TAMIL NADU LEGISLATIVE ASSEMBLY

COMMITTEE ON PUBLIC ACCOUNTS

(2011-2012)

(FOURTEENTH ASSEMBLY)

THIRTY NINETH REPORT

(Presented to the Assembly on 7-5-2012)

Legislative Assembly Secretariat,
Chennai-600 009.

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REPORT OF THE COMMITTEE ON PUBLIC ACCOUNTS ON THE PARAGRAPHS INCLUDED IN THE REPORT OF THE COMPTROLLER AND AUDITOR GENERAL OF INDIA (Civil) FOR THE YEAR 1999-2000 RELATING TO ENVIRONMENT AND FORESTS DEPARTMENT

11—138—1

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TAMIL NADU LEGISLATIVE ASSEMBLY

Composition of the Committee on Public Accounts (2011-2012)

(Constituted on 10th June 2011)

CHAIRMAN

1. Thiru S.Ramachandran

MEMBERS

2. Hon.Thiru O.Panneerselvam, Minister for Finance (*Ex-Officio*)
3. Thiru P.G.Narayanan, Chairman, Committee on Estimates (*Ex-Officio*)
4. Thiru V.Somasundaram Chairman, Committee on Public Undertakings (*Ex-Officio*)
5. Thiru K.P.Anbalagan
*6. Thiru M.S.M.Anandan
7. Thiru P.V.Kathiravan
8. Thiru Kadambur Raju
9. Thiru V.P.Kalairajan
10. Vacant
11. Thiru M.Gunasekaran
12. Thiru O.K.Chinnaraj
13. Dr.Kovi.Chezhian
14. Thiru R.Duraikkannu
15. Thiru K.Pandiarajan
16. Thiru K.V.Markendeyan
17. Thiru R.Ramamoorthy
18. Tmt R.Rajalakshmi
19. Thiru S.John Jacab

SECRETARIAT

Thiru A.M.P.Jamaludeen	..	Secretary
Tmt G.Gayathiri	..	Joint Secretary
Selvi S.Philomena	..	Deputy Secretary
Thiru Rm.S.Giridharan	..	Under Secretary

* Upto 11-12-2011

INTRODUCTION

1. I, Chairman, Committee on Public Accounts having been authorised by the Committee (2011-2012) to submit the Report on its behalf present this Thirty Nineth Report on the paragraphs pertaining to Environment and Forests Department included in the Report of the Comptroller and Auditor General of India (Civil) for the year 1999-2000.

2. The Report of the Comptroller and Auditor General of India for the year 1999-2000 was laid on the Table of the House on 6.9.2001.

3. The Committee at its meeting held on 11-9-2007 examined the Secretary to Government, Environment and Forests Department in connection with the important paras pertaining to that Department.

4. The Committee records its appreciation of the valuable assistance rendered by the Secretary, Legislative Assembly, Principal Accountant General (Civil Audit) and Deputy Secretary, Finance Department. The Committee is also thankful to the Secretary to Government, Environment and Forests Department for the co-operation extended to the Committee in its' deliberations.

5. The original notes submitted by the department and the particulars, clarifications etc., made available during evidence have been taken into account by the Committee in finalising this Report.

6. The Committee approved this Report at its meeting held on 22nd November 2011.

Chennai-600 009,
22nd November 2011,
Karthigai 6,
Thiruvalluvar Aandu-2042.

S.RAMACHANDRAN,
Chairman,
Committee on Public Accounts.

REPORT OF THE COMMITTEE ON PUBLIC ACCOUNTS ON THE PARAGRAPHS INCLUDED IN TH REPORT OF THE COMPTROLLER AND AUDITOR GENERAL OF INDIA FOR THE YEAR 1999-2000 (Civil) RELATING TO ENVIRONMENT AND FORESTS DEPARTMENT

ENVIRONMENT AND FORESTS DEPARTMENT

1. Implementation of environmental Acts and Rules relating to Water Pollution (Para 3.1 of Audit Report 1999-2000)

Introduction:

1.1. The Committee notes that Government of India enacted the Water (Prevention and control of pollution) Act 1974 amended in 1978 and 1988, Water (Prevention and Control of Pollution) Cess Act 1977 amended in 1991 and the Environment (Protection) Act, 1986 with the objective of prevention, control and abatement of water and Air pollution through planning comprehensive Programmes. Tamil Nadu Pollution Control Board (TNPCB) constituted in 1982 and Department of Environment created in October 1995 were entrusted with the responsibility of environmental management in the State.

Pollution is perceptible in the form of alteration of physical, chemical and biological qualities of natural resources-water air and land. In Tamil Nadu, the agricultural, industrial and domestic activities depend to a large extent on the ground water. Over-extraction of ground water and discharge of waste back into surface/ground water make the water polluted. Also releasing effluents without treatment into sources causes pollution.

Water is polluted by four kinds of substances. They are

1. Traditional organic waste
2. Waste generated from industrial processes
3. Chemical agents for fertilizers and pesticides for crop protection and
4. Silt from degraded catchments.

The main aim of the State Pollution Control Board (TNPCB) is to control and monitor the pollution level of water, air and land and to maintain or to restore the wholesomeness of water and air in the State. The Government in September 1983 have notified the Tamil Nadu Water (Prevention and Control of Pollution) Rules 1983. An audit of implementation of environmental Acts and Rules relating to Water Pollution was taken up to assess the current status in the prevention and treatment of water pollution in the State.

Some of the major observations noticed during Audit on the assessment on the compliance of the rules and regulations in force are discussed below:-

2. Water quality in the State (Para 3.1.4 of Audit Report 1999-2000)

2.1. The Committee observes that the following two sponsored schemes of Government of India (GOI) were implemented by the Board for testing water quality in the State.

(i) Under Global Environmental Monitoring System (GEMS), in river Cauvery, surface water samples at 3 stations were collected for physio-chemical and microbiological parameters and reports sent to Central Pollution Control Board.

