

**Before the Hon'ble National Green Tribunal
Eastern Zone**

OA No. 81/2025/EZ

In the matter of:

Tarun Prakash

..Applicant

Versus

State of Bihar & Ors.

..Respondents

Sub: Counter Affidavit.

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Sl. No. 3738 Date 22/7/28



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COUNTER AFFIDAVIT BY THE RESPONDENT NO 2 (BIHAR STATE POLLUTION CONTROL BOARD)

I, Abhimanyu Singh, aged about 33 years, Son of R.K. Singh, resident of Sardar Patel Colony, P.S. Digha, Town & District- Patna-800010 do hereby solemnly affirm and state as follows:

1. That I am duly authorized to submit this affidavit on behalf of the Bihar State Pollution Control Board in the instant matter on the

Handwritten notes in red ink: 'Abhimanyu Singh who is identified by Advocate... solemnly affirmed... this affidavit apart from... stamp... 5 rule of No 3...'



basis of the records maintained at the State Board and on the basis of the inspection carried. I am competent to affirm this affidavit for and on behalf of respondent no. 2 herein.

2. The instant Original Application has been filed by the applicant seeking urgent intervention against Respondent No. 06 for running unauthorized and illegal marriage hall in the name ant style Nutan Vihar Bhawan in a densely populated residential area at Ward No. 26, Circle no. 19, Holding no. 501, Mohalla- Lah Bazar Chapra, District- Siwan.

3. That the answering respondent has earlier in exercise of duties and functions has inspected the marriage hall of the Respondent no. 06 and based upon the findings of the inspection has issued a 'Proposed Direction for Closure' contained in Memo No. 177818, dated 09.12.2024, to the Respondent no. 06, whereby and whereunder the Respondent no. 06 was given an opportunity to file its objection against the State Board proposed action of directing closure of the marriage hall for operating the same without obtaining necessary consent orders from the State Board. However, the answering respondent failed to file a reply to the aforesaid 'Proposed Direction for Closure'.



A copy of the 'Proposed Direction for Closure' dated 09.12.2024 is annexed and marked as Annexure-A.

4. That the answering respondent has issued charter on waste water treatment and other pollution control measures in Hotels, Restaurants & Banquet Halls, which *inter-alia*, provides for the installation of STP to comply with discharge standards and steps to be taken for maintenance of Ambient Air Quality standards. It is pointed out that there are no siting criteria for the Marriage Hall and Banquet hall as such establishments are situated mostly in municipal areas. The measures to be taken by hotels/banquet halls as per the charter are produced below: -

- i. Installation of STP of adequate capacity in large hotels as per waste water generation;
- ii. Installation of Primary Sewage Treatment System for treatment of kitchen laundry waste water in medium & small hotels, restaurants & banquet halls comprising of physical screening through bar screens, oil & grease traps followed by settling & filtration through multi grade filter (MGF);
- iii. If the effluent is discharged into a municipal sewer leading to a Sewage Treatment Plant, the hotel or restaurant or banquet hall, as the case may be, shall have to comply with



the 'General Standards for Discharge of Environmental Pollutants Part-A: Effluents' notified under Schedule-VI" with respect to public sewer recipient (pH: 5.5- 9.0, BOD: 350 mg/L, TSS: 600 mg/L & Oil & grease: 20 mg/L);

- iv. Ensure use of treated sewage in horticulture and flushing of toilets;
- v. Obtain permission from Central Ground Water Board for extraction of ground water;
- vi. Minimize water consumption and adopt rain water harvesting;
- vii. Apply online and obtain CTE & CTO from BSPCB under related acts;
- viii. Apply online and obtain authorization under the Hazardous & Other Waste (Management & Trans-boundary Movement) Rules, 2016 if they generate hazardous waste;
- ix. Use D.G. set with acoustic enclosure for control of noise pollution. The use of D.G. sets without acoustic enclosure is illegal;
- x. During events/functions at banquet halls, clubs etc. noise is produced by musical instruments, fire crackers, DJs and hence it is to be ensured that sound producing instruments or musical instruments are not used at night time (10:00 pm



to 08:00 am) and in open spaces ambient air quality standards are maintained at all times;

- xi. Comply with provisions of SWM Rule i.e. segregate solid waste in biodegradable, non-bio-degradable & domestic hazardous waste in suitable bins and hand over segregated waste to ULB or authorized rag picker or waste collector. Bio-degradable waste shall be processed, treated & disposed through composting or bio-methanation within the premises as far as possible;
- xii. If solid waste is not collected by ULBs for some reasons then they will ensure its transportation to the processing and disposal within 24 hours. They must have temporary storage facility for at least 02 days.

A copy of the Charter on waste water treatment and other pollution control measures in Hotels, Restaurants & Banquet Halls is annexed and marked as Annexure-B.

5. That the marriage hall of the answering respondent was inspected on 11.06.2025 by the officials of the State Board and it was found that the marriage hall is situated in residential-cum-commercial area and the house of the applicant is situated in East of the marriage hall. The representative of the marriage hall was present



at the time of inspection and he informed that the marriage hall does not provide for the DJ and Music and the same are arranged by the customers themselves and he further informed that at the time of booking he informs the customers that the music/loudspeaker will not be allowed to be used after 10:00 p.m. The inspecting team noticed that fire extinguisher has been installed in the marriage hall; the waste water is discharged in municipal drain without any treatment; the solid waste is taken up by the Municipal Corporation; there is paucity of place for parking. The representative of the marriage hall informed that the last booking was done in April'2025 and the marriage hall is temporarily closed and is not being operated.

A copy of the inspection report is annexed and marked as Annexure-C.

