



SPEED POST

File No. B-190200 (Part)/STP- FATE/WQM-II/CPCB/2020-21

14700

Date: 29.12.2020

To,

The Managing Director
Uttar Pradesh Jal Nigam
6, Rana Pratap Marg
Lucknow - 226001

DIRECTIONS UNDER SECTION 5 OF THE ENVIRONMENT (PROTECTION) ACT, 1986 TO SEWAGE TREATMENT PLANT (STP) OF 2.7 MLD AT FATEHGARH, FARRUKHABAD-reg.

WHEREAS, the Ministry of Environment & Forests, Govt. of India, vide notification S.O.157(E) of 27.02.1996 has delegated powers vested under Section 5 of the Environment (Protection) Act, 1986 (29 of 1986) to the Chairman, Central Pollution Control Board (CPCB), to issue direction to any Industry, Municipal Corporation, Municipal Council, Cantonment Board to any local or other Authority for the violation of emission and effluent standards notified under the Environment (Protection) Rules, 1986 and other standards and norms; and

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

WHEREAS, Central Pollution Control Board (CPCB) issued directions dated 19.04.2017 to local authorities of five Ganga states under Section 5 of Environment (Protection) Act, 1986 to take all necessary measures so that STPs which have been commissioned and all pumping stations work to their maximum capacity regularly and in no case their function should be stopped, continuous power supply at STPs and pumping stations shall be ensured (at least dual feeder system) and time bound action plan for collection and treatment of entire sewage generated in the identified Ganga front towns; and

WHEREAS, Hon'ble NGT vide its order dated 31/08/2018 and 19.02.2019 in O. A. No. 593/2017 (WP (Civil) No. 375/2012), Paryavaran Suraksha Samiti & Anr.Vs. Union of India & Ors. directed that "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 said fund may be kept in a separate account and utilized in terms of an action plan for protection of the environment."

AND WHEREAS, in compliance of above referred Hon'ble NGT order, CPCB issued methodology for imposing Environmental Compensation vide circular dated 24/05/2019 and cases to be considered for levying penalty are discharges in violation of consent conditions, mainly prescribed standards/non-compliance with the directions issued, such as direction for closure due to non-installation of Online Continuous Effluent Monitoring System (OCEMS), non-adherence to action plan submitted/ intentional avoidance of data submission or data manipulation by tampering the OCEMS or accidental discharges lasting for short durations resulting into damage to the environment/intentional discharge onto the ambient environment-land, water, air, resulting into

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acute injury or damage to the environment/ injection of treated/partially treated/untreated effluents to ground water; and

WHEREAS, as per the Hon'ble NGT order dated 30.04.2019 in O.A. no. 1069/2018, the applicable treated discharge standards for STPs are pH -5.5-9.0, BOD -10 mg/l, TSS - 20 mg/l, COD - 50 mg/l, Nitrogen-Total - 10 mg/l, Phosphorus-Total (For Discharge into Ponds, Lakes) - 1.0 mg/l, Faecal Coliform (FC) -100 MPN/100 ml (Desirable) & 230 MPN/100 ml (Permissible); and

WHEREAS, CPCB issued directions dated 26.06.2020 under Section 18 (1) (b) of the Water (Prevention and Control of Pollution) Act, to State Pollution Control Boards of Uttarakhand, Uttar Pradesh, Bihar and West Bengal for compliance of the 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.

AND WHEREAS, CPCB issued directions dated 10.08.2020 under Section 5 of the Environment (Protection) Act, 1986 for installation of Online Continuous Effluent Monitoring System (OCEMS) within six months for self - surveillance of Sewage Treatment Plants; and

WHEREAS, the Hon'ble NGT vide order dated 13.08.2020 in the O.A. no. 200/2014 directed that,

1. *For delay in setting up of STPs and sewerage network beyond prescribed timelines, State may be liable to pay Rs. 10 Lakhs per month per STP and its network.*
2. *With regard to works under construction, after 01.07.2020, direction for payment of environmental compensation of Rs. 10 lakhs per month to CPCB for discharging untreated sewage in any drain connected to river Ganga or its tributaries and Rs. 10 lakhs per month to CPCB per incomplete STP and its sewerage network will apply.*
3. *As already observed by this Tribunal including in the order dated 14.05.2019 that River Ganga being National River with distinct significance for the country, even a drop of pollution therein is a matter of concern.*

