

**BEFORE THE NATIONAL GREEN TRIBUNAL,**

**PRINCIPAL BENCH, NEW DELHI**

**Original Application No. 400 OF 2017**

**IN THE MATTER OF:**

**Westend Green Farms Society**

**....APPLICANT**

**Vs.**

**Union of India & Ors.**

**.... RESPONDENTS**

**Action Taken Report/Quarterly Report on behalf of**

**Bihar State Pollution Control Board.**

I, S. Chandrasekar, Son of S. Subramani, aged about 44 years, residing at B-202, Amarkunj Apartment, Vivekanand Marg, Patna - 800013, Patna, Bihar, do hereby solemnly affirm and state as follows:-

1. That, I am posted as the Member Secretary, Bihar State Pollution Control Board, Patna and as such I am well aware of the facts and circumstances of the present matter.

2. That the State Board has through its paper advertisement created awareness among the owners of the marriage hall / banquet hall & hotel about requirement to take consent from the State Board for operating their respective establishments.

**A copy of the paper advertisement is annexed herewith and marked as Annexure - A.**

3. That, accordingly, the State Board has received 134 applications for grant of 'Consent-to-Establish' (CTE) and 89 applications for grant of 'Consent-to-Operate' (CTO).

4. That the State Board, vide its letter no. 1319, dated 01.10.2020, directed all the 142 local bodies (municipal corporations / nagar parishad / nagar panchayat) to submit the requisite information relating to marriage hall / banquet hall & hotel in the format given by the CPCB.

**A copy of Letter No. 1319, dated 01.10.2020 is annexed herewith and marked as Annexure - B.**

5. That accordingly, 2 nagar parishad, namely Sasaram & Jamalpur ; 1 municipal corporation, namely Sasaram; & 1 nagar panchayat, namely Siwan have

submitted the requisite information to the State Board.

**Report of the aforesaid local bodies is annexed and marked as Annexure - C.**

6. That from the report submitted by the aforesaid local bodies, it transpires that mostly all the establishment have proper storage and segregation facility of solid waste and also have engagement with the local bodies for collection of the same. Further, most of the establishment do not have own parking facility; rain water harvesting system; effluent treatment plant; fire safety certificate; consent; permission from ground water extraction.
7. That report / information from 138 local bodies has not been received by the State Board and as such, the compliance status of the marriage hall / banquet hall & hotel situated in the aforesaid 138 local bodies could not be ascertained.

  
(DEPONENT)  
01/2/21  
( S. CHANDRASEKHAR ) :

## होटल, बैंक्वेट हॉल, मैरेज हॉल एवं रेस्टोरेंट के संचालकों के लिए आवश्यक सूचना



औद्योगिक क्षेत्रों का संशोधित वर्गीकरण जो बिहार राज्य प्रदूषण नियंत्रण पर्षद् द्वारा अंगीकार किया गया है, के तहत सहमति प्राप्त करने हेतु होटल व्यवसाय का वर्गीकरण निम्न प्रकार किया गया है:-

क्र.	होटल	वर्गीकरण
1.	100 किलोलीटर प्रति दिन से अधिक अपशिष्ट जल का निःस्सरण करने वाले होटल;	लाल
2.	3 स्टार से कम अथवा 20 कमरों से अधिक परन्तु 100 कमरों से कम क्षमता के होटल जो 100 किलोलीटर प्रतिदिन से कम अपशिष्ट जल निःस्सारित करते हैं;	नारंगी
3.	(क) बिना बाँयलर वाले 20 कमरों तक के होटल, जिनके द्वारा 10 किलोलीटर प्रतिदिन से कम अपशिष्ट जल निःस्सारित किया जाता है तथा जिनके द्वारा खतरनाक अपशिष्ट का जनन नहीं किया जाता हो; (ख) (i) 20 कमरों से कम क्षमता के होटल; (ii) कम से कम 100 वर्गमीटर तक धरातल क्षेत्रफल के बैंक्वेट हॉल; (iii) कम से कम 36 व्यक्तियों के बैठने की क्षमता वाले रेस्टोरेंट	हरा