6. That since the respondent no. 06 has not obtained Consent from the State Board and is not following the charter on waste water treatment and other pollution control measures in Hotels, Restaurants & Banquet Halls, the State Board has issued 'Direction for Closure' to the Respondent No.06 vide Memo No. 890, dated 22.07.2025, by which the Respondent No. 06 has been directed to close the marriage hall with immediate effect.



A copy of the Direction for Closure is annexed and marked as Annexure-D.

7. That the contents of this affidavit are true and correct to the best of my knowledge and belief, and nothing material has been concealed therefrom. The statements made in paragraph nos. 1 to 6 are matters of record and information derived from record and the statements made in paragraph no. 7 are my humble submission before his Hon'ble Tribunal.

Abhineet Parkash BQ 11520/2019
Identify the Deponent's signature/Li. who has signed in my presence

Abhineet
23.7.25
DEPONENT

VERIFICATION

Verified at Patna on this 23rd day of July, 2025 that the contents of the above affidavit are true and correct to the best of my knowledge and belief.

Abhineet
23.7.25
DEPONENT



**BIHAR STATE POLLUTION CONTROL BOARD**

PARIVESH BHAWAN

PALIPUTRA INDUSTRIAL AREA, PATLIPUTRA, Patna – 800 010

E-mail-bspccb@yahoo.com, Website-<http://bspccb.bih.nic.in>

Patna, dated:- 09.12.24

Ref. No:- 177818

FromDr. D. K Shukla,
Chairman.**To**M/S Nutan Vivah Bhawan,
At-Mouna Chowk Nandan Path,
Chapra, Dist-Saran-841301.**Direction for Proposed Closure under section 31A of the Air (Prevention and Control of Pollution) Act, 1981 & Section 33A of the water (Prevention and Control of Pollution) Act, 1974.**

1. **WHEREAS**, the State Govt. has declared the entire State of Bihar as "Air- Pollution-Control-Area" under the provisions of section 19 of the Air (Protection and Control of Pollution) Act, 1981.
2. **WHEREAS**, you were required to obtain previous Consent-to- Establish (hereinafter referred to as 'CTE') and Consent-to- Operate (hereinafter referred to as 'CTO') from this State Board under section 21 of the Air (Prevention and Control of Pollution) Act, 1981 and Section 25/26 of the Water (Prevention and Control of Pollution) Act, 1974, before establishing and operating your Banquet Hall/Hotel/Restaurant.
3. **WHEREAS**, the officials of the State Board inspected your Banquet Hall/Hotel/Restaurant, and found that you have established and operating your unit without obtaining CTE/CTO from the State Board.
4. **WHEREAS**, the State Board vide its letter no.- 2830, dated: 20.06.2024 apprised you about the relevant prosecution of law and directed you to obtain CTE/CTO from the State Board.
5. **WHEREAS**, you have even after issuance of letter not made an application for CTE & CTO from the State Board.
6. **WHEREAS**, establishment and operation of Banquet Hall/Hotel/Restaurant without obtaining CTE and CTO from

✂

the State Board is violation of Section 21 of the Air Act, 1981, and as such operation of your unit is illegal. Further the State Board has powers to issue direction under Section 31A of the Air Act, 1981 & Section 33A of the Water Act, 1974.

I, therefore, in exercise of the powers under Section 31A of the Air Act, 1981 and Section 33A of the Water Act, 1974 propose to close your Banquet Hall/Hotel/Restaurant and for the said reason, you are hereby given an opportunity to file your objection, (if any), to the said proposed action of closure of your Banquet Hall/Hotel/Restaurant, within 15 days from the receipt of this notice, failing which directions, as proposed above, shall be confirmed against your Banquet Hall/Hotel/Restaurant you're your Banquet Hall/Hotel/Restaurant will be directed to be closed without giving any further notice, in accordance with the provisions of the Air (Prevention and Control of Pollution) Act, 1981 and the Water (Prevention and Control of Pollution) Act, 1974.

Signed by

Devendra Kumar Shukla

Date: 05-12-2024 12:19:03

(Dr. D. K. Shukla)

Chairman

Copy forwarded to:

- (I) Regional Officer, Muzaffarpur for information and necessary action.
- (II) Legal Cell, Patna for records.
- (III) Sri Neeraj Kumar Sinha, Assistant Programmer, IT Cell, BSPCB, to upload on website.

Annexure-B

Charter

for

Waste Water Treatment

&

Other Pollution Control Measures

in

Hotels, Restaurants & Banquet Halls



BIHAR STATE POLLUTION CONTROL BOARD

Parivesh Bhawan, Patliputra Industrial Area, P.O.-Sadakat Ashram, Patna-800010

EPABX:-0612-2261250/2262265, Fax:-0612-2261050

1. **Background:** Tourism in Bihar has significant potential considering the rich cultural and historical heritage. Hotel/Hospitality industries have emerged as one of the key drivers of growth among the services sector in the State. Hotels have been categorized as Red, Orange & Green category depending upon their size/capacity of waste water generation.
2. **Categorization of Industries:** Central Pollution Control Board (Ministry of Environment, Forest & Climate Change, Govt. of India) has classified industrial sectors under Red, Orange, Green & White categories based on pollution index/pollution potential. Range of pollution index for the purpose of categorization of industrial sectors is hereunder: -

| | |
|--|-----------------|
| Industrial Sector having pollution index score of 60 and above | Red category |
| Industrial Sector having pollution index score of 41 to 59 | Orange category |
| Industrial Sector having pollution index score of 21 to 40 | Green category |
| Industrial Sector having pollution index score up to 20 | White category |

