Sub: Monitoring and Control Policy
(Revision no.20, approved in 104th Board Meeting of NCT dated 13th of Dec. 2023)

Revised information, is marked in "*Bold and Italic" alphabets,* Kindly, take note of the same.

Implementation with immediate effect for all the cases for which sampling has been collected after the date and time of Board Meeting

A:

A-1: Quality defaulting criteria

1. Findings about the deviation in quality from the stipulated norms by any delegation from State Govt. / GPCB / GIDC.

2. Directly connected members whose effluent is found to be having COD value more than 2000 mg/lit at instant.

3. Directly Connected members whose effluent is found to be having COD value:

    a. Directly Connected Members, discharging to FETP (Ankleshwar and Panoli Industrial Estate)
        - LSI/MSI: Two times in two months in the range of 1001 to 2000 mg/lit
        - SSI/Micro: Four times in two months in the range of 1001 to 2000 mg/lit

    b. Directly connected members, discharging directly to Jhagadia Sump(Jhagadia Industrial Estate)
        - LSI/MSI: Two times in two months in the range of 501 to 2000 mg/lit
        - SSI/Micro: Four times in two months in the range of 501 to 2000 mg/lit

4. Directly connected members whose effluent is found to be having NH3-N value more than 125 mg/lit at instant.

5. Directly connected members whose effluent is found to be having NH3-N value:
    a. LSI/MSI: Two times in two months in the range of 76 to 125 mg/lit
    b. SSI/Micro: Four times in two months in the range of 76 to 125 mg/lt. ETL / PETL shall be considered as SSI.

The limit of Ammonical Nitrogen at inlet of FETP shall be considered 75 mg/lit instead of existing limit of 100 mg/lit (as per the GPCB direction) as quality defaulting criteria with effect from 01.07.2016.

6. Directly connected member whose effluent found having value of pH 4.5 or less.

7. Unauthorized Discharge may be defined as:
    a. Discharge from any zero discharge units, closed units, non-member, member of CETP (ETL / PETL) – under any circumstances, by any mode.
    b. Discharge from directly connected units found discharging through any mode except official dedicated single line.

    Note:
    If COD value is found less than 501 mg/lit and / or Ammonical Nitrogen is found less than 101 mg/lit then it shall not be considered as unauthorized discharge subject to condition that the concern unit should not be habituated to discharge unauthorized way very frequently. NCT – hearing Committee is authorized to decide the habit and shall bring this type of case before Appeal Committee.

8. Directly connected Member:
    a. If any irregularity / deviation is found in the design of the sampling chamber with respect to what is decided, unless authorized by NCT.
    b. If any obstacle is found and / or easy access is not provided for the sampling chamber.
    c. Tampering with flow meter.
    d. If the unit disobeys the stipulated sampling procedure attached, herewith as **Annexure-I.**

9. In case of any unsocial behavior with NCT monitoring team, the matter should be presented to the presidents of the three associations and the convener of the Risk and Strategy Committee.

10. Outstanding Payment:
    a. Operation and Maintenance (O & M) charges - 105 days from bill date subject to the condition that the amount is more than ₹ 10,000 / -.
    b. O & M deposit and Capital Charges – 60 days from the date of bill.

11. In case of any discrepancy in analytical results submitted by NCT, joint analysis may be entertained within 15 days from the date of sampling and result obtained by joint analysis shall be final.

12. Maintenance of M.F. Meter and Billing

a. It is prime duty of member industry to ensure perfect functioning of M.F. Meter, which includes proper calibration, periodic cleaning of sensors, and preventative maintenance of entire device.

b. In case of un- intimated nonfunctioning of Flow Meter and / or recorder more than 24 hours (cumulative failure) per month, total CCA quantity shall be considered for billing purpose.
c. In case of intimation to attend the device, member to pay ₹ 1000 / call to NCT for attendance.

d. If Flow Meter and / or recorder will remain under maintenance without intimation to NCT about genuine reason consecutively more than two months then membership of such company shall be terminated till proper functioning of the meter. In this case billing would be based on 100 % CCA quantity.
e. If Flow Meter and / or recorder will remain under maintenance with intimation to NCT about genuine reason consecutively more than three months then membership of such company shall be terminated till proper functioning of the meter. In this case billing would be based on 100% CCA after one month.