(ii) Under Monitoring of India National Aquatic Resource System (MINARS) water quality at Cauvery, Tamirabarani, Vaigai, Palar rivers and at a few lakes were analysed at several stations for physio-chemical and bacteriological parameters and reports sent to Central Pollution Control Board.

The Tamil Nadu Pollution Control Board intimated in May 2000 that parameters of pH, faecal and total coli- form had exceeded the tolerance limits from 1994-95 to 1998-99 in most of the stations where GEMS and MINARS schemes were monitored. Though the concerned local bodies were addressed (October 1997) to have a time bound programme for proper treatment of sewages before letting them into rivers and waterways, and reminded periodically by the Board there was no response.

2.2. The Department in its Explanatory Notes has merely reiterated the Audit observation in respect of the GOI sponsored schemes GEMS and MINARS and has detailed out the test results of water samples, Aquatic system-wise, where these schemes were implemented in the Sate of Tamil Nadu.

2.3. During deposition, the Secretary to Government, Environment and Forests Department has stated that regarding the Report for 1999-2000 it was found that no action was taken in a greater level in this regard, due to financial constraints of the local bodies. He said that in Tamil Nadu about 2400 million litres of sewage has been discharged per day. Out of these only thousand million litres per day has been treated in sewage treatment plants.After 1999-2000 the Central Government initiated Ganga Action Plan under National River Conservation Programme in favour of Southern States, with a financial outlay of Rs.1000 crores and Rs.500 crores has been sanctioned. Moreover, assistance has been extended under this scheme to Trichy, Erode, Bhavani, Pallipallaiyam, Kumara Palliyam and Thirunelveli, Thanjavur, Mayiladudurai, Trichy, Srirangam, Madurai, Kumbakonam cities. Hence the situation now has been improved better than before.

During deposition the Chairman, Pollution Control Board stated that the Section 33A of the Act introduced in 1988 empowers the Board to close down the factories which are violating the rules. He also stated that Municipalities in Trichy, Erode, Karur, Mayiladudurai, Thiruvarur, Coimbatore, Thirunelveli Municipalities have obtained sanction to install ETP.

He further stated that by installing Reverse Osmasis Plant purified water could be reused. The factories in Thiruppur, Erode which have not installed Reverse Osmasis Plant and 176 (11+169) other units which did not install ETP had already been

closed. With regard to tanneries zero discharge is expected by installing ETP in the first stage and ROS in the next stage. Action has been taken to install ETP in regard to textiles department also. He further stated that a CE has been appointed to examine whether a centralised ETP could be installed combining 20 to 30 units.

The Committee also discussed the subject of air pollution.

Finally the Chairman, Pollution Control board assured the Committee, that the suggestion of the Committee, to tighten the inspection by surprise check/random check would be followed.

2.5. The Committee strongly recommends that the Department in co-ordination with the line Departments take appropriate action for saving water against continued pollution/contamination.

3. Para 3.1.4.2 of Audit Report 1999-2000

3.1. The Committee notes that data given by the Chief Water Analyst, Chennai regarding the results of water analysis from the protected water sources (rivers, draw wells, lakes and reservoirs) in 23 districts during the period 1994-95 to 1998-99 revealed that the quality of water in 57 to 67 per cent of the samples was below standard. Thus the water quality in the State had not been improved since 1994.

3.2. During deposition the Chairman, Pollution Control Board stated that on the part of Municipality the two important defects are Coliform and E.coli. In places like Erode and Cuddalore industries discharge effluents but in majority areas the real culprits are the local bodies and they had discussed tackling industrial pollution with local bodies. The ultimate solution would be underground sewage system with sewage treatment plants.

3.3. The Committee recommends that the department should take proper action to identify sources of drinking water and maintain them free from pollution and contamination.

4. Para 3.1.4.3 of Audit Report 1999-2000

4.1. The Committee notes that as per the details furnished (February 2000) by the Director of Public Health and Preventive Medicine, there were 1903 deaths reported through cholera and acute diarrhoea and other diseases during the period 1994-99 due to major infection caused by leakage of pipeline, bore well, improper maintenance of overhead tanks and contamination of water from wells, streams and rivers.

4.2. The Committee desires to have a detailed report on the action taken to prevent the various diseases caused by contaminated water.

5. Para 3.1.4.4. of Audit Report 1999-2000

5.1. The Committee observes according to information furnished by the Chief Water Analyst, TWAD Board to Audit, about 9 per cent of water sources in the State were not potable due to excessive fluoride about 10 per cent due to excessive nitrate,

about 7 per cent due to excessive iron and about 18 per cent due to excess total dissolved solids. While sources in the districts of Dharmapuri, Salem and Erode were severely affected by excessive fluoride, the level of nitrate in water is high in the districts of Tiruvannamalai, Salem, Dharmapuri and Erode mainly due to application of fertilizers. The problem of salinity was significant in Ramanathapuram District.

5.2. The Department in its Explanatory Notes has given only a general reply but has not furnished any specific reply on the time-bound action plan/schemes implemented for improving the quality of water in the sources pointed out in Audit.

5.3. The Committee views the entire issue against the back drop of acute water starved State. The sources from wherein the elixir of life is tapped for eventual consumption of living beings must be identified and maintained in such a way that they are maintained free from pollution and contamination and methods also has to be deployed to render non-potable water, potable, wherever it is feasible and possible.

The Committee desires to have a report on the steps taken to improve upon the state of affairs.

6. Water Treatment (Para 3.1.5 of Audit Report 1999-2000)

Treatment of domestic sewage water (Para 3.1.5.1 of Audit Report 1999-2000)

(a) Local Bodies did not obtain consent

6.1(a) The Committee notes that according to section 25 of Water (Prevention and Control of Pollution) Act, 1974 all local bodies have to apply for consent to the State Pollution Control Board as they discharge sewage into watercourse. Audit observed that only 3 out of 108 urban local bodies (6 Municipal Corporations and 102 Municipalities) had applied for consent to the Board. Other remaining rural local bodies like Panchayat Unions and Panchayats and Urban Town Panchayats had not obtained consent even though these also attracted the provisions of the Act.