3. **Categorization of Hotels:** Hotel industries have been categorized as hereunder: -

| S. N. | Categorization | Remarks |
|-------|--|--|
| 1. | Hotels having more than 100 rooms/ having over all waste water generation 100 KLD and more & having a coal/oil fired boiler. | Hotel (Big) Red Category |
| 2. | Hotels (< 3 star) or Hotels having > 20 rooms and less than 100 rooms and waste water generation less than 100 KLD & having a coal/oil fired boiler. | Hotel (Medium) Orange Category |
| 3. | Hotels up to 20 rooms and waste water generation less than < 10 KLD without boiler. | Hotel (Small) Green Category |
| | Banquet hall with minimum floor area of 100 sq.m. | |
| | Restaurant with minimum seating capacity of 36 | |

4. **Sources of Pollution in Hotels:** D.G set and kitchen exhaust are sources of air pollution in hotels and restaurants. Additionally noise pollution is created from musical instruments/sound amplifier system at clubs/banquet halls during events.

Kitchen, laundry, toilet/bath room are main sources of water pollution. Solid wastes are also generated. These sources of pollution have to be addressed for maintaining environmental quality.

5. Statutory Compliances for prevention and control of pollution:

CPCB & BSPCB are mandated for maintaining wholesomeness of water resources/ bodies. Industries including hotels/hospitality industries, restaurants & banquet halls are bound to comply with the provisions/ mandates of pollution control Acts and related regulations. The Water (Prevention and Control of Pollution) Act, 1974, The Air (Prevention and Control of Pollution) Act, 1981 and the Environment (Protection) Act, 1986, enacted by the Parliament and rules made thereunder are comprehensive legislations for prevention and control of pollution & environmental protection in the country.

Hotels have to install Sewage Treatment System along with oil & grease skimming facility to comply with the sewage discharge standards. Presently, hotels/hospitality industries have not developed proper facility for treatment and disposal of their waste water and consequently are discharging untreated waste water into the municipal drain which ultimately pollutes environment.

6. Provisions of the Pollution Control Acts:

- **Section 24 of the Water Act, 1974:** No person shall knowingly cause or permit any poisonous, noxious or polluting matter to enter into any stream or well or sewer or on land.
- **Section 25 of the Water Act, 1974:** No person without the previous consent of the Board shall establish or take any step to establish any industry, operation or process or any treatment and disposal system or an extension thereto which is likely to discharge sewage or trade effluent into stream or well or sewer or land.

7. Discharge Standards for Hotels: MoEF&CC, Govt. of India has notified discharge standards for Hotel industry vide GSR 794(E), dated 04.11.2009 under E(P) Act, 1986 as hereunder: -

| SN | Industry | Parameter | Standards | | |
|-----|----------|---|---|-------------------------------|--|
| "39 | | Effluent Standards | | | |
| | | (i) Hotel with at least 20 bedrooms | | | |
| | | | Limiting concentration in mg/l, except for pH | | |
| | | | Inland Surface water | On land for irrigation | |
| | | pH | 5.5-9.0 | 5.5-9.0 | |
| | | BOD ₃ days, 27°C | 30 | 100 | |
| | | Total Suspended Solids | 50 | 100 | |
| | | Oil & Grease | 10 | 10 | |
| | | Phosphate as P | 1.0 | - | |
| | | (ii) Hotel with less than 20 bedrooms or a Banquet Hall with minimum floor area of 100 m² or a Restaurant with minimum seating capacity of 36 | | | |
| | | pH | 5.5-9.0 | 5.5-9.0 | |
| | | BOD ₃ days, 27°C | 100 | 100 | |
| | | Total Suspended Solids | 100 | 100 | |
| | | Oil & Grease | 10 | 10 | |
| | | Notes: | | | |
| | | i. Hotels, banquet halls, restaurants, etc. located in coastal area shall also comply with the provisions of the Coastal Regulation Zone, as applicable. | | | |
| | | ii. If the effluent is discharged into a municipal sewer leading to a Sewage Treatment Plant, the hotel or restaurant or banquet hall, as the case may be, shall provide a proper Oil and Grease Trap for effluent arising from its kitchen and laundry and shall have to comply with the 'General Standards for Discharge of Environmental Pollutants Part-A: Effluents' notified under Schedule-VI.". | | | |

8. General Discharge & Emission Standards: MoEF&CC, Govt. of India has notified general discharge & emission standards vide GSR 422(E), dated-19.05.1993 under E(P) Act, 1986 [the E(P) Amendment) Rules, 2016 as hereunder: -

| Parameters for discharge | Standards | | |
|---|----------------------|---------------|---------------------|
| | Inland surface water | Public sewers | Land for irrigation |
| PH | 5.5-9.0 | 5.5-9.0 | 5.5-9.0 |
| Total Suspended Solids (TSS) (mg/l). | 100 | 600 | 200 |
| Bio-chemical Oxygen Demand, BOD [3 days at 27OC] (mg/l). | 30 | 350 | 100 |
| Chemical Oxygen Demand, COD (mg/l). | 250 | - | - |
| Oil & Grease (mg/l). | 10 | 20 | 10 |
| Emission: The particulate matter emissions from the stack shall be less than 150 miligram per normal cubic meter. | | | |

9. Sewage Discharge Standards for STP:

The new STPs as well as existing/under construction STPs shall comply with the discharge standards (pH: 5.5-9.0; BOD: 10 mg/L; COD: 50 mg/L; TSS: 20 mg/L; and Faecal Coliforms (FC): Desirable 100 Permissible 230 MPN/100/ml) in compliance with the E(P) Rules, 1986 and further order of the Hon'ble NGT dated-30.04.2019 in O.A. No.1069/2018.