13. Non availability of the samples from member industries

During monthly monitoring, not a single sample is available from the sampling point then average of last three months COD values **(except defaulting COD)** shall be considered for the billing purpose. NCT to give no sampling memo for accountability.

14. Interference by Member Industries in Inspection of Flow Meter

If any NCT representative is not been allowed by any member industries to inspect flow meter and such incidence have occurred twice in a month, then NCT will send a notice to such member stating that from the date of receipt of this notice any discharge by member industry will be treated as unauthorized discharge and action will be initiated accordingly.

A-2: Payment defaulting criteria, suspension and restoration

(Inserted as revision 19 of Monitoring and Control Policy)

SN	Particulars	Terms	Remarks
1	Due date of making payment	15 days from the bill date.	Member Industry making payment after 15 days shall be considered as defaulter.
2	Late payment interest	12% p.a.	Interest will start from 16th day.

3	Hearing of the member before Hearing Committee of NCT.	15 days after the due date.	Notice of hearing shall be issued by NCT immediately after 15 day from the due date, if payment is not made within 15 days.
4	Suspension of membership	For 7 days	After hearing by the Hearing Committee of NCT.
5.	Extension of time for making payment	As per discretion of the hearing committee	On written request by the member industry for extension of time for making payment.
6	Suspension of membership in case of default continues.	Till full payment is made	
7	Appeal before Appeal Committee	Within 15 days	MI can prefer an appeal within 15 days from the date of hearing by the hearing committee.
8	Restoration of membership	On making full payment or as per decision of Appeal Committee.	
9	Appeal Committee Fees	As per clause B.3	
10	Restoration Fees	As per clause B.4	
11	Scheduling of Appeal Committee	As per clause B.3	

Note: 1. The above amendment shall be effective from 1st of April 2020.

2. Note no. ' f ' of clause ' B1 ' shall be replaced with the following:

" In the suspension period, minimum charges shall be billed as per prevailing O&M policy"

B Suspension, Penalty and Restoration:

1. NCT shall depute monitoring team along with senior person(s) to visualize the situation, particularly in the case of unauthorized discharge. In case, if ghost line is

suspected, NCT is authorized to dig concerned area for investigation. NCT shall issue a notice indicating the default like quality deviation, outstanding payment, unauthorized discharged, unsocial behavior. The concerned industry shall submit representation to NCT explaining the valid reasons behind the default and also the steps taken and to be taken (time bound program) to avoid such reoccurrence. The representation must be submitted by senior most person and / or occupier of the member industry and not by a consultant. The concerned defaulter would be given an opportunity to express their views before NCT Committee comprising of CEO, GM, Sr. Exe. (Monitoring), Exe. (QC) and Exe. (Process audit). After hearing and due deliberations, Committee would decide about the suspension and penalty as per following guidelines:

Hearing Committee Meeting shall be attended by defaulting company's owner and /or Partner and /or Director and /or regular employee only. Now if Defaulter Company wants to present its case through consultant and / or adviser and / or representative or so, then it is allowed with authorization letter.

No.	Type of default	Suspension	Penalty (₹)
1	Quality w.r.t. COD and / or NH4N, 1st time	07 days or double the penalty	₹ 500 / Excess KGD than design criteria of FETP inlet Ceilling limit: Micro / SSI: ₹ 25,000 ***MSI: ₹ 1 lacs*** LSI: ₹ 2.5 lacs Lower limit of (minimum) penalty ₹ 10,000/-(Micro/SSI) ***₹ 15,000/-(MSI)*** ₹ 25,000/-(LSI)
2	Quality w.r.t. COD and / or NH4N, 2nd time	21 days or Four times the penalty	₹ 700 / Excess KGD than design criteria of FETP inlet Ceilling limit: Micro / SSI: ₹ 1 lacs ***MSI: ₹ 4 lacs*** LSI: ₹ 10 lacs Lower limit of (minimum) penalty ₹ 15,000/-(Micro/SSI) ***₹ 50,000/-(MSI)*** ₹ 1,00,000/-(LSI)
3	Quality w.r.t. COD and / or NH4N, 3rd time	45 days	₹ 1000 / Excess KGD than design criteria of FETP inlet Ceilling limit: Micro / SSI: ₹ 2 lacs ***MSI: ₹ 8 lacs*** LSI: ₹ 20 lacs Lower limit of (minimum) penalty ₹ 50,000/-(Micro/SSI) ***₹ 2,00,000/-(MSI)*** ₹ 5,00,000/-(LSI)

