



Speed Post

F. No. B-19114/NGT/WQM-II/CPCB/2020- 21 1734-1738

To

The Chairman  
State Pollution Control Boards  
(Uttarakhand, Uttar Pradesh, Bihar, Jharkhand & West Bengal)

26/06/2020

**DIRECTIONS ISSUED UNDER SECTION 18 (1) (b) OF THE WATER (PREVENTION & CONTROL OF POLLUTION) ACT, 1974 REGARDING TREATMENT AND DISPOSAL OF SEWAGE AND OTHER EFFLUENTS INTO A WATER CHANNEL OR STREAM**

**WHEREAS**, the Central Pollution Control Board has delegated powers vested under Section 18 (1) (b) of the Water (Prevention & Control of Pollution) Act, 1974 to the Chairman, Central Pollution Control Board vide its resolution made on 133<sup>rd</sup> Board meeting item no. 3.12 dated 24<sup>th</sup> March 2005 to issue directions under Section 18 (1) (b) of the Water (Prevention & Control of Pollution) Act, 1974 to the State Pollution Control Boards; and

**WHEREAS**, under Section 25 of the Water (Prevention and Control of Pollution) Act, 1974, no person shall, without the previous consent of the State Pollution Control Board establish or take steps to establish any industry, operation, or process or any treatment or disposal system or any extension or addition thereto, which is likely to discharge sewage or trade effluent into a stream or well or sewer or on land; and

**WHEREAS**, the Central Government has notified the general discharge standards of environmental pollutants from various sources including municipal wastewater under the Environment (Protection) Act, 1986 and the rules framed there under; and

**WHEREAS**, CPCB issued directions dated 21.04.2015 to SPCBs/PCCs under Section 18(1)(b) of the Water (Prevention And Control of Pollution) Act, 1974 and directed to ensure compliance of directions to following directions:

- i. State Pollution Control Board shall make mandatory for local/urban bodies to set up STPs of adequate capacity and provide underground sewerage system to cover the entire local/urban areas and to bridge the treatment gap along with enforcement of consent management in line with the prescribed standards for sewage treatment.
- ii. SPCB/PCC shall issue directions to all municipalities and other concerned authorities in the State/UT responsible for treatment and disposal of sewage to the following effect:
  - a) The existing STPs which are being operated before issuance of these directions shall meet the prescribed standards within prescribed time frame.

- b) The new sewage treatment plants which will come in existence after the issuance of these directions shall be designed to treat and achieve standards as per the prescribed standards.

**AND WHEREAS**, CPCB issued directions dated 09.10.2015 under Section 5 of The Environment (Protection) Act, 1986 to the Commissioner/Mayor/Chief Executive Officer of the Nagar Nigam/Municipal Corporation/Local Bodies/Panchayat of the identified 118 Ganga front towns for compliance of the following directions:

- i. Untreated sewage shall not be disposed into the river or at any other recipient system.
- ii. In case of disposal of effluents on land or river or any water body including coastal water/creek or a drain, the treated effluents shall meet the prescribed standards.
- iii. Existing sewage treatment plants, if any, as applicable shall be properly maintained to comply with the prescribed standards.
- iv. The Municipal Authority shall properly manage the wastewater flowing in drains and take required actions to ensure that such wastewater is treated and disposed off in accordance with the prescribed standards.

**AND WHEREAS**, CPCB issued directions dated March 10, 2017 under Section 18 (1) (b) of the Water (Prevention and Control of Pollution) Act, 1974 to the SPCBs of Uttarakhand, Uttar Pradesh, Bihar, Jharkhand and West Bengal for restoration of water quality of River Ganga to grant consent-to-operate to industries having requisite effluent treatment facilities and to ensure that no industry disposes coloured effluent into any drain / tributaries so that River Ganga and its tributaries do not receive any coloured effluent; and

**WHEREAS**, the Central Government has notified the discharge standard for sewage treatment plants under the Environment (Protection) Rules, 1986 vide notification dated 13.10.2017; and

**WHEREAS**, CPCB issued directions dated 12.03.2018 to the SPCBs of Uttarakhand, Uttar Pradesh, Bihar, Jharkhand and West Bengal under Section 18(1)(b) of the Water (Prevention And Control Of Pollution) Act, 1974 to identify industrial units and direct them to submit an action plan for reuse of treated sewage for industrial and other purpose (non-potable applications) wherever possible; and