10. Compliance of the order of the Hon'ble NGT: The Hon'ble NGT, Principal Bench, New Delhi in its order dated-10.12.2015, 13.07.2017 and 14.05.2019 in O.A. No. 200/2014 in the matter of MC Mehta Vs Union of India & Ors has directed for following compliances: -

- Closing down of polluting industries, Hotels, Dharmshalas & Ashrams being run without STPs and without consent of the State Pollution Control Board, if they were releasing domestic waste or sewage into the river.

- No person shall be permitted to extract ground water for industrial and commercial purposes unless it has obtained permission from Central Ground Water Authority (CGWA)/ (CGWB).
- There shall be complete prohibition on extraction of ground water in the critical areas.
- There shall be complete prohibition on disposing of MSW, e-Waste or BMW on the flood plain or into river Ganga or its tributaries.

11. Compliance of Solid Waste Management: Hotels are bulk waste generators: Duties of waste generators are enumerated under the Solid Waste Management Rules, 2016.

- ✓ All waste generators shall segregate and store the waste generated by them in three separate streams namely bio-degradable, non bio-degradable and domestic hazardous wastes in suitable bins and handover segregated wastes to authorized rag-pickers or waste collectors.
- ✓ No waste generator shall throw, burn or bury the solid waste generated by him, on streets, open public spaces outside his premises or in the drain or water bodies.
- ✓ All hotels and restaurants shall, within one year from the date of notification of these rules and in partnership with the local body ensure segregation of waste at source as prescribed in these rules, facilitate collection of segregated waste in separate streams, handover recyclable material to either the authorized waste pickers or the authorized recyclers. The bio-degradable waste shall be processed, treated and disposed off through composting or bio-methanation within the premises as far as possible. The residual waste shall be given to the waste collectors or agency as directed by the local body.

12. Hazardous Waste Generation from Hotels: MoEF&CC, Govt. of India has notified the Hazardous & Other Waste (Management & Trans-boundary Movement) Rules, 2016 under the Environment (Protection) Act, 1986 vide notification no. GSR 395(E), dated-04.04.2016. As per provision, the occupiers are responsible for safe and environmentally sound management of hazardous and other wastes. In compliance with rule-6, every occupier who is engaged in handling, generation, collection, storage, transportation, use, treatment, processing, recycling, recovery, pre-processing, co-processing, utilization, offering for sale, transfer or disposal of the hazardous & other waste is required

to obtain authorization from SPCB. Used/spent oil (HW cat. no. 5.1) and oil & grease skimming (HW cat. no. 35.4) are listed as Hazardous waste in Schedule-I of the said rules.

13. Pollution Control System in Hotels, Restaurants & Banquet Halls

A. Air Pollution Control System:

- ✓ D.G. set should have acoustic enclosure.
- ✓ Kitchen exhaust system should be placed with proper exhaust height as applicable for D.G. sets.
- ✓ The height of D.G. set must be in accordance with CPCB guidelines as hereunder: -

The minimum height of stack to be provided with each generator set can be worked out by using the following formula: -

$$H=h+0.2 \text{ KVA}$$

H=Total height of stack in meter

h=height of the building in meters where the generator set is installed.

KVA=Total generator capacity of the set in KVA

Based on the above formula the minimum stack height to be provided with different range of generator sets may be categorized as follows:

| For Generator Sets | Total Height of Stack in Meter |
|--------------------|------------------------------------|
| 50 KVA | Height of the building + 1.5 meter |
| 50-100 KVA | Height of the building + 2.0 meter |
| 100-150 KVA | Height of the building + 2.5 meter |
| 150-200 KVA | Height of the building + 3.0 meter |
| 200-250 KVA | Height of the building + 3.5 meter |
| 250-300 KVA | Height of the building + 3.5 meter |

Similarly for higher KVA ratings a stack height can be worked out using the above formula.

B. Ambient Air Quality Standards in respect of noise for different area/zones:-

1. Ambient Air Quality Standards in respect of noise has been specified as hereunder: -

| Area Code | Category of Area | Limits in dB(A) Leq. | |
|-----------|------------------|---------------------------------------|---|
| | | Day Time (06:00 am to 10:00 pm) | Night Time (10:00 pm to 06:00 am) |
| (A) | Industrial Area | 75 | 70 |
| (B) | Commercial Area | 65 | 55 |
| (c) | Residential Area | 55 | 45 |
| (D) | Silence Zone | 50 | 40 |

Note:

- (i) Silence zone is an area comprising not less than 100 meters around Hospital, Educational Institutions, Courts, religious places or any other area declared as such by the competent authority.
- (ii) Mixed categories of areas may be declared as one of the four above mentioned categories by the competent authority.
- (iii) A " Decibel" (dB) is a unit in which noise is measured.