6.2. The Department in its Explanatory Notes has stated that the Local Bodies are responsible for treating sewage arising from the habitants, collection and disposal of solid waste arising from the area. Hence mere filling the application and issuing consent to the Local Bodies would not serve the purpose of abating pollution and therefore the Board has addressed all Local Bodies to furnish the proposals for mitigating sewage and solid waste problems and they were yet to furnish the proposals and have expressed the financial difficulty in planning and implementing the above proposals and hence the TNPCB has requested the CPCB to take up the matter with the Housing and Urban Department, Government of India to provide adequate funds for proper collection, transportation, treatment and disposal of sewage and also solid wastes arising from the Local Bodies.

(b) Non-provisioning of sewage treatment plants by Local Bodies

6.2. The Committee observes that as per the sections 25 and 27 of Water Act, the local bodies should treat the effluent water before letting them into waterways.

However, out of 6 Municipal Corporations and 102 Municipalities, only 7 local bodies had Sewage Treatment Plants (STP) to treat the effluent water before letting them into streams, rivers etc. The remaining 101 local bodies had not provided any STP and around 864 MLD of untreated water was let into streams, rivers etc without treatment, polluting the water sources continuously. These local bodies could not implement schemes for sewage and solid wastes due to financial constraints. This plea, however, looked very weak since despite the offer of GOI for meeting a portion of the expenditure on installing the STPs, the local bodies had not taken any action in this matter so far.

The Board stated (November 2000) that the local bodies had been addressed to furnish comprehensive proposals for mitigating sewage and solid waste problems and they were yet to furnish necessary proposals. The Board also stated that proposals for utilising Central Assistance for the treatment and disposal of sewage in certain reaches of certain local bodies are under consideration under "National River conservation Plan.

The Department in its Explanatory Notes has stated that with the Central Assistance under River Conservation Programme and National Lake Conservation Programme, the treatment and disposal of sewage in certain reaches of Local Bodies have been taken up and are co-ordinated by the Directorate of Environment, Under National River Conservation Programme actions are being taken to provide STPs in 5 towns viz., Bhavani, Kumarapalayam, Pallipalayam, Erode and Tiruchirappalli and STPs have also been proposed to be provided in 9 towns viz Tiruchirappalli (Greater), Thanjavur, Kumbakonam, Karur Mayiladuthurai, Madurai, Tirunelveli, Rameswaram and Tiruchendur, STP for Kodaikanal had been proposed under National Lake Conservation Programme and once these proposals were put into action, the problem of pollution due to domestic sewage and solid waste would be resolved.

6.3. The Committee viewed seriously the non-compliance of the provisions of the Act by the Local Bodies in seeking the consent of the State Pollution Control Board.

The Committee desired to know whether comprehensive proposals for mitigating sewage and solid wastes problems had been obtained from all such Local Bodies who did not have Sewage Treatment Plants.

The Committee also desired to know whether the Department had drawn up any time-bound programme of action for providing the Sewage Treatment Plants by these Local Bodies under River Conservation Programme/National Lake Conservation Programme.

The Committee wanted to know the reason for the delay in completion and the latest position thereon.

6.4. During deposition, the Chairman Pollution Control Board has stated that the sewage treatment plant in Chennai is in good condition.

The Director of Pollution Control Board, has stated that in Chennai the TWAD Board undertakes the work of letting out domestic sewage through underground drainage system. Most of the places are omitted in this scheme. In order to include

those places in the scheme, an estimate has been prepared and sent to the approval of central Government. This has been planned to complete in 16 packages. In this 12 packages will be made as underground systems and 4 packages as newly introduced STP type. Even in 1996 when the scheme was started these places were omitted. A scheme to the tune of Rs.100 crores has been prepared and sent for the approval of Central Government. The Director informed the Committee that after obtaining sanction from the Central Government, the schemes would be implemented.

6.5. The Committee recommends that action should be taken by the Corporation in co-ordination with the TWAD Board to extend underground drainage system in all parts of the city.

The Committee also recommends that the Department should take necessary steps to issue notice to the local bodies for sewage water treatment prior to letting out to water courses.

7. Treatment of pollution load due to industrial activities (Para 3.1.5.2 of Audit Report 1999-2000)

7.1. The Committee notes that as per the provisions of the Water Act, industries discharging sewage/trade effluent are required to secure consent of the Board. All the industries generating effluent were to provide Effluent Treatment Plants (ETPs) to treat the effluent to achieve the standards prescribed by the Board. The Board fixed (as far back as in February 1984) the tolerance limits for discharge of trade effluent into inland surface water, public sewers, marine coastal areas and on land for irrigation.

There were about 6639 industries in the State required to provide ETPs besides 939 tanneries, 4173 textile bleaching and dyeing industries. Twenty seven per cent of industries had not provided the effluent plants so far (March 2000) as discussed in the succeeding paragraph.

(a) Setting up of ETPs by industries.

Of the 6639 large and medium scale industrial units in the State as of March 2000, which discharge trade effluents, 5304 units had provided ETPs and 1335 units had not provided ETPs so far.

The Board stated (November 2000) that it had closed 1199 units as per directions of High Court and the remaining 136 units which were at various stages of construction of ETPs either individually or collectively.

As per the report (November 1999) on status of environment in the State prepared by the Board, out of 939 tanneries, 132 have provided individual units. Out of 26 Common Effluent Treatment Plants (CETPs) to be provided for 772 tanneries. 12 CETPs for 620 tanneries have been provided and were in operation and the remaining 14 CETPs at Tiruchirappalli and Vellore were under installation. 35 tanneries had not provided any ETP so far. (March 2000).