			SSI (₹)	***MSI (₹)***	LSI (₹)
4	Quality w.r.t. pH, 1st time	07 days or double the penalty	50,000	***2 Lacs***	5 Lacs
5	Quality w.r.t. pH, 2nd time	21 days or double the penalty	1 Lacs	***4 Lacs***	10 Lacs
6	Quality w.r.t. pH, 3rd time	45 days	2 Lacs	***8 Lacs***	20 Lacs
7	Unauthorized Discharged, 1st	07 days or double the penalty	25,000 for COD and NH4N	***1 Lacs for COD and NH4N***	2.5 Lacs for COD and NH4N
			75,000 for pH	***3 Lacs for pH***	7.5 Lacs for pH
8	Unauthorized Discharged, 2nd	21 days or double the penalty	50,000 for COD and NH4N	***2 Lacs for COD and NH4N***	5 Lacs for COD and NH4N
			1.5 Lacs for pH	***6 Lacs for pH***	15 Lacs for pH
9	Unauthorized Discharged, 3rd	45 days	1 Lacs for COD and NH4N	***4 Lacs for COD and NH4N***	10 Lacs for COD and NH4N
			3 Lacs for pH	***12 Lacs for pH***	30 Lacs for pH
10	Outstanding Payment	7 days suspension at the discretion of Hearing Committee	-	-	-
11	Identification of Ghost Connection	30 Days suspension	₹ 25,000	***₹ 1,00,000***	₹ 2,50,000

Note:

a. Suspension period shall be considered from the date of disconnection of raw water and drainage connection (whichever is late). On intimation about the suspension by NCT, it will be the responsibility of defaulter to get disconnected the water and drainage connection through GIDC and / or NAA and to submit the certificate to NCT enabling to consider the suspension period.

b. Sr. No. 01 to 06 of above table are quality default for authorized discharge and in case of quality default, the last 180 days are to be observed for repetitive fault.

c. Sr. No. 07 to 09 of above table are quality default for unauthorized discharge and in case of quality default, the last 180 days are to be observed for repetitive fault.

d. In case of 4th time quality default, restoration may be done by Board.

e. ***In case default in more than one parameter penalty shall be on whichever is higher.***
f. In case, Hearing Committee is not in a position to decide the action under any unforeseen circumstances or any reason(s), then Hearing Committee solely at its discretion, can forward the case to the Appeal Committee without initiating any action.
g. O&M bill shall be raised as per standard practice considering the Suspension period as operative period.
h. Decision pertaining to "07 days or double the penalty" shall be at sole discretion of Hearing Committee.
i. All amount mentioned is exclusive of all taxes. Any taxes, if applicable will be charged additionally.

2. Quality of effluent at man holes of effluent carrying network and adjacent SWD

COD reported higher than 1100 mg/lit and/or NH3-N higher than 300 mg/lit and /or PH value 4.5 or less

Issue	**Decision of the Board**
Quality defaulter: Particularly for taking action towards all members connected to the manholes and / or adjacent to SWD as per GIDC / NAA in which quality default is detected, even though evidence of the specific quality default of a particular member may not be available. NOTE: Analytical result of the 3rd and independent monitoring party and / or NCT should be the basis.	**1St time:** Issuance of caution notice and give reasonable time of 15 days for improvement **2nd time onwards in the cycle of 180 days:** Case may be taken before Risk & Strategy Committee for deciding necessary course of action

3. Appeal Committee formed by NCT Board as under:
   - Chairman – NCT — Chairman
   - Dr. Sanjiv Tyagi, IFS –Director, NCT — Member
   - Dr. (Prof.) P.A.Joshi. **Alternatively** — Member
     Dr. Shri Bharat Jain – Vice Chairman - NCT
   - Presidents – AIA, PIA and JIA (**Any two**) — Member

Presidents of the estates shall attend the appeals who are not concern with the appellate member industry by virtue of his belongingness in the estate.

Time period for hearing by Appeal Committee:
(Inserted as revision 19 of the Monitoring and Control Policy)

Appeal Committee Meeting shall be scheduled as per discretion of the Chairman of NCT and according to the Time provided by him.