माननीय राष्ट्रीय हरित न्यायाधिकरण (NGT), नई दिल्ली द्वारा वेस्टइण्ड ग्रीन फार्म सोसाईटी बनाम यूनियन ऑफ इंडिया (मूल आवेदन संख्या-400/2017) में दिनांक-23.07.2020 को पारित आदेश के अनुसार "होटल, रेस्टोरेंट, मैरेज हॉल एवं बैंक्वेट हॉल" के संचालन हेतु बिहार राज्य प्रदूषण नियंत्रण पर्षद् से सहमति लेना अनिवार्य है।

इसके अतिरिक्त पर्यावरण (संरक्षण) अधिनियम, 1986 के तहत बनाये गये विभिन्न नियमावलियों यथा- ठोस अपशिष्ट प्रबंधन नियमावली, 2016; अपशिष्ट प्लास्टिक प्रबंधन नियमावली, 2016; निर्माण एवं विध्वंस अपशिष्ट प्रबंधन नियमावली, 2016; ई. अपशिष्ट प्रबंधन नियमावली, 2016; खतरनाक अपशिष्ट प्रबंधन नियमावली, 2016; ध्वनि-प्रदूषण (विनियमन एवं नियंत्रण) नियमावली, 2016 तथा बैटरी (प्रबंधन एवं हथालन) नियमावली, 2001 (यथा संशोधित) में उल्लेखित प्रावधानों का अनुपालन सुनिश्चित करेंगे।

उपरोक्त आदेश के आलोक में एतद द्वारा निदेशित किया जाता है कि राज्य स्थित सभी होटल, रेस्टोरेंट, मैरेज हॉल तथा बैंक्वेट हॉल राज्य पर्षद् से संचालनार्थ सहमति प्राप्त कर ही संचालन करेंगे। इसका उल्लंघन जल (प्रदूषण निवारण एवं नियंत्रण) अधिनियम, 1974 की धारा-25/26 तथा वायु (प्रदूषण निवारण एवं नियंत्रण) अधिनियम, 1981 की धारा 21 तथा पर्यावरण (संरक्षण) अधिनियम, 1986 के तहत वर्णित दण्डात्मक प्रावधानों को आकृष्ट करेगा।

सदस्य-सचिव।



बिहार राज्य प्रदूषण नियंत्रण पर्षद्

ई-मेल - bspcb@yahoo.com, वेबसाइट - http://bspcb.bih.nic.in



**BIHAR STATE POLLUTION CONTROL BOARD**  
Parivesh Bhawan, N.S.B.-2, Patilputra Industrial Area,  
Patilputra, Patna - 800 010

Ref. No.:- 1319

Patna, dated - 01/10/20

From

S. Chandrasekar, IFS  
Member-Secretary

To

All Municipal Corporations  
All Nagar Panshads  
All Nagar Panchayats

**Sub: Compliance of Hon'ble NGT order dated 23.07.2020 in the matter of Westend Green Farms Society Vs Union of India & Ors., OA No.400/2017**

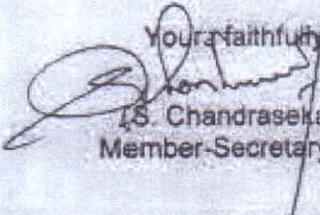
Sir,

With reference to the above mentioned subject, it is to inform that Hon'ble NGT in the matter of Westend Green Farms Society Vs Union of India & Ors., OA No. 400/2017 has passed specific directions to be followed for enforcement of environmental norms in running of Restaurants/ Hotels/Motels/Banquets or such other establishments where large congregations take place having potential of adversely affecting the environment. In this connection, it may be noted that a status report has to be filed by the State Board to CPCB.

Therefore, it is requested to provide the requisite information in the prescribed format (enclosed) to the State Board within a fortnight so that a compliance report may be submitted to the CPCB on time.

Encl: As above.