Similarly out of 4173 textile bleaching and dyeing industries which are major polluting industries. CETPs have been provided for 537 units and installation of CETP

was under progress in 905 industries. Closure orders had been issued to 821 units which had not applied consent of the Board and which had not provided ETPs. Particulars for the remaining 1910 units were not available.

7.2. The Department in its Explanatory Notes has stated that the 136 units, which were at various stages of constructing the Effluent Treatment Plants, have been addressed by the Board to expedite the Effluent Treatment Plant either individually or collectively. Therefore the Board has taken action against the units, which have not provided effluent treatment plant either individually or collectively. However, when they provide effluent treatment plant either individually or collectively, the Board will revoke the closure and also issue consent to the unit.

7.3. The Committee desired to know the action taken in respect of 35 tanneries that had not provided the ETPs and about the 1910 units of bleaching and dyeing industries for which position on installation of CETPs was not made available to Audit.

7.4. During witness examination, the Chairman, Pollution Control Board informed the Committee that totally there are 995 tannery units and 2842 textiles units in Tamil Nadu. The tanneries and textiles units, which did not provide Effluent Treatment Plant or common Effluent treatment plant were closed. He further informed the Committee that small textile units and electroplating units who were abating the rules, legal actions were being taken to close these units. He also stated that the power connection would be disconnected to the industries which had not obtained the consent of the Board. The Power would be resumed within 10 to 15 days after obtaining proper undertaking from them.

7.5. The Committee notes that mere closure of units is not a solution to this problem. The Committee recommends that the department should take necessary legal action against the units which violated the provisions of the Act and bring them before the Court of Law.

8. Non-provision of Interlocking system (Para 3.1.5.3 of Audit Report 1999-2000)

8.1. The Committee notes that the Pollution Control Board directed (November 1995) the State Board to instruct the high polluting industrial units to interlock pollution control equipment with production machinery in such a way that production be automatically stopped in the absence of operation of pollution control equipment. Despite the issue of resolution by the State Board in May 1996 directing the high polluting industries to have the interlocking system within 3 months, the interlocking system had not been provided by these industries so far. The Board had no effective solution to the problem and merely stated (September 2000) that instructions were issued to the industries to find a way to install interlocking system with the consultation of technology experts and come up with a solution after having discussion with Joint Chief Environmental Engineers and District Environmental Engineers. The fact that even after 5 years of the instructions, the system is not in place anywhere suggests lackadaisical approach of the Board in the matter.

8.2. The Department in its Explanatory Notes has stated that in order to implement the CPCB directions, Board had directed the new Highly Polluting industries

to provide interlocking system and three cement factories and one Copper smelter plant falling under polluting categories had provided interlocking system and were functioning and in case of existing industries the preparation of the procedure for interlocking system was under process. The Department had further stated that the interlocking system separately for various types of industries like refineries, petrochemicals, sugar, distillery, cement etc were first to be evolved taking into account the plant design and safety aspects into consideration.

8.3. The Committee infers from the reply that the insistence for such a system of interlocking appears to be possible and feasible with the newly commissioned industries and the Board also can lay it as pre-requisite prior to issue of consent to the industries. For the existing industries as such, this may be difficult to implement in letter and spirit. The Committee desires the Department to inform whether a foolproof system of interlocking in respect of various categories of Highly Polluting industries had since been evolved and the same explained properly to the industries concerned for implementation within a specific time frame.

9. Other points of interest
Issue /Renewal of consent to industrial units (Para 3.1.6.1 of Audit Report

9.1. The Committee notes that as per section 25/26 of the Water Act, all new/existing industries that discharge sewage or trade effluents have to obtain consent from the Board for their establishment and operation. The Board identifies industries, which attract section 25/26 of the Act in a phased manner.

Out of 20532 units identified by the Board, 18229 units had applied for renewal of consent and as of March 2000 the same has been issued to 15425 units; 2303 units had not applied for consent (March 2000).

In respect of 198 large scale industries categorised as highly polluting, by GOI and which required close monitoring by the Board, there were huge arrears in renewing their consent. Even though all 198 units were remitting the consent fees annually, consent has been renewed for 52 units only for the year 1999-2000. In respect of the remaining 146 units, consent was not renewed by the Board on the plea that the units were persuaded to upgrade their treatment plants and non-renewal would act as a check for further improvement. This would only indicate that the Board was lukewarm in the discharge of its statutory functions and was unable to implement the pollution control measures strictly in respect of these industries. It resorted to the postponement of renewal of consent to these industries as a temporary measure, but the industries continued to function even without renewal of consent by the Board.

The Board stated (November 2000) that based on the report of analysis of samples collected every fortnight and survey conducted annually, the industries were directed to carry out the required improvement measures and in case of non-compliance, show cause notices were issued. Accordingly, the Board had issued show cause notices to 38 industries between November 1999 and June 2000 and closure directions to 2 industries in March 2000 and August 2000. The fact remains that 144 highly polluting industries continued to function although their effluents had not been treated to the required standard.

9.2. The Department in its Explanatory Notes had stated that the Board (TNPCB) issues consent after the units install full fledged Effluent Treatment Plant and Air Pollution Control Measures and merely submitting the application and issuing consent to the units would not serve the purpose of pollution abatement programmes envisaged by the Board and the applications filed by the units were returned stating that consent would be considered after the units install necessary ET plants/Air pollution control measures and after the installation of pollution control measures they should be properly operated to achieve the level pollutants discharged as prescribed by the Board.

9.3. During deposition, the Chairman of the Pollution Control Board stated that the large scale industries were required to submit their applications before 31st of March. Wherever the ETPs, were run effectively the consent was given to them and wherever, the ETPs function with minor defects, consent to the units was extended to six months with a condition that defects should be rectified within six months. In cases where the ETPs were found with greater defects the consent was not renewed. Everything would be controlled from this year onwards. The chairman assured the Committee that they would ensure that no units are run without the consent.

9.4. The Committee desires to have a detailed report on the steps taken by the Department to ensure that all the units are functioning with their valid consent.