The function of NCT- Hearing Committee is to study the validity of sampling as well as analysis to ensure that it is as per stipulated procedure and to listen the views of member industries and convince accordingly and to initiate structured decision taken by Board. If any member industry still desires to appeal his case, he has to express his interest to NCT within 02 days for taking his case before Appeal Committee. In this case NCT not to initiate any action and concern member industry has to pay fee as under:

Micro / SSI ₹ 25,000=00
MSI / LSI ₹ 1,50,000=00

The function of Appeal Committee is to reevaluate the decision taken by Hearing Committee and, based on appeal and request made by the party, Appeal Committee may decide course of action rationally.

If default is established, fee is to be forfeited.

In case of validation of default, action as decided by Appeal committee is to be initiated over and above forfeiting the fee.

4. NCT Membership Restoration charges:
   a. For SSI / Micro: ₹ 5,000
   b. For MSI / LSI: ₹ 25,000

5. In case of termination decision, NCT would inform GIDC / NAA regarding such membership suspension and to initiate action as per the strategy, which is at present to disconnect drainage and raw water supply. NCT shall ensure about action initiated.

6. NCT shall inform GPCB whenever membership has been terminated. Also NCT shall specify about the actions taken towards the defaulter and to request GPCB to ensure no double punishment is given for the same act.

7. NCT membership may be restored as per above guidelines, subject to payment of penalty, any other pending dues and submission of undertaking as per the format attached here with, as **Annexure-II** on hundred rupees stamp paper to NCT. If penalty is not paid within 30 days, membership shall be re terminated. The concern departments may be informed about the restoration.

8. Voluntary disclosure about the process disturbance:
   Member industry shall allow voluntary disclosure in case of ETP process disturbance, NCT may take a lenient view, after verifying the disturbance, for not initiating action and allow an appropriate period for stabilization not exceeding 3 months in any case. However, NCT shall continue to monitor the quality and billing shall be based on actual COD. The concerned industry will have to submit a time bound programme for such stabilization. This can be allowed once in a year subject to the condition that it does not cause major variation in overall quality of effluent

flowing into FETP. The concern member industry should get verified ETP performance after stabilization of ETP.

9. NCT to inform M.S. – GPCB in following cases:
    a. If any member industry is found operating even after NCT membership termination.
    b. If any industry dealing with chemicals and do not have NCT membership.

10. There should be time laps of at least 72 hours between two consecutive defaulting samples.

11. If valve of the sampling point is not kept open or operative then the sample collected shall be considered as representative sample irrespective of flushing done or not.

12. If there is no flow from the sampling pot then sampling may be taken from the sampling tank (holding tank) provided just on upstream of the sampling point but it should be done in the presence of the company's representative.

13. When the joint analysis is requested, acceptance of sample is confirmed.

14. Third Party Monitoring Team to take the sample of connected manholes and also to take the sample from upstream of connected manhole in parallel. Sample taken by NCT shall also be considered for initiating action.

15. During break down of onshore pipeline and / or shut down of FETP if it is required to stop effluent discharge by member industries then NCT should initiate communication as per the "emergency response / communication plan" submitted to GPCB. After 04 hours from the intimation, if any industry found discharging then it will be considered as unauthorized discharge and action against such member industry will be initiated accordingly.

16. MI, whose CC&A has expired and applied for renewal of CC&A is allowed to discharge the effluent for 3 months of trial period to FETP through underground/above ground effluent discharge network. MI must fulfill following criteria

    - MI should have permission to directly discharge to FETP through NAA network in expired CC&A after confirmation from NCT.
    - MI have to submit the renewed CC&A, having permission to discharge into FETP, during the trial period. Failing to that MI have to discontinue discharge of effluent to FETP till submission of renewed CC&A.
    - Trail will be given once for one time renewal

C Quantity Defaulting criteria

Monthly Excess discharge than CC&A issued by GPCB.

No.	Type of Default	Action
1	1st time in 6 months	A caution letter shall be sent to Member Industry
2	2nd time in 6 months	Second caution letter shall be sent to Member industry along with copy to GPCB.
3	3rd time in 6 months	Percentage of excess quantity discharged by Member industry against CC&A, will be applied on total bill amount of particular member industry for the defaulting month. That percentage amount of total bill will be considered as penalty. *
4	4th time in 6 months	Double penalty
5	5th time in 6 months	Three times penalty
6	6th time in 6 months	Suspension of NCT membership for 7 days with four times penalty

* Penalty Calculation
Ex. CC&A is 100 KLD,
Discharge is 110 KLD
Hence, excess discharge quantity is 10 Kl i.e. 10 % of CC&A
Ex. Bill Amount is ₹ 1,00,000

