/PCCs shall provide the link of the web-page, displaying OCEMS data, to CPCB through the online portal.

5. Nomination of Nodal Officer

SPCBs/PCCs shall nominate a nodal officer to deal with the issue of ETPs/CETPs/STPs etc. and communicate the contact details to CPCB to facilitate the sharing of information, without any communication gaps.