10. Water cess (Para 3.1.6.3 of Audit Report 1999-2000)

10.1. The Committee notes that a water cess, on the basis of quantity of water consumed was levied by Government of India through State Board on the local bodies and on certain specified industries. GOI is reimbursing 80 per cent of such water cess collected to the State Board. An amount of Rs.14.87 crore was received by the Board through reimbursement of water cess during the period 1994-95 to 1998-99.

Audit observed that out of 540 local bodies, 14 local bodies only had paid the water cess and an amount of Rs.9.99 crore was due from 526 local bodies towards water cess for the period 1992-99.

The water cess due from industries increased from Rs.8.20 crore as on 31st March 1994 to Rs.35.31 crore as on 31st March 1999 indicating that no effective action was taken to collect the dues.

The Board stated (November 2000) that out of Rs.35.31 crore Rs.31.37 crore were due from Ennore Thermal Power Station (Rs.15.08 crore), North Chennai Thermal Power Station (Rs.8.20 crore) and Thoothukudi Thermal Power Station (Rs.8.90 crore) and the Board had addressed the Chairman, Tamil Nadu Electricity Board in this regard.

10.2. The Department in its Explanatory Notes has stated that a sum of Rs.31.37 crore was due (out of Rs.35.31 crore to the end of March 1999) from the following major industries.

1. Ennore Thermal Power Station	Rs. 16,59,78,843
2. North Chennai Thermal Power Station	Rs. 10,40,77,163
3. The Thoothukudi Thermal Power Station	Rs. 8,08,83,887
4. M/s.Seshasayeee Paper Mills	Rs. 22,11,080

The Department has merely stated further that the Board has requested the Chairman, TNEB for the remittance of the sums due to the Board and M/s. Seshasayeee Paper Mills had remitted their dues subsequently.

10.3. The Committee desires the Department to speed up the collection of the dues for TNEB through appropriate action at the Apex level.

The Committee observes that the reply is silent on the issue of dues of water cess from the Local Bodies. Committee desires to have a specific reply on the action taken.

In respect of Industries, Committee observes that the latest dues from all such industries were not furnished. The Committee desires to be informed of the effective steps taken to realise the same.

11.Unutilised subsidy (Para 3.1.6.4 of Audit Report 1999-2000)

11.1. The Committee notes that the State Government ordered that the subsidies received from GOI and the State share released towards the establishment of CETPs were to be deposited in the deposit account of the Board. Though not required for the utilisation immediately, the Board transferred Rs.6.36 crore from its deposit account to its current account and the amount was kept unutilised as of December 1999.

11.2. The Department in its Explanatory Notes has stated that since the Tamil Nadu Pollution Control Board was in a position to disburse the amount to the CETPs as and when required by them without any hindrance to the work, the Board drew the amount and kept it in the current account and the amount was not utilised for day to today expenditure.

11.3. The Committee observed that the action of the Board in transferring the amount of Rs.6.36 crore from the deposit account to its current account has resulted in the huge Government funds lying outside the Government Accounts with Government losing interest on the amount.

11.4. During witness examination, the Director Pollution Control Board had stated that nearly Rs. 6 crores had been transferred to the current account of the Board and most of the fund was disposed. Remaining Rs.2 crores only had been left behind pending disposal. The Director accepted that the fund should have been maintained in the PD account. But it was transferred to the current account.

11.5. The Committee recommends that in future the Department should maintain Government funds in P.D. account. The Committee insisted the Secretary to issue suitable instructions so as to ensure that such omission should not occur in future.

12. Monitoring of Industries

Inspection of Industries (Para 3.1.7.1 of Audit Report)

12.1. The Committee notes that the Inspection of industries was to be made by the officers according to frequencies fixed in 1994 as follows:-

	Large	Medium	Small
Red Category (Highly polluting)	Once in a month	Once in two months	Once in three to four months
Orange Category (Medium Polluting)	Once in two months	Once in three months	Once in four to six month
Green Category (Less polluting)	Once in three months	Once in six months	Once in a year

The inspections were required to be carried out by Assistant Engineers (AEs)/Assistant Environmental Engineers (AEEs) only. No specific target for inspection had been fixed for the officers above the level of AEs/AEEs.

There was a huge shortfall in inspection of large industries, in the 7 district offices covered by Audit. The shortfall ranged from 6 to 92 percent in respect of Red Category and from 28 to 100 per cent in respect of orange category industries during 1995-99. The monitoring of industries was thus highly unsatisfactory.

A number of posts of AE and AEE were vacant. Out of the 36 sanctioned posts of AEE, 14 posts were only operated and the remaining 22 posts were vacant and out of the 157 posts of AE 89 posts were only operated and the remaining 68 posts were lying vacant (June 2000) of which 42 posts were vacant from 1996-97 onwards. The Board reported (September 2000) that it is taking action for filling up the posts in a phased manner taking into account the opening of new district offices and after considering the promotional aspects of the posts of AEs to the post of AEEs.

12.2. The Department in its Explanatory Notes has stated that the Board in the year 1994 had adopted the norms for the frequency of inspections of Red, Orange and Green category of industries based on the Government of India guidelines but inspections by the Board AEs and AEEs were based on the targets as 25 inspection and 10 samples to AEs and 10 inspections and 5 samples to AEEs and according to these norms, targets fixed for AEs and AEEs were achieved by them and further stated that action was being taken to fill up the vacancies for the post of AEEs and AEs.

12.3. During deposition, the Administrative, Director of Pollution Control Board has stated that the examinations were conducted for the recruitment of 25 posts. Due to recruitment ban order existed at that time, the posts could not be filled up.

The Member Secretary, Pollution Control Board informed that according to Government of India norms the required number of Engineers posts was 25 and action had since been taken to fill up the posts.

12.5. The Committee feels that by filling up the vacancies and creating more new posts department could complete the inspection of industries without backlog.

