



SPEED POST

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Date: June 18th, 2019
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To,

The Chairman,
West Bengal Pollution Control Board
Paribesh Bhavan, 10A, Block-L.A.,
Sector III, Salt Lake City,
Kolkata - 700 106

Directions Under Section 18 (1) (b) of the Water (Prevention And Control of Pollution) Act, 1974 regarding Sewage Treatment Plants (STPs) - reg.

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

WHEREAS, amongst others, under Section 17 of the Water (Prevention and Control of Pollution) Act, 1974, one of the function of the State Pollution Control Board (SPCB), constituted under the Water (Prevention & Control of Pollution) Act, 1974 is to plan a comprehensive programme for prevention, control or abatement of pollution of streams and wells located in the State and to secure the execution thereof; and

WHEREAS, amongst others, under section 16 of the Water (Prevention and Control of Pollution) Act, 1974, one of the function of the Central Pollution Control Board (CPCB), constituted under Water (Prevention and Control of Pollution) Act, 1974 is to coordinate activities of the State Pollution Control Boards (SPCBs) and Pollution Control Committees (PCCs) and to provide technical assistance and guidance to SPCBs / PCCs; and

WHEREAS, amongst others, under section 16 of the Water (Prevention and Control of pollution) Act, 1974, one of the function of the Central Pollution Control Board, is to promote cleanliness of streams and wells in different areas of the States; and

WHEREAS, under Section 25 of Water (Prevention and Control of Pollution) Act, 1974 no person shall, without the previous consent of State Board establish or take step to establish any industry, operation, or process or any treatment or disposal system or an 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 State Pollution Control Board under Section 17 of the Water Act has been mandated with the following functions which inter-alia including;

- (a) to inspect sewage or trade effluents, works and plants for the treatment of sewage and trade effluents and to review plans, specifications or other data relating to plants set up for the treatment of water, works for the purification thereof and the system for the disposal of sewage or trade effluents or in connection with the grant of any consent as required by this Act;
- (b) lay down, modify or annul effluent standards for the sewage and trade effluents and for the quality of receiving waters (not being water in an inter-State stream) resulting from the discharge of effluents and to classify waters of the State;
- (c) to evolve economical and reliable methods of treatment of sewage and trade effluents, having regard to the peculiar conditions of soils, climate and water resources of different regions and more especially the prevailing flow characteristics of water in streams and wells which render it impossible to attain even the minimum degree of dilution;
- (d) to evolve methods of utilization of sewage and suitable trade effluents in agriculture;
- (e) to evolve efficient methods of disposal of sewage and trade effluents on land, as are necessary on account of the predominant conditions of scant stream flows that do not provide for major part of the year the minimum degree of dilution;
- (f) to lay down standards of treatment of sewage and trade effluents to be discharged into any particular stream taking into account the minimum fair weather dilution available in that stream and the tolerance limits of pollution permissible in the water of the stream, after the discharge of such effluents;
- (g) to lay down effluent standards to be complied with by persons while causing discharge of sewage or sullage or both and to lay down, modify or annul effluent standards for the sewage and trade effluents;

WHEREAS, sewage is a major cause for poor water quality and adversely impacts human health and aquatic life. The discharge of untreated, partially treated and treated sewage not meeting standards is further adding to the problem of water pollution and very sizeable gap exist in generation and treatment of sewage; and

WHEREAS, the Central Government has notified standards for discharge of environmental pollutants from industries, Common Effluent Treatment Plants (CETPs) and Sewage Treatment Plants (STPs), under the Environmental (Protection) Act, 1986 and rules framed there under (schedule VI); and

WHEREAS, National Mission for Clean Ganga (NMCG) has identified 97 cities/towns called Ganga front towns near the banks of Ganga and sewage generated from these cities/towns located in your State falls directly/indirectly in river Ganga & its tributaries through drains and thus deteriorating water quality of river Ganga; and

WHEREAS, water quality of river Ganga has been deteriorating on account of disposal of untreated sewage through various drains or partially treated sewage and trade effluent in to the river and making the river unfit for human bathing/consumption; and

WHEREAS, CPCB issued directions dated: 21/04/2015 under Section 18 (1) (b) of Water (Prevention and Control of Pollution) Act, 1974 to the State Pollution Control Boards (SPCBs) /Pollution Control Committees (PCCs) to direct concerned authorities and municipalities in the State/Union Territory to develop infrastructure for sewage management and utilization of treated sewage for the non-potable use; and

WHEREAS, CPCB issued directions dated 10.03.2017 under Section 18 (1) (b) of Water (Prevention and Control of Pollution) Act, 1974 to the West Bengal Pollution Control Board (WBPCB) for restoration of water quality of River Ganga and directed:

- i) To take up monitoring of Sewage Treatment Plants (STPs) discharging into river Ganga on monthly basis and forward monthly reports to CPCB.
- ii) To take action against the authorities responsible for operation and maintenance of STPs (existing)/ or those newly under construction are not simultaneously ready with conveyance system (sewers) and this has created partial utilisation of STP and order them to rectify such situation in next six months from the date of issue of these directions and STPs should be utilized completely for their designed capacities.