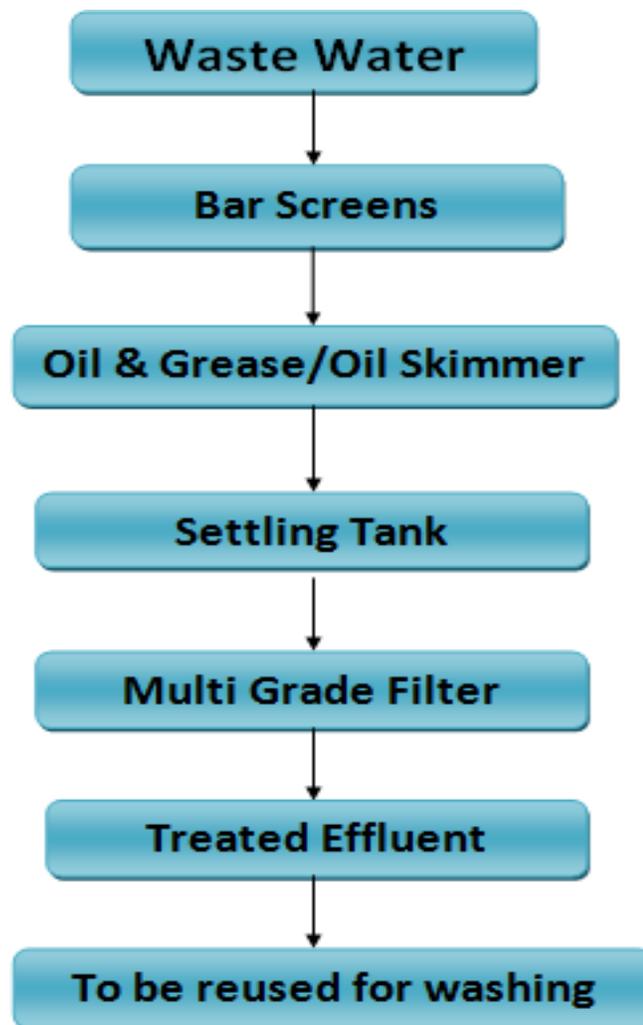
C. Water Pollution Control System: The waste water from hotels, restaurants & banquets halls are generated from mainly kitchen, bathing, laundry activities and toilets. The waste water from toilet is usually refer to as *black water* and waste water from other activities is referred to as *grey water*. In the absence of actual water supply data and domestic waste water generation, for design purposes, 135 liter/capita/day water supply and 80% sewage/waste water generation may be taken as reference. The black water has to be passed through septic tank for its treatment and disposal. The grey water is to be treated through STP.

The waste water from aforesaid sector have coarse and fine particle along with high BOD, COD, TSS, Total Nitrogen, Ammonia Nitrogen, Nitrate Nitrogen, Phosphorus (Total and ortho) and oil & grease.

This requires physical screening for removal of coarse and fine particles from waste water followed by equalization, oil & grease traps/ skimmer, settling and multi grade filter (MGF) as primary treatment system to comply with the discharge standards notified by the MoEF&CC, Govt. of India if the waste water is discharged into municipal drain leading to Sewage Treatment Plant (STP). The aforesaid treatment system may be useful for the hotels, restaurants and banquets halls having waste water generation <10 KLD.

Hotels (< 3 star) or Hotels having > 20 rooms and less than 100 rooms and waste water generation less than 100 KLD & hotels having more than 100 rooms/ having overall waste water generation of 100 KLD should have STP with physical screening, equalization tank, Oil & grease trap followed by biological treatment such as Activated Sludge Process or Membrane Bioreactor (MBR), MGF/sand filter and chlorination or any other technology for treatment of sewage/domestic waste water.

- 14. (a) Schematic diagram for Primary Treatment of Waste Water of Hotels, Restaurants & Banquet Halls, if effluent is discharged into municipal sewer leading to STP for compliance of general discharge standards.**



14. (b) Treatment process design for treatment of waste water of Hotels/Restaurants & Banquet Halls having waste water generation > 10 KLD:

The treatment process includes primary treatment, secondary biological treatment and tertiary treatment system. The primary treatment system includes screening, oil & grease skimming/trapping and equalization. Solids are removed through screening arrangement which may be coarse screening (size larger than 20 mm) and fine screening (size larger than 2 mm). The equalization tank is designed to smooth out peak flow and meet the design flow for two hours. The aerobic biological treatment system such as Activated Sludge Process (ASP), Sequencing Batch Reactor (SBR), Moving Bed Bio-Reactor (MBBR) and Membrane Bio-Reactor (MBR) are the suitable technologies for biological treatment of waste water generated from aforesaid sectors. Multi Grade Filter (MGF)/Dual Media Filter (DMF)/Ultra Filtration (UF) may be adopted as tertiary level of treatment.

The **Activated Sludge Process (ASP)** is a type of waste water treatment process for treating sewage or industrial waste waters using aeration and a biological floc composed of bacteria and protozoa.

The **Sequencing Batch Reactor (SBR)** is a fill-and draw activated sludge system for wastewater treatment. In this system, wastewater is added to a single "batch" reactor, treated to remove undesirable components, and then discharged. Equalization, aeration, and clarification can all be achieved using a single batch reactor. To optimize the performance of the system, two or more batch reactors are used in a predetermined sequence of operations. SBR systems have been successfully used to treat both municipal and industrial wastewater. They are uniquely suited for wastewater treatment applications characterized by low or intermittent flow conditions.

The unit processes of the SBR and conventional activated sludge systems are the same. The difference between the two technologies is that the SBR performs equalization, biological treatment and secondary clarification in a single tank using a timed control sequence. This type of reactor does, in some cases, also perform primary clarification. In a conventional activated sludge system, these unit processes would be accomplished by using separate tanks.

The **Membrane Bio-Reactor (MBR)** is the combination of a membrane process like micro-filtration or ultra-filtration with a biological wastewater treatment process, the activated sludge process. It is now widely used for municipal and industrial wastewater treatment. There are

two types of MBR system namely vacuum (gravity driven) and pressure driven system. Vacuum or gravity systems are immersed and normally employ hollow fiber or flat sheet membrane installed in the bio-reactors or a subsequent membrane tank. Pressure driven systems are in-pipe cartridge systems located externally to the bio-reactor. This system performs both functions of aerobic treatment and solid-liquid separation. The complete MBR system is able to operate at high MLSS concentration up-to 8000 mg/L. Activated sludge in the aeration tank is clearly removed by the membrane. The individual membranes are housed in units known as modules, cassettes or rags and a combined series of these modules are referred to as a working membrane unit. In order to ensure pathogen free water for the purpose of reuse, chlorination using sodium hypochlorite is adopted for disinfection followed by the de-chlorination. Alternatively, Ultra-filtration through UV-System may also be adopted for disinfection of treated water.