Your faithfullty

  
S. Chandrasekar  
Member-Secretary

30/9/20

Format seeking Information regarding Mechanism/Guidelines for Control of Pollution and Enforcement of Environment Norms at individual Establishments and the Area/Cluster of Restaurants/Hotels/Motels/Banquets etc.

1	Name of ULB-Nagar Parishad, Jamalpur			
2	Total No. of units:-			
	Restaurants:-07	Hotels-12	Motels:-0	
	Banquets:-0	Marriage Hall-06	Other such type of units-0	
3	Is there any Mechanism/Guidelines/Mitigation measures for Control of pollution and Enforcement of Environment norms at individual Establishments and the Area/Cluster of Restaurants/hotels/Motels/Banquets etc? (If yes, please enclose copy of the same)			No
4	<b>Consents/Clearances/Control Options</b>	<b>Yes (No. of Units)</b>	<b>No. (No. of Units)</b>	<b>Planning/Applied (No. of Units)</b>
i)	Consent to Establish Under Air/Water Act			
ii)	Consent to Operate under Air/Water Act			
iii)	Permission for concerned Authorities in accordance with provisions of Noise Rules			
iv)	Permission for ground Water Extraction from concerned Authorities if required			
v)	Building plan Approval from concerned Authorities			
vi)	Fire Safety Certificate/NOC from concerned Authorities			
5	<b>Water Pollution Control</b>			
i)	Main Water Source	Municipality water Supply (0 zero)	Bore Well ground water (25)	Private supplier (0 zero)
ii)	(a) Effluent Treatment Plant (ETP) provided ETP Compliance status	Yes (0 zero)	No -20	NA
		Complying (0 zero)	Non Complying (25)	Planned for (0 zero)
iii)	Rain Water Harvesting System (RWH) adopted	Has RWH (0)	No RWH (10)	In process (25)
iv)	Sewerage Network available	Yes-0	No-25	NA
	Unit connected to sewerage network	Yes-0	No-25	Planned-0
6	<b>Air Pollution Control</b>			
i)	Kitchen with proper ducting arrangements	Yes-25	No-0	Has no kitchen (0)
ii)	Main fuel for kitchen/Heating/Ovens (LPD/PNG/CNG/etc.)	LPG (25)	PNG/CNG (0)	No Tandoors (0)
iii)	Tandoors-Fuel used/Heating (Coal/Petcoke/LPG/PNG/etc.)	Coal (0)	PNG/CNG (20)	No. Tandoors (25)
iv)	DG Set Operation-Main fuel	Diesel (0)	CNG/LPG (20)	Non-opertrial (25)
v)	DG Sets-Proper Stack Height	Proper Stack (Yes-0)		Planned for (Yes-0)
		No-0		(No-25)

7	<b>Solid Waste Management</b>			
i)	Proper storage & segregation facility within unit	Yes-0	No-25	Planned for -0
ii)	Provision of composting facility	Yes....Nos.)	No...25...Nos.)	Planned for....Nos.)
iii)	Units having engagement with local body for collection/processing of Waste	Yes...25.Nos.)	No.....Nos.)	Planned for....Nos.)
8	<b>Noise Pollution control</b>			
i)	Permission from Authorities as per provisions of Noise Pollution (R & C) Rules, 2000	Yes....Nos.)	No...20...Nos.)	Applied for....Nos.)
ii)	D.G. sets-compliance with stipulated standards.	Yes....Nos.)	No.....Nos.)	NA
9	<b>Parking &amp; Other Issues</b>			
i)	Parking Provisions- Own/Contracted/On-road parking nuisance	Own parking .....Nos)	Contracted.... Nos)	On-road parking—20 Nos.)
ii)	Units having adequate parking facilities (Self/common)	Yes....Nos.)	No...20...Nos.)	Planned for....Nos.)