Penalty calculation formula = (% of excess quantity * Bill amount)
= (10 % * 1,00,000)
= Rs 10,000
Penalty amount is ₹ 10,000
-----X-----

Annexure-I

Sub – <u>Procedure for monitoring final effluent discharge</u>

Following are the guidelines to be followed for monitoring of final effluent being discharged by the member industries –

1. Every MI has to arrange final effluent discharge pit outside their premises and NCT shall collect sample from the line / sampling pot (free falling sample) as per enclosed sheet and do the **"Rojkam"** on sampling memo. NCT team members shall be provided with proper identity card for security purpose.

2. No MI should lock the final effluent pit by any means. If at all it is required to lock, a duplicate key shall be handed over to NCT in advance.
3. MI would allow to take samples from their ETP (intermediate streams) without any gate pass whenever it is required by NCT.
4. Wherever free flow sampling arrangement is not possible due to any technical reason, NCT shall take sample from respective final pumping station of GIDC, where there is exclusive dedicated line exist and have clear nomenclature.
5. All MIs shall put up a board indicating "Final discharge line". NCT would be allowed to take sample from final free flow effluent / pot and / or from the sampling point from where GPCB is allowed to take samples.
6. CEO-NCT is authorized by NCT Management to adopt strategic / surprise sampling methodology. Under the circumstances, NCT may adopt any type of sampling procedure which should be acceptable to MI.
    a. NCT may take any no. of samples in a day / shift from any particular industry.
    b. NCT may depute their chemist(s) in any particular MI round the clock to collect number of samples for days together etc.
7. NCT is adopting standard analytical procedure in consultation with GPCB. This approved procedure is proposed to adopt by members to avoid any probable analytical discrepancies.
8. NCT monitoring staff shall ensure that the bucket for sampling is thoroughly rinsed with the effluent itself and then only the sample is collected in bucket and then inform to respective security person. In turn, security person shall call authorized plant person.

    If sampling pot is provided, then NCT chemist will first close the valve and then inform to respective security person. In turn, security person shall call authorized person of the plant and in his presence sample shall be collected from the pot in the bucket.

    If sampling pot, as described in the sketch attached, is not arranged by any member, then argument "sample is not collected in our presence" will not be entertained and the sampling has to be accepted.

9. MI and NCT would collect sample from this bucket. Two more samples, jointly, shall be taken and sealed / signed properly with all necessary information on it and would be handed over to respective Member Industry. Out of these, one sample before sealing shall be properly acidified with sulphuric acid (acid will be brought by NCT) to freeze the COD content so that repeatability of COD values can be observed within 15 days. Another sample (2nd) should be sealed without acidification for pH measurement.
10. NCT would intimate the results of COD and other parameters within a week time from the date of sampling. In case of any discrepancy in analytical results submitted by NCT, joint analysis may be entertained within 15 days from the date of sampling. MI shall pay analytical charges (₹500/- for one parameter / sample) to NCT in case of joint analysis. Seal shall be broken in presence of MI's Chemist at NCT Lab and joint analysis would be carried out. The result obtained by joint analysis shall be final. No request shall be admitted after Fifteen days from the date of sampling.

11. In any case, if MI denies to join in taking sample and / or to accept / to sign the sampling memo, NCT Chemist after requesting once shall do **"Rojkam"** to that effect which may include video/photography also if required. This sampling shall be considered as official.
12. If there is no flow from the sampling pot but the flow coming from the regular discharge point then the sample collected from this point (with or without company's representative) shall be considered as regular sampling. In this case, proper videography and / or photography is required while sampling.
13. Proper videography and / or photography is required while sampling in case of unauthorized discharged.