**WHEREAS**, the Hon'ble NGT in the O.A. no. 1069/2018 vide order dated 21.12.2018 granted stay on discharge standard for sewage treatment plants notified vide notification dated 13.10.2017; and

**WHEREAS**, the Hon'ble NGT in the O.A. no. 1069/2018 vide order dated 30.04.2019 accepted the standards recommended by expert committee (constituted by Hon'ble NGT) with the modification that the standard recommended for Mega and Metropolitan Cities will also apply to the rest of the country, not only for new STPs but also for existing/under construction STPs without any delay. The link of order is as follows <https://greentribunal.gov.in/caseDetails/DELHI/0701102005292018>; and

**WHEREAS**, the Municipal Corporation of Greater Mumbai filed a civil appeal no. 5036/2019 dated 08.05.2019 in Hon'ble Supreme court against Hon'ble NGT order dated 30.04.2019 in matter of O.A. no. 1069/2018. The Hon'ble Supreme court in C.A. no. 5036/2019 issued order dated 17.05.2019. The verbatim of order is as under:

*"the Municipal Corporation of Greater Mumbai shall follow the parameters laid down by the Expert Committee in its report/recommendations for the mega metropolitan cities in processing the tender as also the directions of the Ministry of Environment, Forest and Climate Change in this regard."*

**AND WHEREAS**, the Hon'ble NGT in the O.A. no. 985/ 2019 with O.A. No. 986/ 2019 (With report dated 30.10.2019) In Re : Water Pollution by Tanneries at Jajmau, Kanpur, Uttar Pradesh with In Re: Water Pollution at Rania, Kanpur Dehat & Rakhi Mandi, Kanpur Nagar, Uttar Pradesh, has issued order dated 15.11.2019. The verbatim of order is as under:

*"Point no. 17. The stand of the State of UP shows that it is being understood in certain quarters that during monsoon any pollution load, including sewage or any other polluting effluents can be discharged in the water bodies/rivers which is clearly against the mandate of Section 25 of the Water (Prevention and Control of Pollution) Act, 1974. The CPCB may need to issue an appropriate direction to ensure that such illegality does not take place anywhere in the country."*

*"Point no. 19 (vi). CPCB may issue appropriate directions to ensure that no authority allows the discharge of polluted sewage or polluted effluents directly into a water channel or stream in violation of the law even in monsoon and also the standards for faecal coliform are duly maintained."*

**AND NOW, THEREFORE**, in view of above-mentioned observations and in exercise of the power conferred under Section 18 (1) (b) of the Water (Prevention & Control of Pollution) Act, 1974 you are hereby directed to issue appropriate directions to the concerned authorities including urban local bodies in your state for compliance of following direction:

1. No authority shall allow the discharge of polluted sewage or polluted effluents directly into a water channel or stream in violation of the law even during monsoon season and they shall ensure that the standards for faecal coliform are duly maintained.

SPCB shall acknowledge the receipt of these directions immediately and submit a pointwise action plan along with a roadmap to implement direction within 30 days from the date of receipt of these directions.

  
(SHIV DAS MEENA)  
CHAIRMAN

**Copy to:**

1. **Director General** : For kind information, please.  
National Mission for Clean Ganga,  
(MoWR, RD & GR)  
1st Floor, Major Dhyan Chand National Stadium,  
India Gate, New Delhi – 110002
2. **Joint Secretary (CP Divison),** : For kind information, please.  
Ministry of Environment, Forests, & Climate Change  
Prithvi Block, Indira Paryavaran Bhawan,  
Jorbagh Road, New Delhi - 110013
3. **Regional Director** : For kind information, please.  
Regional Directorate  
Central Pollution Control Board  
PICUP Bhawan, Vibhuti Khand,  
Gomti Nagar, Lucknow - 226010
4. **Regional Director** : For kind information, please.  
Regional Directorate  
Central Pollution Control Board  
South end Conclave, Block-502, 5<sup>th</sup> & 6<sup>th</sup> Floor,  
1582, Rajdanga Main Road, Kolkata - 700107
5. ✓ The In-charge, IT Division, CPCB : With a request to upload on  
CPCB's website.
6. Incharge, Law Division, CPCB, DELHI : For kind information, please.
7. Incharge, WQM-II, CPCB, DELHI : For record.

  
(PRASHANT GARGAVA)  
MEMBER SECRETARY