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Executive Officer  
Nagar Parishad Jamalpur

झापांक- 1698

दिनांक- 07/11/2020

प्रतिनिधि- सदस्य सचिव, बिहार राज्य प्रदूषण नियंत्रण पंचद, पटना को सावर सूचनाय समर्पित।

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31/11/2020

नगर कार्यपालक पदाधिकारी

नगर परिषद, जमालपुर

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## कार्यालय नगर परिषद, सासाराम।

पत्रांक - 3704 / न0प0

दिनांक - 02/12/2020

प्रेषक,

अभिषेक आनन्द, बि0प्र0से0,  
नगर कार्यपालक पदाधिकारी,  
नगर परिषद, सासाराम।

सेवा में,

सदस्य सचिव,  
बिहार राज्य प्रदूषण नियंत्रण पर्वद  
पटना, बिहार।

सासाराम, दिनांक ..... 2020

विषय -

माननीय NGT, प्रधान बेंच, नई दिल्ली में दायर O.A. No. 400/2017 (Westend Green Farms Society V/s Union of India & Ors) के संबंध में दिनांक - 23.07.2020 को पारित आदेश के अनुपालन के संबंध में।

प्रसंग -

भवदीय पत्रांक - 1319 दिनांक - 01.10.2020

महाशय,

उपर्युक्त विषयक प्रासंगिक पत्र के आलोक में सादर कहना है कि माननीय NGT, प्रधान बेंच, नई दिल्ली में दायर O.A. No. 400/2017 (Westend Green Farms Society V/s Union of India & Ors) के संबंध में दिनांक - 23.07.2020 को पारित आदेश के अनुपालन में नगर परिषद सासाराम क्षेत्रान्तर्गत Area/Cluster of Resaurants/Hotels/Motels/Banquets आदि से संबंधित प्रतिवेदन विहित प्रपत्र में संलग्न कर समर्पित की जा रही है।

भवदीय को सादर सूचनार्थ समर्पित।

अनुलग्नक- यथोपरि।

विश्वासभाजन

  
02/12/2020  
अभिषेक आनन्द, बि0प्र0से0)  
नगर कार्यपालक पदाधिकारी,  
नगर परिषद, सासाराम।  
02/12/2020

(47)

**Format seeking information regarding Mechanism/Guidelines for Control of Pollution and Enforcement of Environment Norms at Individual Establishments and the Area/Cluster of Restaurants/ Hotels/Motels/Banquets etc.**

1	Name of ULB :	NAGAR PARISHAD SASARAM		
2	Total No. of Units :	Hotels : 09                      Motels: 0 Restaurants : 03                      Marriage Hall :03                      Other such type of units: 0 Banquets : 0		
3	Is there any Mechanism/Guidelines/Mitigation measures for Control of pollution and Enforcement of Environment norms at individual Establishments and the Area/Cluster of Restaurants/Hotels/Banquets etc.? (If yes, please enclose copy of the same)	No		
4	<b>Consents./Clearances/Control Options</b>	<b>Yes (No. of Units)</b>	<b>No (No. of Units)</b>	<b>Planning/Applied (No. of Units)</b>
i)	Consent to Establish under Air/Water Act	-	15	-
ii)	Consent to Operate under Air/Water Act	-	15	-
iii)	Permission for concerned Authorities in accordance with provisions of Noise Rules	-	15	-
iv)	Permission for Ground Water Extraction from concerned Authorities, If required	-	15	-
v)	Building plan Approval from concerned Authorities	15	-	-
vi)	Fire Safety Certificate/NOC from concerned Authorities	15	-	-
5	<b>Water Pollution Control</b>			
i)	Main Water Source	Municipality water supply ( 10 Nos.)	Bore Well ground water (05 Nos.)	Private supplier (..... Nos.)
ii)	(a) Effluent Treatment Plant (ETP) provided ETP Compliance status	Yes ..... (Nos.) Complying (..... Nos.)	No 15 (Nos.) Non Complying (15 Nos.)	NA Planned for (..... Nos.)
iii)	Rain Water Harvesting System (RWH) adoped	Has RWH (..... Nos.)	No RWH (15 Nos.)	In Process (..... Nos.)
iv)	Sewerage Network available	Yes .....(Nos.)	No 15 (Nos.)	NA
	Unit connected to sewerage network	Yes .....(Nos.)	No .....(Nos.)	Planned (..... Nos.)
6	<b>Air Pollution Control</b>			
i)	Kitchēn with proper ducting arrangements	Yes 15(Nos.)	No ..... (Nos)	Has no kitchen (.....Nos.)
ii)	Main fuel for kitchen/Heating/Ovens (LPD/PNG/CNG/etc.)	LPG (15 Nos.)	PNG/CNG (.....Nos.)	No Kitchen (.....Nos.)