Annexure-II

UNDERTAKING

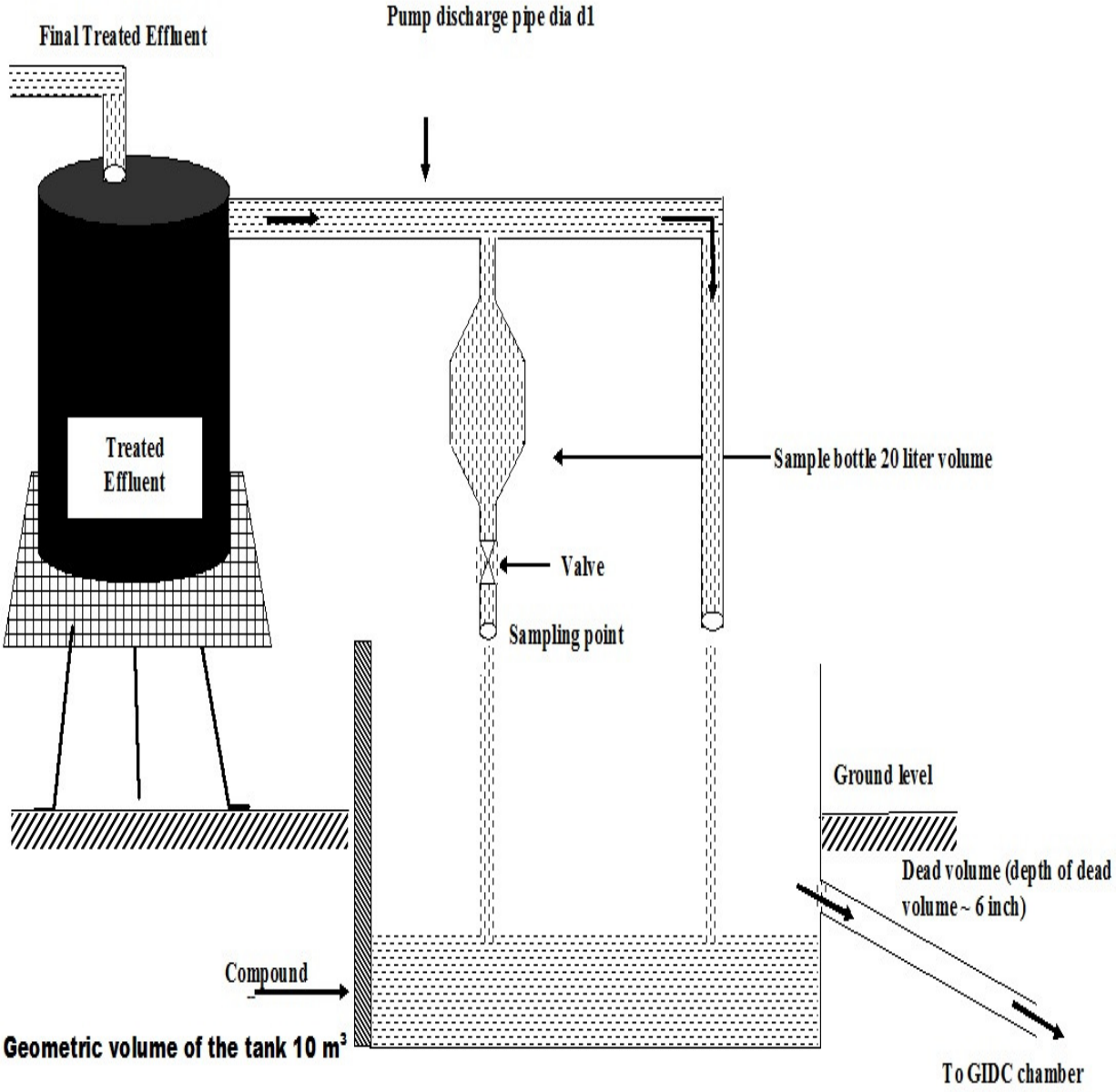
We, M/s. _____ hereby undertake and submit the followings to M/s. Narmada Clean Tech Limited (NCT), Ankleshwar:

1. We shall follow monitoring and analytical procedure as approved by NCT Management. Joint sampling procedure is acceptable and we shall accept counter sealed sample bottle and also acknowledge the sampling memo.
2. We ensure easy access to sampling point and also ensure most representative sample available at sampling point round-the-clock.
3. We ensure that there is no unauthorized disposal from our organization by any means.
4. We ensure safety, security and self-respect of monitoring team. In case of any dispute or discrepancies, we shall contact NCT office for clarification.
5. We abide to all statutory rules & regulations as stated in CCA and NOC towards environmental protection.

Place: **For**
Date:

(Authorized Signatory)

Free flow outside sampling chamber
Schematic



Note d1: Diameter of the discharge line should be such that it can not allow discharging the daily flow in a shorter duration say 2 – 3 hrs. Daily discharge strictly as per CCA, should take at least 18 – 22 hrs a day