



SPEED POST

File No. B-190200/STP-MON/WQM-II/CPCB/2019-20 3243

Date: June 18th, 2019
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To,

**The Chairman,
Bihar State Pollution Control Board
Parivesh Bhawan, Plot No. NS-B/2
Paliputra Industrial Area, Patliputra,
Patna - 800 010 (Bihar)**

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 Bihar State Pollution Control Board (BSPCB) 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. 3727 of 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 Bihar Rajya Jal Parshad (BRJP) during February, 2019 for the performance evaluation and based on latest inspection two STPs were found operational and were complying w.r.t. general standard for discharge on inland surface water notified under Environment (Protection) Act, 1986 while two STPs (Pahari & Kamalichak) were under rehabilitation. The status of 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.	Beur STP, Patna (35 MLD)	27.02.2019	Operational	BRJP
2.	Saidpur STP, Patna (45 MLD)	26.02.2019	Operational	BRJP

1. It is also observed that both the operational STPs don't have valid consent-to-operate issued by BSPCB 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. BSPCB shall direct to concerned authorities to prepare & submit time bound action plan for utilization of under-utilized capacity of both operational STPs of Patna.
2. BSPCB shall direct to all concerned local bodies/authorities operating STPs in the state of Bihar to obtain consent under Water (Prevention and Control of Pollution) Act, 1974 from BSPCB within a period of 30 days.
3. BSPCB shall direct to all concerned local bodies/authorities operating STPs in the state of Bihar 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.

BSPCB 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 : for kind information please
Department of Urban Development
Nagarayan Bhavan, Block-DF-8, Sector-I,
Salt Lake City, Kolkata,
West Bengal-700064
2. The 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
3. Joint Secretary (CP Divison), : for kind information please
Ministry of Environment, Forests, & Climate Change
Indira Paryavaran Bhwan, Jorbagh Road,
Ali Ganj, Lodi Colony,
New Delhi – 110013
4. Managaing Director :for kind information please
Bihar Rajya Jal Parshad
West Boring Canal Road
Patna - 800001
- ✓ 5. The Incharge, IT Division, CPCB : with a request to upload the
directions on CPCB website


(Prashant Gargava)
Member Secretary

List of operational STPs along with Consent Status in Bihar operated by BRJP

S. No.	STPs	Ganga Front Town	Technology & process used	Designed Capacity (MLD)	Latest inspection date	Authority for O&M	Valid Consent From WBPCB
1.	Beur STP, Patna	Patna	ASP	35	27.02.2019	BRJP	No valid CTO from WBPCB
2.	Saidpur STP,	Patna	ASP	45	26.02.2019	BRJP	No valid CTO from WBPCB