iii)	Tandoors-Fuel used/Heating (Coal/Petcoke/LPG/PNG/etc.)	Coal (08 Nos.)	PNG/CNG (.....Nos.)	No Tandoors (.....Nos.)
iv)	DG Set Operation –Main fuel	Diesel (15 Nos.)	CNG/LPG (.....Nos.)	Non-opertnl (.....Nos.)
v)	DG Sets-Proper Stack Height	Proper Stack (Yes 15 Nos.) (No ..... Nos.)		Planned for (Yes ..... Nos.) (No. ....Nos.)
<b>7</b>	<b>Solid Waste Management</b>			
i)	Proper storage & segregation facility within unit	Yes (15 Nos.)	No (.....Nos.)	Planned for (.....Nos.)
ii)	Provision of composting facility	Yes (.....Nos.)	No (15 Nos.)	Planned for (.....Nos.)
iii)	Units having engagement with local body for collection/processing of Waste	Yes (15Nos.)	No (.....Nos.)	Planned for (.....Nos.)
<b>8</b>	<b>Noise Pollution control</b>			
i)	Permission from Authorities as per provisions of Noise Pollution (R & C) Rules, 2000	Yes (.....Nos.)	No (15 Nos.)	Applied for .....Nos.)
ii)	D.G. sets-compliance with stipulated standards.	Yes (15 Nos.)	No (.....Nos.)	NA
iii)	Complaints received from local people	Yes (.....Nos.)	No (15 Nos.)	No. addressed .....Nos.)
<b>9</b>	<b>Parking &amp; Other Issues</b>			
i)	Parking provisions-Own/Contracted/On-road parking nuisance	Own parking 07 Nos.)	Contracted 05 Nos.)	On-road parking 03 Nos.)
ii)	Units having adequate parking facilities (Self/common)	Yes (05 Nos.)	No (10 Nos.)	Applied for ..... Nos.)

  
 02/12/2020  
 Executive Officer  
 Nagar Parishad Sasaram

कार्यालय नगर निगम, मुंगेर।

पत्रांक... 3597/2117

प्रेषक,

श्रीकान्त शास्त्री, भा0प्र0से0  
नगर आयुक्त  
नगर निगम, मुंगेर।

सेवा में,

सदस्य सचिव,  
बिहार राज्य प्रदूषण नियंत्रण पर्वद,  
बिहार, पटना।

मुंगेर, दिनांक... 10-12-2020

विषय:-

Compliance of Hon'ble NGT order dated 23.0.2020 in the matter of westend Green Farms Society Vs Union of India & Ors., OA No. 400/2017

प्रसंग:-

आपका पत्रांक-1319 दिनांक- 01.10.2020

महाशय,

उपर्युक्त विषयक प्रसंगाधीन पत्र के आलोक में वांछित सूचना विहित प्रपत्र में तैयार कर भेजी जा रही है।