WHEREAS, a team of official from CPCB carried out inspection of STP at Fatehgarh, Farrukhabad on 17.09.2020 and found the STP non - operational during the inspection. Following observations were made during the inspection:

1. STP was found non - operational at the time of visit.
2. Fatehgarh STP is based on Oxidation Pond Technology (03 ponds) with designed capacity of 2.7 MLD.
3. STP does not have valid consent under Water Act till the date of inspection.
4. Neither flow meter nor V - notch was installed at inlet and outlet of STP.
5. OCEMS was not installed at outlet of the STP.
6. STP has no lab facility for the analysis of relevant parameters.
7. As the STP was not taking the sewage received through Hathikhana Nala due to removal of pumps at Main Pumping Station (MPS), around 32 MLD sewage is directly discharged into the River Ganga without reaching the oxidation pond STP for treatment.

8. Log book for tube well, inlet and outlet flow, electricity, maintenance/breakdown were not maintained properly and manipulation in the logbook were observed by the visiting team.
9. There are 04 (four) pumps at MPS for lifting of sewage to STP, with two pumps having 40 HP capacity and two pumps with 25 HP capacity, out of the total four pumps, two pumps were removed for maintenance whereas remaining two were kept non-operational.
10. No such intimation regarding shut down of MPS was given to any of the regulatory agencies including CPCB, UPPCB, MoEF & CC or NMCG.

AND WHEREAS, Uttar Pradesh Jal Nigam (UPJN) is required to carry out the following suggestive measures –

1. STP shall be made operational and bypass of untreated sewage shall be stopped immediately.
2. STP shall obtain consent to operate under Water Act from UPPCB.
3. STP shall install flowmeter at inlet and outlet.
4. STP shall convey in advance to SPCB, about shutdown due to any maintenance work.
5. STP shall maintain proper log book for inlet & outlet flow, treated sewage characteristics, pump operations, electricity, maintenance/breakdown and solid waste & sludge generation/disposal.
6. STP shall establish environmental laboratory for monitoring of treated sewage discharge quality.
7. OCEMS shall be installed and connected to CPCB/UPPCB servers. Also, install PTZ camera at the outlet of the STP
8. STP should install additional DG set at pumping stations to ensure the pumping of entire sewage during power failure.

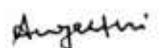
It is evident that the Sewage Treatment Plant at Fatehgarh, Farrukhabad having designed treatment capacity of 2.7 MLD was found non-operational on the day of visit and untreated sewage was being discharged into river Ganga causing grievous injury to the environment.

NOW, THEREFORE in view of the above observations, and in exercise powers delegated to the Chairman, Central Pollution Control Board under section 5 of the Environment (Protection) Act, 1986, Show Cause notice is hereby served to Uttar Pradesh Jal Nigam to explain the reason of non-operational status of Fatehgarh STP and **why Environment Compensation of Rs 10 lakh should not be imposed on Uttar Pradesh Jal Nigam for discharge of untreated sewage into River Ganga due to non-operational Fatehgarh STP (2.7 MLD) until the STP is made operational.**

Uttar Pradesh Jal Nigam shall acknowledge the receipt of Show Cause Notice and submit reply to this office within 15 days from the date of this notice failing which suitable action as deemed fit under provision of the Environment (Protection) Act, 1986 will be initiated.



(SHIV DAS MEENA)
CHAIRMAN



Copy to:

1. The Principal Secretary
Urban Development Department
Government of Uttar Pradesh
824, Babu Bhawan
Lucknow - 226001
2. Member Secretary,
Uttar Pradesh Pollution Control Board
Building No. TC-12V
Vibhuti Khand, Gomti Nagar
Lucknow-226 010
3. The Director General,
National Mission for Clean Ganga (MoWR, RD & GR)
1st Floor, Major Dhyan Chand National Stadium
India Gate, New Delhi - 110002
4. The Joint Secretary (CP Division),
Ministry of Environment, Forests, & Climate Change
Indira Paryavaran Bhawan, Jorbagh Road,
Ali Ganj, Lodhi Colony, New Delhi - 110013
5. Project Director
State Mission for Clean Ganga-UP (SPMG-UP)
Plot N0-18, Sector-7, Gomti Nagar Extension,
Lucknow - 226010
6. The Incharge, IT Division, CPCB
7. Incharge, WQM-II, CPCB, DELHI

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action please

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compliance of the direction

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(PRASHANT GARGAVA)
MEMBER SECRETARY