Monitoring of Industries (Para 3.1.7 of Audit Report 1999-2000) (Para No.3.1.7.2 of Audit Report 1999-2000)

13.1. The Committee notes that after conducting inspections, the shortfalls, deficiencies etc., noticed during such inspections were intimated by the Board to the units inspected for carrying out necessary improvement for abatement of pollution. Nineteen industries covered by 6 district offices had taken no corrective action after inspection. Some of the important cases are discussed below in brief:

13.2 (i) Ambur Co-operative Sugar Mills Limited

Consent to operate the unit was renewed in May 1998 subject to their closing of earthen tanks within one month, utiliing the entire quantity of trade effluent for irrigation on their own land and stabilisation of ETP before the next crushing season so as to meet the standards fixed by the Board. The unit discharged effluent outside its premises, which reached Palar River and there was no marked improvement in the operation of ETPs as noticed by the Board during inspections in January 1999, June 1999 and January 2000. The unit did not comply with pollution control standards despite the issue of show-cause notices by the Board from 1997 onwards.

The Board stated (November 2000) that as per the orders of High Court the unit had been requested to conduct study on the treatment system provided and added that the unit had closed the earthen pits.

13.3 The Department in its Explanatory Notes had stated that as per the Honourable High Court of Madras order dated 23.9.1998, the unit had been requested to conduct the study through National Environmental Engineering and Research Institute Nagpur (NEERI) on the treatment system provided by them and the Board had also insisted on the unit not to store the molasses in earthen pits and close down the old earthen pits and the unit had since closed the earthen pits.

13.4 During deposition the Chairman, Pollution Control Board has stated that an ETP was established in 2002 and the sewage is treated.

13.5 The Committee desires to have a latest report in this regard.

13.6.(ii) Tamil Nadu Industrial Explosives Limited, Christianpet

13.2.1. Analysis of samples of trade effluents, collected in April and May 1997 revealed that the tolerance limits prescribed by the Board were exceeded because of the non-operation of ETP. District Environmental Engineer (DEE), Vellore found during inspections in June 1997 that the unit had not provided any treatment except

neutralization for the Soda ash plant. As the Industry had not repaired the 2 numbers of Neutralisation/setting tanks of ETP, it was directed to install a full-fledged ETP and STP early. The industry had not yet installed the ETP and the show-cause notice was issued by the Board in March 2000 to which no reply had been received (November 2000).

13.7 The Department in its Explanatory Notes has stated that the said unit was Government of Tamil Nadu Enterprise and the unit manufactures Nitro-Glycerine Explosives, Detonators and detonating fuse and the Board had addressed the CMD of the unit to install full fledged ETP and it was reported by the Unit that a proposal for a full fledged treatment system with zero discharge of the effluent costing about Rs.22 lakh had been prepared by Annamalai University and before implementation of the full fledged plant, a pilot plant to assess the feasibility of full scale plant had been planned by the unit at a cost of Rs.5 lakh. The Department had further stated that the Unit had been reminded continuously of the above proposals and a show-cause notice was also issued to the Unit on 31.3.2000 and the reply to this notice was yet to be received and on receipt of the reply the Board would proceed in the matter.

13.8 During witness examination the Additional Chief Environmental Welfare Engineer has stated that in December 2003 the construction of the Solar Evaporation and Neutraliser Tank has been completed. However, since the Central Government banned the production of Nitroglycerin in 2004, and they stopped its production. Other factories were run with the ETPs and the plants were operated with high level Solar evaporator.

13.9 The Committee desires to have a latest report with regard to the functioning of the ETPs established in every unit within a month.

14. Monitoring of Industries (Para No.3.1.7.3 of Audit Report 1999-2000)

14.1. The Committee notes that the Board is empowered to take action against the erring industries under Section 33A of the Water (Prevention and Control of Pollution) Act, 1974 as amended in 1988 which include (a) the closure, prohibition or regulation of any industry, operation or process or (b) the Stoppage or regulation of Supply of electricity, water or any other service.

A perusal of the details collected from the Board and three district units revealed that though adequate action for abatement of pollution was not taken in the following cases, no penal action was taken by the Board on such erring industries, as contemplated in the Act except issue of show-cause notice in certain cases.

M/s.Kovai Maruthi Paper and Boards Limited,Paramathi (Para 3.1.7.3(a)

14.2. Analysis of treated effluent samples collected in August/September 1998 showed that the parameters such as total suspended solids, total dissolved solids and sulphate exceeded the limits prescribed by the Board. Despite issue of warning by the Joint Chief Environmental Engineer in December 1998 the Industry continued dis charge of effluent without treatment. Subsequent analysis of samples collected from August 1999 to November 1999 revealed that the parameters fixed by the Board were

not met. Though the Board could have taken action for the closure of the unit under Section 33A of Water Act, it did not take any action so far (March 2000)

The Board stated (November 2000) that necessary instructions had been issued to the industry to revamp the existing ETP so as to improve effluent treatment facilities.

M/s. Arignar Anna Sugar Mills Limited and (ii) M/s. Chengalvarayan Co-operative Sugar Mills Limited (Para No.3.1.7.3 (d) of Audit Report 1999-2000)

14.3 These two sugar mills stored about 6660 tonnes of molasses in earthen pits as of April 1999, which would cause pollution to the ground water. As per the conditions in the consent order and instructions issued by the Board in January 1999, molasses should be stored in steel storage tanks only. Despite issue of direction by the Board in June 2000. M/s.Arignar Anna Sugar Mills had not removed the molasses stored in earthen pit.

14.4 The Department in its Explanatory Notes has not furnished the penal action taken against the above units for non-compliance of the Board's directions.

14.5 The Committee desires to be informed whether the ETP of the unit had been subsequently revamped and if not the penal action taken by the Board against the unions.

