



Central Pollution Control Board

(Ministry of Environment, Forest & Climate Change)

Parivesh Bhawan, East Arjun Nagar,

Delhi – 110032

Minutes of First meeting of Joint Committee held on 06.05.2020 under the Chairmanship of Dr. D.P.Mathuria, ED (Technical), NMCG through Video Conferencing for ensuring compliance to Hon'ble National Green Tribunal (NGT), PB, Delhi Order dated 05.03.2020 in OA No. 06 of 2012 in the matter of Manoj Mishra Vs Union of India (UOI) &Ors.

First meeting of the Joint Committee was held on 6.5.2020 at 5.00 PM through Video conferencing under the Chairmanship of Mr. D.P. Mathuria, ED(Technical), National Mission for Clean Ganga (NMCG) with the officials of Delhi Pollution Control Committee(DPCC), Haryana State Pollution Control Board (HSPCB) & Uttar Pradesh Pollution Control Board (UPPCB). List of participants is given at **Annexure-I**.

Shri A.Sudhakar, DH, WQM-I welcomed Dr.D.P.Mathuria, Chairman of the Joint Committee, members of the joint committee viz., Prof.A.K.Nema, IIT, Delhi; Dr.Anupma Sharma, NIH, Roorkee and Er. Hemant Bherwani, Scientist. NEERI as well as the officials of three States(UP, Delhi and Haryana) & CPCB. He outlined the proposed agenda of the meeting and the task of Assessment of damage to environment, in monetary terms after the date of order of Tribunal 13.01.2015, on account of degradation of river Yamuna, by continued inaction of the authorities in Delhi, Haryana (from Hathnikund till entry in State of U.P), U.P (up to Mathura).He mentioned series of Hon'ble NGT orders issued over the years and the order dated 31.1.2015 would be the starting point for assessment of the damages. He also informed about the orders passed by Hon'ble NGT in OA No. 673 of 2018 for rejuvenation of Identified Polluted River Stretches which include river Yamuna by 31.03.2021 and CPCB approved action plans of three States in respect of river Yamuna. Also, he apprised about two member Yamuna Monitoring Committee (YMC) constituted by Hon'ble NGT in OA No. 6 of 2012 to oversee the action taken by all the three States. He suggested to hear three States on action taken for ensuring compliance to the directions. He underlined the timeline for completion of the task of assessment of damage to environment, in monetary terms within three months' period from the date of NGT order (05.03.2020). He also informed about reminder letter issued to all the three States on 24.05.2020 by CPCB. However, the Action Taken Reports are awaited from the three States. Thereafter, he requested Chairman of the Committee, Mr.D.P. Mathuria for guidance & insight on the task given to the Committee for ensuring compliance to the Hon'ble NGT order within the stipulated time frame.

Sh. D.P.Mathuria , Chairman of the Committee opined that the scope of the Joint Committee should be well understood and the Joint Committee is required to make assessment of damage to environment, in monetary terms caused by inactions of the authorities concerned by all the three States in River Yamuna from Hathnikund in Haryana to Mathura in Uttar Pradesh by non-implementation & delayed actions in rejuvenation of river Yamuna as per the previous orders of Hon'ble NGT passed in OA No. 6 of 2012 starting from 13.1.2015. For assessment of damages to environment due to inaction o part of designated authorities as contained in relevant NGT's order, the latest timelines for completion of targeted action points shall have to be kept in mind. Thereafter, he asked all the three States to apprise the actions taken to comply with Hon'ble NGT orders since 13.1.2015.

The officials of DPCC could not apprise the Joint Committee, due to communication failure with VC portal.

Shri J.P.Singh, SEE representative of Haryana SPCB informed that out of 22 STPs only 6 have been completed and rest of the STPs targeted for completion by December, 2020. Project work of two plants could not be started due to litigation issue and STP at Gurugram will not be completed by December, 2020. The inventory of industries in non-confirming areas especially on the bank of river Yamuna in Haryana is progressing and action is being taken on non-complying industries. In response to the queries of Mr D.P Mathuria as regards compliance by State vis-à-vis Action Plan submitted by the State through affidavits in the NGT, Shri J.P Singh clarified that the limitations were placed before Hon'ble NGT before the order were passed on 5.3.2020. However, it was clarified that in spite of limitations placed by the State before Hon'ble NGT, no relaxation in timelines have been granted. Therefore these time lines continue to be binding and remains important while assessment of environmental damages.