अनुलग्नक-यथोक्त।

विश्वासभाजन

नगर आयुक्त  
नगर निगम, मुंगेर।

Solid Waste Management				
)	Proper storage & segregation facility within unit	Yes 79 Nos.)	No .....Nos.)	Planned for .....Nos.)
i)	Provision of composting facility	Yes 0 Nos.)	No 79 Nos.)	Planned for .....Nos.)
i)	Units having engagement with local body for collection/processing of Waste	Yes 79 Nos.)	No .....Nos.)	Planned for .....Nos.)
3	Noise Pollution control			
)	Permission from Authorities as per provisions of Noise Pollution (R&C) Rules, 2000	Yes 0 Nos.)	No 79 Nos.)	Applied for .....Nos.)
)	D.G. sets-compliance with stipulated standards.	Yes 0 Nos.)	No 79 Nos.)	NA
i)	Complaints received from local people	Yes 0 Nos.)	No .....Nos.)	No. addressed .....Nos.)
)	Parking & Other Issues			
)	Parking provisions-Own/Contracted/On-road parking nuisance.	Own parking 01 Nos.)	Contracted 0 Nos.)	On-road parking 78 Nos.)
)	Units having adequate parking facilities (Self/common)	Yes 0 Nos.)	No 79 Nos.)	Planned for 0 Nos.)

  
Municipal Commissioner  
Nagar Nigam, Munger



## NAGAR PANCHAYAT, MAIRWA (SIWAN)

**Format seeking Information regarding Mechanism/Guidelined for Control of Pollution and Inforcement of Environment Norms at individual Establishments and the Area/Cluster of Restorants/Hotels/Motels/Banquets etc**

1	Name of ULB- Nagar Panchayat, Mairwa		
2	Total No. of Units:		
	Restorants:-03	Hotels:-02	Motels:-0
	Banquets:-0	Marriage Hall:-07	Other such type of Units:-0
3	Is there any Mechanism/Guidelines/Mitigation measures for Control of Pollution and Enforcement of Environment norms at individual Establishments and the Area/Cluster of Restorants/Hotels/Motels/Banquets etc? (if ayes, please enclose		No (0)
4	Consents/Cleareness Control Options		No (0)
(i)	Consent to Establish under Air/Wawter Act		No (0)
(ii)	Consent to Operate under Air/Water Act		No (0)
(iii)	Permission for concerned Authorities in accordance with provisions of Nosie Rules		No (0)
(iv)	Permission for Ground Wter Extraction from cncerned Authorities, if required		No (0)
(v)	Building Plan Approval from concerned Authorities		Yes (1)
(vi)	Fire Safety Certificate/NOC from concerned Authorities		No (0)
5	Water Pollution Control		
(i)	Main Water Source		Municipality Water Supply
(ii)	(a) Effluent Treatment Plant (ETP) provided ETP Compliance status		No (0)
(iii)	Rain Water Harvesting System (RWH) adoped		Has (RWH Nos of 01)
(iv)	Sewerage Network available Unit connected to sewerage network		No (0)
6	Air Pollution Control		
(i)	Kitchen with proper ducting arrangements		No (0)
(ii)	Main Fuel for kitchen/Heating/Ovens (LPD/PNG/CNG/etc)		LPG (1 Nos)
(iii)	Tandoors Fuel used/heating (coal/petcoke/LPG/PNG/etc.)		COAL (1 Nos)
(iv)	DG Set Operation Main Fuel		Diesel (01 Nos)
(v)	DG Sets-Proper Stack Height		Proper Stack

7	<b>Solid Waste Management</b>	
(i)	Proper Storage & Segregation Facility within unit	Yes (1 Nos)
(ii)	Provision of composting facility	Yes (20 Nos)
(iii)	Units having engagement with local body for collection/processing of waste	Yes (1 Nos)
8	<b>Noise Pollution control</b>	
(i)	Permission from Authorities as per provisions of Noise Pollution (R& C) Rule 2000	No (0)
(ii)	DG Sets compliance with stipulated standards.	No (0)
(iii)	Complaints received from local people	No (0)
9	<b>Parking &amp; Other Issues</b>	
(i)	Parking Provisions-Own/Contracted/On-road parking Nuisance.	On Road Parking (03 Nos)
(ii)	Units having adequate parking facilities (Self/Common)	No (0)

  
 28-12-20  
 Executive Officer  
 Nagar Panchayat, Mairwa  
 Siwan

  
 28-12-2020