The model of sewage treatment system for the capacity having plant up to 10 KLD, 50 KLD and 100 KLD provided by M/s Hyper Filtration Pvt. Ltd., 16/1, A-4, Site IV, Industrial Area, Sahibabad, District-Ghaziabad-201010 (UP) India (Tel: +91-120-4179700; Fax: 91-120-417915; email: wastewater@hyperfiltration.in) along with tentative cost are enclosed (**for reference only**).

15. Charter for waste water treatment and other pollution control measures in hotels, restaurants & banquet halls:

- ↗ Installation of STP of adequate capacity in large hotels as per waste water generation.
- ↗ Installation of Primary Sewage Treatment System for treatment of kitchen laundry waste water in medium & small hotels, restaurants & banquet halls comprising of physical screening through bar screens, oil & grease traps followed by settling & filtration through multi grade filter (MGF).
- ↗ If the effluent is discharged into a municipal sewer leading to a Sewage Treatment Plant, the hotel or restaurant or banquet hall, as the case may be, shall have to comply with the 'General Standards for Discharge of Environmental Pollutants Part-A: Effluents' notified under Schedule-VI" with respect to public sewer recipient (pH: 5.5-9.0, BOD: 350 mg/L, TSS: 600 mg/L & Oil & grease: 20 mg/L).
- ↗ Ensure use of treated sewage in horticulture and flushing of toilets.
- ↗ Obtain permission from Central Ground Water Board for extraction of ground water.
- ↗ Minimize water consumption and adopt rain water harvesting.

- ↗ Apply online and obtain CTE & CTO from BSPCB under related acts.
- ↗ Apply online and obtain authorization under the Hazardous & Other Waste (Management & Trans-boundary Movement) Rules, 2016 if they generate hazardous waste.
- ↗ Use D.G. set with acoustic enclosure for control of noise pollution. The use of D.G. sets without acoustic enclosure is illegal.
- ↗ During events/functions at banquet halls, clubs etc. noise is produced by musical instruments, fire crackers, DJs and hence it is to be ensured that sound producing instruments or musical instruments are not used at night time (10:00 pm to 08:00 am) and in open spaces ambient air quality standards are maintained at all times.
- ↗ Comply with provisions of SWM Rule i.e. segregate solid waste in bio-degradable, non-bio-degradable & domestic hazardous waste in suitable bins and hand over segregated waste to ULB or authorized rag picker or waste collector. Bio-degradable waste shall be processed, treated & disposed through composting or bio-methanation within the premises as far as possible.
- ↗ If solid waste is not collected by ULBs for some reasons then they will ensure its transportation to the processing and disposal within 24 hours. They must have temporary storage facility for at least 02 days.

निरीक्षण प्रतिवेदन

16

विषय:- माननीय राष्ट्रीय हरित अधिकरण, पूर्वी बेंच, कोलकता में दायर O.A. No.- 81/2025/EZ Tarun Prakash Versus State of Bihar & Ors. के मामले में दिनांक 09.05.2025 को पारित आदेश के अनुपालन के संबंध में स्थल निरीक्षण दिनांक 11.06.2025 को किया गया। निरीक्षण के दौरान निम्नलिखित तथ्य पाया गया:-

| क्र०सं० | विवरणी | अवलोकन |
|---------|---|---|
| 1. | इकाई का नाम एवं पता | मेसर्स नूतन विवाह भवन, वार्ड नं०- 26, लाह बाजार, छपरा, जिला- सारण 841301 |
| 2. | प्रोपराईटर का नाम एवं मोबाईल नम्बर | श्री अशोक कुमार, मो०- 8709980803 |
| 3. | निरीक्षण पदाधिकारी | 1. शिव शम्भू प्रसाद (वैज्ञानिक) 2. अशोक कुमार (स०वै०पदा०) |
| 4. | निरीक्षण की तिथि | 11.06.2025 |
| 5. | निरीक्षण के दौरान उपस्थित व्यक्ति का नाम एवं मोबाईल नम्बर | श्री अशोक कुमार, मो०- 8709980803 |
| 6. | उत्पाद | बैंक्वेट हॉट- 01 |
| 7. | निरीक्षण के दौरान इकाई की स्थिति | निरीक्षण के दौरान इकाई बंद पायी गयी। |
| 8. | इकाई की चौहदी | पुरब- श्री तरुण प्रकाश एवं श्री पप्पन कुमार का आवासीय मकान पश्चिम- गली+आवासीय मकान उत्तर- रोड+व्यवसायिक सह आवासीय मकान दक्षिण- रोड+व्यवसायिक सह आवासीय मकान |
| 9. | स्थापनार्थ/संचालनार्थ सहमति आदेश | पर्षद् के पत्रांक 2830, दिनांक 20.06.2024 द्वारा सहमति आदेश प्राप्त करने हेतु लिखा गया। आवेदन अप्राप्त रहने पर पर्षद् पत्रांक 177818, दिनांक 09.12.2024 द्वारा इकाई को Proposed Closure Direction निर्गत किया गया है तथापि इकाई से स्थापनार्थ/संचालनार्थ सहमति हेतु आवेदन पत्र आज तक अप्राप्त है। |
| 10. | कोर्डिनेट | 25.7816, 84.7465 |
| 11. | अवलोकन | इकाई में शादी तथा अन्य समारोह संचालित किया जाता है, जिसमें एक विवाह भवन है। निरीक्षण के दौरान पाया गया कि इकाई में फायर फाईटिंग की व्यवस्था की गयी है एवं पानी के लिए एक समरसेबुल की स्थापना की गयी है। इकाई से उत्सर्जित वहिस्त्राव को नगर-निगम के |