15. Monitoring of Industries (Para 3.1.7 of Audit Report 1999-2000) Para 3.1.7.4. of Audit Report 1999-2000)

15.1. The Committee notes that as per the particulars furnished (February 2000) by the Board, the Board prosecuted 321 industries during January 1985 to December 1999 under Water Act. The court had convicted 73 industries and acquitted 148 industries. 100 cases were pending as of December 1999.

15.2. The Department in its Explanatory Notes has stated that final orders were passes by the Court in 296 cases (out of 321) and 25 cases only were pending as on 31.8.2005.

The Department had also stated that out of 296 cases, for which final orders issued, 75 cases were in favour of the Board and decisions in 143 cases were against the Board.

15.3. The Committee observes with displeasure that out of the total cases (321) where prosecution was launched by the Board, the Department has not been successful in about 48 per cent of the cases which only points out to the poor implementation of the Pollution Control measures.

The Committee desires the Department to investigate the reasons for the failure of the cases and take appropriate action for ensuring the strict implementation of the Act towards effective control and abatement of pollution.

16. Schemes implemented under the control of Directorate of Environment (Para 3.1.8 of Audit Report 1999-2000)

16.1 The Committee notes that the schemes "Coastal Monitoring Programme" and "National Conservation Plan" commenced during the Eighth plan period were continued to be implemented during the Ninth plan period also.

16.2 The Committee notes that the schemes "Pollution abatement in other rivers", "Eco-restoration of Udagamandalam and Kodaikanal lakes" "Eco-restoration of certain other important lakes" proposed to be implemented by the Department of Environment during Ninth five year plan period were at the proposal stage only and the proposals had not been approved by Government as of March 2000.

16.3 The Department has stated that the Detailed Project Reports (DPR) in respect of abatement of pollution in other rivers had been approved by the GOI for 5 towns and the works were in progress by the implementing agencies TWAD Board and CMWSS Board and the DPR for Udhagamandalam lake had also been approved by the GOI and a revised DPR had been sent to GOI for approval in respect of Kodaikanal Lake.

16.4 National River Conservation Plan (Para 3.1.8.3 of Audit Report 1999-2000)

The Committee notes that the GOI approved (July 1995) the proposal for prevention of pollution in river Cauvery in Tamil Nadu at a cost of Rs.38.20 crore under National River Conservation Plan (NRCP) to be implemented in a period of 10 years. Pollution abatement works in Cauvery River were being undertaken in the most polluted stretches of Erode, Bhavani, Kumarapalayam, Pallipalayam and Tiruchirappalli. The Project was implemented in the State as a centrally sponsored scheme for 1996-97 onwards.

The project consists of two major components viz Core scheme and Non-core schemes. The core schemes were executed by TWAD Board and non-core schemes were executed by the concerned local bodies. The expenditure on the project was equally borne by GOI and GTN for the year 1996-97. From April 1997, the entire expenditure was to be borne by GOI except the expenditure on land acquisition, which was to be met by GTN only. The Director of Environment is the nodal agency for implementing the project.

As of March 2000 against the approved outlay of Rs.38.20 crore Detailed Project Reports (DPRs) for the value of Rs.21.96 crore were got approved by GOI, who released Rs.9.10 crore to the State upto March 2000. Of this Rs.8.18 crore (core schemes: Rs.6.18 core and non-crore schemes; Rs.2 crore) were spent (November 2000).

(a) Due to change of technology and site conditions revised DPRs were prepared for 9 works(8 I & D and 1 STP) and sent to GOI during July 1999, of which 3 revised DPRs were approved by GOI (March 2000).

The revision of nine DPRs upto March 2000 involve an escalation of Rs.4.62 crore. As of March 2000, one I & D work (Stretch III) at Tiruchirappalli only was completed. Further delay in execution of work would result in more cost escalation.

(b) Bhavani Municipality was provided with a grant of Rs.76.15 lakh in December 1997 for the implementation of non-core schemes of which Rs.44.53 lakh was incurred up to March 2000 leaving a balance of Rs.31.62 lakh unutilised. This included Rs.23.24 lakh provided for the construction of a compost yard, which was not taken up for want of suitable land.

(c) According to the terms and conditions for the release of grants under the NRCP the amount was to be kept in a bank account earning interest and the interest thus earned has to be reported to the NRCP Directorate and would be treated as a credit to the grantee, adjustable towards further instalment of grants. But this had not been done either by the implementing agencies (TWAD Board and Local Bodies) or the monitoring agency (Directorate of Environment - DOE). TWAD Board continued to keep the funds in its deposit account which carries no interest.

16.5 The department in its explanatory notes stated that in respect of Cauvery Works the Department in its Explanatory Notes has merely stated that works were in progress in various stages and as the Project period is 10 years, it would be completed before that period and had further stated that 95 per cent of the non-core works being implemented by the local bodies were completed by spending Rs.12.51 crore out of the total GOI release of Rs.12.85 crore.

For para (a), the Department in its Explanatory Notes has merely stated that works would be completed within the Project period of 10 years from 1996-2005 within the overall cost estimate.

For para (b) the Department in its Explanatory Notes has stated merely that a suitable land for compost yard was not yet available and the persistent efforts were being made to ensure that the Bhavani Municipality identifies a suitable land.

For para (c) the Department in its Explanatory Notes has stated that GOI released funds to TWAD Board through Government of Tamil Nadu up to 31.3.2000 and GTN released funds to TWAD through its PD account, which carried no interest but from 2000-2001 onwards GOI released funds directly to TWAD Board which is maintained in a separate account in a Nationalised Bank that carried interest and the Bhavani Municipality had deposited the amount in a Nationalised Bank that carried interest.

16.6 The Committee expresses its displeasure at the belated implementation of the schemes. The Department ought to have expedited the preparation of Detailed Project Reports. The Committee observes with concern the slow progress in the execution of the works by the Department despite the fact that the delay would lead to huge cost-escalation.

The Committee desires to know the following:-

1. The Progress on the execution of various schemes as of date.

2. The State of identification of suitable land for Compost yard in Bhavani Municipality.

3. Whether the NRCP Directorate in New Delhi is being informed of the interest earned on the sums deposited in the banks so as to reckon the same at the time of seeking further releases from GOI.