AND WHEREAS, Hon'ble Supreme Court in the writ petition (c) no. 375 of 2012 pronounced judgement dated: 22/02/2017 as under:

"Just in manner suggested hereinabove , for the purpose of setting up of 'common effluent treatment plants' the concerned State Governments (including, the concerned Union Territories) will prioritize such cities, towns and villages, which discharge industrial pollutants and sewer, directly into rivers and water bodies."

"We are of the view, that in the manner suggested above, the malady of sewer treatment, should also be dealt with simultaneously. We therefore hereby direct, that 'sewage treatment plants' shall also be set up and made functional, within the timelines and the format, expressed hereinabove."

AND WHEREAS, Hon'ble National Green Tribunal in the writ petition (c) no. 3727of 1985 pronounced judgement dated: 13/07/2017 as under:

"The CPCB and the respective SPCBs, particularly, concerned with river Ganga shall issue consent orders which must contain stipulations/conditions with regard to reuse of the treated sewage for industrial and other purposes. This condition should also be incorporated by an amendment in the orders already issued by the Boards to the industries, however, they may be provided time frame for compliance of this direction. The Board can implement this direction in stages, giving preferences first in the urban areas and later in rural areas."

"All the existing STPs as well as the STPs to be designed and constructed should satisfy the existing standards. The new STPs should be designed and constructed in a manner in which they should be able to achieve more stringent norms, if prescribed in future"

AND WHEREAS, Hon'ble NGT in matter of OA No. . 593/2017 (WP (Civil) No. 375/2012) dated 31/08/2018 directed to CPCB as under:

"The CPCB may take penal action for failure, if any, against those accountable for setting up and maintaining STPs, CETPs and ETPs. CPCB may also assess and recover compensation for damage to the environment".

AND WHEREAS, CPCB prepared a methodology for levying penalty in reference of Hon'ble NGT order dated: 31/08/2018 for discharge in violation of consent conditions mainly prescribed standards/consent limits; and

WHEREAS, Hon'ble NGT in matter of OA No. 200/2014 [(M.A. No. 254/2018 & M.A. No. 872/2018) (C.W.P No. 3727/1985)] and O.A. No. 668 of 2017 [(Earlier M.A. No. 923/2017 in O.A. No. 200/2014)] dated 06/08/2018 directed as under:

"The online mechanism for monitoring the sewage treatment plants should also be connected to the servers of CPCB and State Pollution Control Boards so that the CPCB can also monitor the data."

AND WHEREAS, CPCB have monitored STPs operated & maintained by Kolkata Municipal Development Authority (KMDA), Kolkata Municipal Corporation (KMC), Public Health Engineering Department (PHED)-West Bengal, Municipal Engineering Department (MED)-West Bengal and Jiaganj-Azimpur Municipality during March, 2017-March, 2019 for the performance evaluation and based on latest inspection 26 STPs non-operational. The status of non-complying & non-operational STPs and major observations are as follows:

Sl. No	Name of STP (Installed Capacity in MLD)	Date of inspection	Operational/ Non-operational	Authority for O & M
1.	Titagarh (ASP) (4.5 MLD)	20.02.2018	Non-operational	KMDA
2.	Titagarh (OP) (4.5 MLD)	20.02.2018	Non-operational	KMDA
3.	Bandipur (14 MLD)	06.09.2018	Non-operational	KMDA
4.	Bansberia (0.3 MLD)	23.04.2018	Non-operational	KMDA
5.	Kamarhati (40 MLD)	26.04.2018	Non-operational	KMDA
6.	Garulia (7.9 MLD)	19.03.2018	Non-operational	KMDA
7.	Maheshtata (4.0 MLD)	01.02.2018	Non-operational	KMDA
8.	Bhadreswar (7.6 MLD)	24.03.2018	Non-operational	KMDA
9.	Baidyabati (6.0 MLD)	05.09.2018	Non-operational	KMDA
10.	Howrah (Arupara) (45 MLD)	27.07.2018	Non-operational	KMDA
11.	Champadni (0.3 MLD)	23.04.2018	Non-operational	KMDA
12.	Panihati (12 MLD)	06.09.2018	Non-operational	KMDA
13.	Gayeshpur (8.3 MLD)	07.03.2018	Non-operational	KMDA