Sh. Ashish Tiwari, Member Secretary, UPPCB submitted that OA No 06/2012 was earlier focussed on the specific area covering two drains viz., Indirapuri drain and Shahdara drain, whereas latest order dated 5.3.2020 covers river Yamuna upto Mathura in U.P. The Action plan prepared for rejuvenation of river Yamuna has already been approved by CPCB Task Team, wherein timelines are proposed for completion of ongoing projects of STPs, Phyto-remediation, Bio-remediation. The identified actions are being executed by the respective departments in the UP State and information has been sought from all the concerned departments about progress done and works undertaken. As regards industrial pollution control, Sh. Tiwari informed that some of the industries located in non-confirming areas of Loni and Sahibabad were demolished and action would be taken against those industries in operation. He also informed that inventory of such industries is complete and complete inventory shall be submitted within a week. Recovery of Environmental Compensation amounts to Rs 1.43 Crore from the defaulting units by UPPCB. In non-confirming areas, EC of Rs 2.48 Crore has been levied. CETP at Tronica City is now complying with the discharge norms for general and heavy metal parameters. However, bioremediation of drains has not been started by the Urban Development Department of Uttar Pradesh State. Shri Tiwari also informed that a budgetary provision of Rs. 35.5 Cr has been made for development of a Biodiversity Park in Flood Plain Zone area of U.P. being developed by Delhi Govt for which funds are to be granted by U.P Govt. In Ghaziabad, there is a gap of treatment of 1 MLD (Indirapuri drain) of sewage for which affidavit is submitted to Hon'ble NGT by UPPCB seeking time for implementation.

Mr D.P. Mathuria suggested that based on the affidavits filed by the three States in the past with regard to restoration of river Yamuna, activities committed with timelines, reasons for delay with valid justifications, extent of damage caused, reversal of damage due to compliance to some of the activities and other related aspects be shared by all the three states to enable the committee to assess environmental damages. It was also discussed that environmental and ecosystem services offered by river may need to be assessed and quantified before any assessment of damages can be made.

Shri. Hemant Bherwani, Scientist from NEERI shared his experience regarding methodologies used by NEERI for damage assessment in other matrix of the environment such as Air quality, solid waste, sewage and industrial pollution. He opined that river is a typical ecosystem, lot of data is required to be collected and quantified, pollution load received by river Yamuna, damage caused to the river including apportionment studies, assimilative capacity of river Yamuna, etc. Assessment of damage to riverine system is time consuming and requires long term assessment. He also informed to the Committee that NEERI has done such assessment in case of River Kasardi following three approaches viz., (i) Avoided Cost Method, (ii) Control Cost Methods; and (iii) Value Transfer method. The exercise took one month for data

collection and another one month for analysis. The results obtained from method (i) and (iii) were comparable while the results from method (ii) gave higher figures.

Dr. Anupma Sharma, Scientist 'F', NIH, Roorkee also put forth her view that achievement of desired river water quality may also be considered as one of the criteria which have been impacted due to the non-action by the authorities over the years. The anticipated services for the stakeholders of river Yamuna may also be valued. She is of the view that the institute has no expertise in damage assessment. However, NIH, Roorkee is conducting studies relating to E-Flow in river Yamuna.

Prof. A.K. Nema, IIT, Delhi is of the view that ecological damage assessment is a time consuming process and lot of data is required to be collected including apportionment studies. This Committee also required to decide on extent of data to be analysed and to decide on the approach to be followed to complete the study. As the time available to this Committee is only three months, it would be best option to start with the exercise of damage assessment by preparation of a comprehensive table mentioning date of completion of work by each State. The master sheet can contain reasons for delay so that indicative damage can be assessed. Strategy for damage assessment in monetary terms may be finalised by taking into account various aspects of non-compliances made by the States/UTs.

Responding to the query of Mr. D.P. Mathuria with regard to the time required for damage assessment, Shri. Hemant clarified that time required depends on the action versus in-actions, damage assessment, e-flows and ecological services the river Yamuna provides for which preventive treatment methods could have taken, apportionment studies need to be mapped. The results of partial implementation of action in monetary terms using *value transfer method* would be appropriate.