4. The details of funds kept unutilised as of date, agency-wise along with interest earned.

The Committee desires to have a complete report within three months.

17. General

17.1 The Committee desires that expeditious action should be taken by the Government on all the recommendations in this report. Wherever specific time limits have been indicated in the recommendations, they should be adhered to. In other cases, a final report of action taken should be sent within six months.

Chennai-600 009,
22nd November 2011,
Karthigai 6,
Thiruvalluvar Aandu-2042.

S.RAMACHANDRAN,
Chairman,
Committee on Public Accounts.

TRUTH ALONE TRIUMPHS

ANNEXURE

SUMMARY OF RECOMMENDATIONS

1. The Committee strongly recommends that the Department in co-ordination with the line Departments take appropriate action for saving water against continued pollution/contamination. (Paragraph No.2.5)

2. The Committee recommends that the department should take proper action to identify sources of drinking water and maintain them free from pollution and contamination. (Paragraph No.3.3)

3. The Committee desired to have a detailed report on the action taken to prevent the various diseases caused by contaminated water. (Paragraph No.4.2)

4. The Committee views the entire issue against the back drop of acute water starved State. The sources from wherein the elixir of life is tapped for eventual consumption of living beings must be identified and maintained in such a way that they are maintained free from pollution and contamination and methods also has to be deployed to render non-potable water, potable, wherever it is feasible and possible. The Committee desires to have a report on the steps taken to improve upon the state of affairs. (Paragraph No.5.3)

5. The Committee viewed seriously the non-compliance of the provisions of the Act by the Local Bodies in seeking the consent of the State Pollution Control Board. The Committee desired to know whether comprehensive proposals for mitigating sewage and solid wastes problems had been obtained from all such Local Bodies who did not have Sewage Treatment Plants. The Committee also desired to know whether the Department had drawn up any time-bound programme of action for providing the Sewage Treatment Plants by these Local Bodies under River Conservation Programme/National Lake Conservation Programme. The Committee wanted to know the reason for the delay in completion and the latest position thereon. (Paragraph No.6.3)

6. The Committee recommends that action should be taken by the Corporation in co-ordination with the TWAD Board to extend underground drainage system in all parts of the city. The Committee also recommends that the Department should take necessary steps to issue notice to the local bodies for sewage water treatment prior to letting out to water courses. (Paragraph No.6.5)

7. The Committee desired to know the action taken in respect of 35 tanneries that had not provided the ETPs and about the 1910 units of bleaching and dyeing industries for which position on installation of CETPs was not made available to Audit. (Paragraph No.7.3)

8. The Committee notes that mere closure of units is not a solution to this problem. The Committee recommends that the department should take necessary legal action against the units which violated the provisions of the Act and bring them before the Court of Law. (Paragraph No.7.5)

9. The Committee infers from the reply that the insistence for such a system of interlocking appears to be possible and feasible with the newly commissioned industries and the Board also can lay it as pre-requisite prior to issue of consent to the industries. For the existing industries as such, this may be difficult to implement in

letter and spirit. The Committee desires the Department to inform whether a foolproof system of interlocking in respect of various categories of Highly Polluting industries had since been evolved and the same explained properly to the industries concerned for implementation within a specific time frame. (Paragraph No.8.3)

10. The Committee desires to have a detailed report on the steps taken by the Department to ensure that all the units are functioning with their valid consent. (Paragraph No.9.4)

11. The Committee desires the Department to speed up the collection of the dues for TNEB through appropriate action at the Apex level. The Committee observes that the reply is silent on the issue of dues of water cess from the Local Bodies. Committee desires to have a specific reply on the action taken. In respect of Industries, Committee observes that the latest dues from all such industries were not furnished. The Committee desires to be informed of the effective steps taken to realise the same. (Paragraph No.10.3)

12. The Committee recommends that in future the Department should maintain Government funds in P.D. account. The Committee insisted the Secretary to issue suitable instructions so as to ensure that such omission should not occur in future. (Paragraph No.11.5)

13. The Committee feels that by filling up the vacancies and creating more new posts department could complete the inspection of industries without backlog. (Paragraph No.12.5)

14. The Committee desires to have a latest report in this regard. (Paragraph No.13.5)

15. The Committee desires to have a latest report with regard to the functioning of the ETPs established in every unit within a month. (Paragraph No.13.9)

16. The Committee desires to be informed whether the ETP of the unit had been subsequently revamped and if not the penal action taken by the Board against the unions. (Paragraph No.14.5)

17. The Committee observes with displeasure that out of the total cases (321) where prosecution was launched by the Board, the Department has not been successful in about 48 per cent of the cases which only points out to the poor implementation of the Pollution Control measures. The Committee desires the Department to investigate the reasons for the failure of the cases and take appropriate action for ensuring the strict implementation of the Act towards effective control and abatement of pollution. (Paragraph No.15.3)

18. The Committee expresses its displeasure at the belated implementation of the schemes. The Department ought to have expedited the preparation of Detailed Project Reports. The Committee observes with concern the slow progress in the execution of the works by the Department despite the fact that the delay would lead to huge cost-escalation. The Committee desires to know the following: 1. The Progress on the execution of various schemes as of date. 2. The State of identification of suitable land for Compost yard in Bhavani Municipality. 3. Whether the NRCP

Directorate in New Delhi is being informed of the interest earned on the sums deposited in the banks so as to reckon the same at the time of seeking further releases from GOI. 4. The details of funds kept unutilised as of date, agency-wise along with interest earned. The Committee desires to have a complete report within three months. (Paragraph No.16.6)

19. The Committee desires that expeditious action should be taken by the Government on all the recommendations in this report. Wherever specific time limits have been indicated in the recommendations, they should be adhered to. In other cases, a final report of action taken should be sent within six months. (Paragraph No.17.1)

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