14.	Sarempore (18.9 MLD)	24.04.2018	Non-operational	KMDA
15.	Konnagar (22 MLD)	05.09.2018	Non-operational	KMDA
16.	Jagaddal- Bhatpara (ASP) (9.5 MLD)	22.03.2019	Non-operational	KMDA
17.	Jagaddal- Bhatpara (ASP) (8.5 MLD)	22.03.2019	Non-operational	KMDA
18.	Jagaddal- Bhatpara (OP) (4.5 MLD)	06.03.2017	Non-operational	KMDA
19.	Kankinara, Madrail (10 MLD)	26.04.2018	Non-operational	KMDA
20.	Garden Reach (47.5 MLD)	24.01.2018	Non-operational	KMC
21.	Cossipore, Chitpur, Bangur (45 MLD)	25.07.2018	Non-operational	KMC
22.	South Suburban/ Kearapukur, Haridevpur (45 MLD)	04.08.2018	Non-operational	KMC
23.	Bagahajatin (15 MLD)	12.02.2019	Non-operational	KMC
24.	Jiaganj-Azimganj (1.39 MLD)	28.06.2017	Non-operational	Jiaganj-Azimganj Municipality
25.	Behrampore (3.7 MLD)	28.06.2017	Non-operational	PHED, West Bengal
26.	Nabadwip (10 MLD)	06.03.2017	Non-operational	MED, Govt. Of West Bengal

1. It is also observed that most of the operational STPs don't have valid consent-to-operate issued by WBPCB under Water (Prevention and Control of Pollution) Act, 1974 (details annexed).

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 here by directed to comply with the following directions:

1. WBPCB shall impose environmental compensation on operator of above mentioned STPs for not operating STPs.
2. WBPCB shall direct to concerned authorities to prepare & submit time bound action plan for upgradation and rehabilitation of non-operational STPs.
3. WBPCB shall direct to all concerned local bodies/authorities operating STPs in the state of West Bengal to obtain consent under Water (Prevention and Control of Pollution) Act, 1974 from WBPCB within a period of 30 Days.
4. WBPCB shall direct to all concerned local bodies/ authorities operating STPs in the state of West Bengal to install online continuous effluent monitoring system at the outlet of STP to monitor the consented parameters and provide connectivity to CPCB and SPCB servers for continuous monitoring within three months.

WBPCB shall acknowledge receipt of these directions immediately and submit action taken report by June 30, 2019, positively.


 (S.P. SINGH PARIHAR)
 Chairman

Copy to :

1. The Secretary
Department of Urban Development
Nagarayan Bhavan, Block-DF-8, Sector-I,
Salt Lake City, Kolkata, West Bengal-700064 : for kind information please
2. The Director General,
National Mission for Clean Ganga (MoWR, RD & GR)
1st Floor, Major Dhyan Chand National Stadium
India Gate, New Delhi – 110002 : for kind information please
3. Joint Secretary (CP Divison),
Ministry of Environment, Forests, & Climate Change
Indira Paryavaran Bhwan, Jorbagh Road,
Ali Ganj, Lodi Colony, New Delhi - 110013 : for kind information please
4. Chief Executive Officer
Kolkata Metropolitan Development Authority
Unnayan Bhavan, DJ - 11, SCC - ii,
Salt Lake, Kolkata – 700091 : for kind information please
5. The Municipal Comissioner
Kolkata Municipal Corporation
5, S.N.Banerjee Road,
Kolkata -700 013 West Bengal : for kind information please
6. Engineer in-chief
Public Health Engineering Department
Head Office, 7th Floor, New Secretariat Building
1, K.S. Roy Road, Kolkata – 700001 : for kind information please
7. Executive Engineer
Jiaganj-Azimganj Municipality
P.O – Azimganj
Dist. – Murshidabad -742122 West Bengal : for kind information please
8. Chief Engineer
Municipal Engineering Department
Municipal Engineering Directorate
Bikas Bhavan, Salt Lake
Kolkata -700 091 : for kind information please
- ✓ 9. The Incharge, IT Division, CPCB : with a request to upload the
directions on CPCB website


(Prashant Gargava)
Member Secretary

etc

List of operational STPs along with Consent Status in West Bengal operated by KMDA

S. No.	STPs	Ganga Front Town	Technology & process used	Designed Capacity (MLD)	Latest inspection date	Authority for O&M	Valid Consent From WBPCB
1.	Kona STP (Chakpara, Anandanagar Gram, Bally) Panchayat)	Howrah	OP	30	29/08/2018	KMDA	No valid CTO from WBPCB
2.	Chandannagar STP (OP)	Chandannagar	OP	4.54	17/08/2018	KMDA	No valid CTO from WBPCB
3.	Chandannagar STP (TF)	Chandannagar	TF	18.16	17/08/2018	KMDA	No valid CTO from WBPCB
4.	Bhatpara	Bhatpara	OP	31	18/08/2018	KMDA	No valid CTO from WBPCB
5.	Kalyani Block-B2,B3	Kalyani	TF	11	23/04/2018	KMDA	No valid CTO from WBPCB
6.	Kalyani Town area	Kalyani	OP	10	23/04/2018	KMDA	No valid CTO from WBPCB
7.	Naihati	Naihati	ASP	11.56	19.12.2018	KMDA	No valid CTO from WBPCB