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| | | <p>नाले में बिना उपचारित किये बहा दिया जाता है तथा सुखे एवं गीले कचड़े को नगर-निगम के वाहन को निस्तारण हेतु दिया जाता है।</p> <p>निरीक्षण के दौरान इकाई के संचालक श्री अशोक कुमार उपस्थित थे। उनके द्वारा बताया गया कि इकाई में डी0जे0 एवं लॉउडीस्पीकर का उपयोग नहीं किया जाता है। पार्किंग की व्यवस्था अपर्याप्त पाया गया है, जिसके कारण बारात में अधिक वाहन होने पर सड़क के किनारे पार्किंग किया जाता है। शादी समारोह में डी0जे0 की व्यवस्था ग्राहक द्वारा ही उपलब्ध कराया जाता है। बुकिंग के समय नियमानुसार 8 बजे रात्रि से 10 बजे रात्रि तक ही डी0जे0 बजाने की अनुमति दी जाती है। उन्होंने बताया कि शादी समारोह में पटाखा का उपयोग परिसर में नहीं किया जाता है। शादी पार्टी द्वारा पटाखा का उपयोग रास्ते में ही किया जाता है। उन्होंने बताया कि खाने एवं पीने का पानी की व्यवस्था शादी पार्टी द्वारा किया जाता है। अंतिम बुकिंग अप्रैल माह में की गयी थी। वर्तमान में इकाई बंद है।</p> |
| 12. | अनुशंसा | <p>निरीक्षण से स्पष्ट है कि इकाई आवासीय सह व्वसायिक कॉलोनी के बीच स्थापित है। इकाई से सटे हुए शिकायतकर्ता का आवासीय मकान है। इकाई पर्षद् से स्थापनार्थ/संचालनार्थ सहमति प्राप्त किये वगैर संचालित है। इकाई को पूर्व में मुख्यालय के पत्रांक 177818, दिनांक 09.12.2024 द्वारा Proposed Closure Direction निर्गत किया गया है, जिसका जवाब अबतक अप्राप्त है। इकाई को Closure Direction निर्गत किया जा सकता है।</p> |

निरीक्षण के दौरान लिए गये फोटोग्राफ संलग्न।

Ashok Kumar
12/06/2025
Ashok Kumar (ASO)
Muzaffarpur

Shiv Shambhu Prasad
12/06/2025
Shiv Shambhu Prasad (Scientist)
Muzaffarpur

Translated copy of Inspection report

Subject: - Site inspection was conducted on 11.06.2025 in respect of compliance of the order dated 09.05.2025 passed in the case of **O.A. No.- 81/2025/EZ Tarun Prakash Versus State of Bihar & Ors.** filed in the Hon'ble National Green Tribunal, Eastern Bench, Kolkata. During the inspection, the following facts were found:-

| Sl.No. | Details | Observation |
|--------|--|--|
| 1. | Name and address of the unit | M/s Nutan Marriage Hall, Ward No. 26, Lah Bazar, Chhapra, District- Saran 841301 |
| 2. | Proprietor's name and mobile number | Mr. Ashok Kumar, Mob.- 8709980803 |
| 3. | Inspection officer | 1. Shiv Shambhu Prasad (Scientist) 2. Ashok Kumar (Asst. Officer) |
| 4. | Date of inspection | 11.06.2025 |
| 5. | Name and mobile number of the person present during the inspection | Mr. Ashok Kumar, Mobile No.- 8709980803 |
| 6. | Product | Banquet Hot - 01 |
| 7. | Condition of the unit during inspection | During inspection the unit was found closed. |
| 8. | Unit's surrounding | East - Residential house of Shri Tarun Prakash and Shri Pappan Kumar residential house West Street + Residential House North - Road Commercial cum Residential House South - Road Commercial cum Residential House. |
| 9. | Consent Order for Establishment/Operation | The Council's letter no. 2830, dated 20.06.2024 was written to obtain the consent order. On non-receipt of the application, the Council's letter no. 177818, dated 09.12.2024 issued Proposed Closure Direction to the unit, however, the application for consent for establishment / operation from the unit is not received till date. |
| 10. | Coordinate | 25.7816, 84.7465 |
| 11. | Observation | Weddings and other functions are organised in the unit and there is a marriage hall. During inspection, it was found that fire fighting system has been made |

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| | | <p>in the unit and a sump pump has been installed for water. The effluent emitted from the unit is to be treated in the municipal corporation. It is thrown into the drain without being treated. And the dry and wet garbage is given to the municipal corporation vehicle for disposal.</p> <p>During the inspection, the unit's director Mr. Ashok Kumar was present. He told that DJ and loudspeaker are not used in the unit. Parking arrangements were found to be inadequate, due to which if there are more vehicles in the wedding procession, parking is done on the roadside. DJ arrangement in the wedding ceremony is made by the customer only. As per the rules, permission to play DJ is given only from 8 pm to 10 pm at the time of booking. He told that crackers are not used in the premises of the wedding ceremony. Crackers are used by the wedding party only on the way. He told that food and drinking water arrangements are made by the wedding party. The last booking was done in the month of April. At present the unit is closed.</p> |
| 12. | Recommendation | <p>It is clear from the inspection that the unit is located amidst a residential cum commercial colony.</p> <p>The complainant's residential house is adjacent to it. The unit is being operated without obtaining consent for establishment/operation from the council. The unit has previously been issued Proposed Closure Direction by the headquarters' letter no. 177818,</p> |

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| | | dated 09.12.2024, the reply to which is still not received. Closure Direction can be issued to the unit. |
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Photographs taken during the inspection are attached.