Prof. A.K. Nema extended his views for detailed economic analysis in delayed actions by the authorities within three months. Spatial data needs to be collected with apportionment amongst the responsible agencies with their delayed action or inaction. Hence, it was suggested that NEERI suggested approach for assessment based on quantification of damage can be adopted.

Shri. A. Sudhakar further explained that inaction of authorities could be understood in a scenario wherein BOD load could not be reduced because of inaction with number of days action was delayed and treatment cost involved in reduction of per Kilogram of BOD can be multiplied to arrive at an amount in Rupees. A comprehensive exercise may be taken up with all the inputs, outputs and other attributes such as assimilative capacity of river. The three months' time period is not adequate for comprehensive exercise to carry out as suggested by the members from IITs. The Committee may indicate, if any further assessment is needed to arrive at total damage assessment.

Mr. D.P. Mathuria, Chairman of the Committee appreciated the suggestions made by the members and for active participation by all the members. He reiterated that the assessment of damage to the environment in monetary terms can be done based on the actions, inactions, environmental loss in the riverine system in terms of services that would have been provided by the river including e-flow calculation, mapping of damage etc., in compliance to the directions of Hon'ble NGT dated 5.3.2020.

Upon detailed discussions by the Joint Committee, following decisions were made: -

1. A template shall be prepared by CPCB based on the orders passed by Hon'ble NGT in OA No. 6 of 2012 since 13.1.2015 and same shall be shared to all three States for submission of Action Taken Reports for ensuring compliance to Hon'ble NGT orders from 3.1.2015 to 5.3.2020 in O.A No 06/2012 in the matter of Manoj Mishra Vs Uol & Otrs, *within three working days*.

2. *All the States and their concerned agencies shall have to submit ATR within a week thereafter. SPCB of the respective States may co-ordinate for submission of ATRs to CPCB. CPCB shall share the compiled summary of ATRs with the members of Joint Committee.*
3. It is also proposed to consult other expert institutions such as WII, CIFRI for taking their views on the assessment of damage to the environment.
4. Next meeting shall be held within 10 working days to discuss further course of action.

The meeting ended with thanks to the Chair.

-- OO --

Annexure-I

List of Participants attended the meeting of joint committee held on 6.5.2020 in CPCB through Video Conferencing in compliance to Hon'ble NGT order dated 5.3.2020 in O.A NO 06/2012 in the matter of Manoj Mishra Vs Uoi&Oths.

S No.	Name of Officials attended the meeting through VC	Designation	Phone No	E mail id
1	Sh D.P Mathuria	ED Technical NMCG	9911725111	uyrb-mowr@nic.in
2	Sh A Sudhakar	DH-WQM-I , CPCB	8800326699	asudhakar.cpcb@nic.in
3	Sh Ashish Tiwari	Member Secretary, UPPCB	7007280904	ms@uppcb.com
4	Sh A.K. Nema	Professor , Deptt of Civil Engg , IIT Delhi	9810827852	aknema@civil.iitd.ac.in
5	Dr Anupama Sharma	Scientist 'F', NIH, Roorkee	9897919552	anupma.nihr@nic.in
6	Er. Hemant Bherwani	Scientist NEERI, Nagpur	9096049515	h.bherwani@neeri.res.in
7	Sh J.Chandra Babu	Sc E, WQM-I Div, CPCB	9868278903	icb.cpcb@nic.in
8	Sh J.P Singh	SEE, HSPCB	9216849307	
9	Sh D.K Singh	SEE, DPCC, Delhi	9717593512	
10	Sh Shyam Sunder EE	EE, DPCC, Delhi	9717593531	
11	Sh Ajay Rastogi	UP Jal Nigam		
12	Sh Ashok Kumar Tiwari	UPPCB	9412168902	
13	Sh Dinesh Yadav			
14	Sh G.S. Srivastav	UP Jal Nigam		
16	Sh Utsav Sharma	UPPCB	9990603358	
17	Sh Vishal Gandhi	Sc D, UPC-I Div, CPCB	9891254423	
18	Mrs Suniti Parashar	Sc C, WQM-I Div, CPCB	9868819711	sunitiparashar@gmail.com