Ashok Kumar (ASO)

Muzaffarpur

Shiv Shambhu Prasad

(Scientist)Muzaffarpur

REGISTERED

BIHAR STATE POLLUTION CONTROL BOARD

Parivesh Bhawan

Phone-0612-2261250/2262265, Fax-0612-2261050

E-mail: msbspcb-bih@gov.in, Website <http://bspcb.bihar.gov.in>

Ref. No.:-

Patna, dated:-

From,

Dr. D. K. Shukla,
Chairman.

To,

M/S Nutan Vivah Bhawan,
Mouna Chowk Nandan Path,
Chapra,
Dist.-Saran-841301

Direction for Closure under Section 31A of the Air (Prevention and Control of Pollution) Act, 1981 & Section 33A of the Water (Prevention and Control of Pollution) Act, 1974.

- 1) **WHEREAS**, the State Govt. has declared the entire State of Bihar as "Air-Pollution-Control-Area" under the provisions of section 19 of the Air (Protection and Control of Pollution) Act, 1981.
- 2) **WHEREAS**, you were required to obtain previous Consent- to- Establish' (hereinafter referred to as 'CTE') and 'Consent- to- Operate' (hereinafter referred to as 'CTO') from this State Board under section 21 of the Air (Prevention and Control of Pollution) Act, 1981 and Section 25/26 of the Water (Prevention and Control of Pollution) Act, 1974, (hereinafter referred to as 'Air act') before establishing and operating your marriage hall.
- 3) **WHEREAS**, a public complaint was received at State Board wherein it has been alleged that due to operation of your marriage hall air & noise pollution is being caused and it is adversely affecting the health of the people living in close vicinity.

- 4) **WEREAS**, you are running a residential hotel-cum restaurant and provide services such as food and lodging to your guests. While catering to your guests, solid, liquid and gaseous discharges emissions are generated emitted due to cooking, cleaning, washing, bathing etc., and ultimately the polluting discharges are allowed indiscriminately without any proper treatment.
- 5) **WHEREAS**, it may be worth mention that the Board published information related to the requirement of obtaining CTE and CTO for hotels in the daily newspaper "Hindustan", wherein hotels were divided into 3 categories (Red, Orange and Green) on the basis of waste generation. It was notified that all categories of hotels were supposed to obtain consent from the Board.
- 6) **WHEREAS**, it is also worthwhile to note that **the Hon'ble National Green Tribunal (NGT) in M.C Mehta v. Union of India (O.A No. 200/2014) vide orders dated 10.12.2015, 13.07.2017 and 14.05.2019** has mandated that all hotels, dharmshalas and ashrams have to obtain consent from the Board for their operation, and have to install STP for sewage/effluent treatment.
- 7) **WHEREAS**, your unit was inspected by officials of the Board, when it was noted and gathered that your unit/hotel was being operated without obtaining the requisite CTE and CTO.
- 8) **WHEREAS**, for the above reasons, you were served with a 'Proposed Closure Direction' by this Board, vide memo no. 177818/2024 dated 09.12.2024, by which you were given an opportunity to file your objection to the Board's proposed action of closing your unit .In the light of above direction for Proposed Closure you have not filed any reply yet.
- 9) **WHEREAS**, your unit was inspected by officials of the Board on 11.06.2025 in light of the order dated-09.05.2025 passed by **Hon'ble National Green Tribunal (NGT), Eastern Bench, Kolkata, in O.A no.-81/2025/EZ Tarun Prakash Versus State of Bihar&Ors.** , when it was noted and gathered that your unit/hotel was still being operated without obtaining the requisite CTE and CTO.

- 10) **WHEREAS**, establishment and operation of your marriage hall without obtaining CTE and CTO from the State Board is violation of Section 21 of the Air Act & Section 25/26 of the Water Act and as such operation of your unit is illegal. Further the State Board has powers to issue direction under Section 31A of the Air Act, 1981 & Section 33A of the Water Act, 1974.

I, therefore, in exercise of power conferred Section 31A of the Air Act, 1981 & Section 33A of the Water Act, 1974, direct you to: **CLOSE YOUR UNIT WITH IMMEDIATE EFFECT**

AND

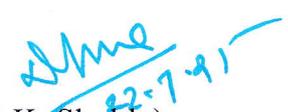
IN DEFAULT THEREOF, the Board will be constrained to file complaint under the relevant provisions of the Air (Prevention and Control of Pollution) Act, 1981, with other actions under other suitable provisions of the Environment (Protection) Act, 1986.

Sd/-
(D.K. Shukla)
Chairman

Memo no.- 890
Copy to:

Patna, date: 22-07-25

- I. The District Magistrate, Saran, with a direction to ensure that the aforesaid unit is closed immediately, which shall be in consonance with Section 31A of the Air (Prevention and Control of Pollution) Act, 1981 & the Water (Prevention and Control of Pollution) Act, 1974;
- II. The Regional Officer, Muzaffarpur, for information and necessary action;
- III. Legal Cell, BSPCB for records;
- IV. IT Cell, BSPCB for upload the website.


(D.K. Shukla)
Chairman

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