BEFORE THE NATIONAL GREEN TRIBUNAL

PRINCIPAL BENCH AT NEW DELHI

ORIGINAL APPLICATION NO. 912 OF 2022

WITH

ORIGINAL APPLICATION NO. 913 OF 2022

IN THE MATTER OF:

MANAV SEWA SANSTHAN & ANR. …APPLICANTS

VERSUS

UNION OF INDIA AND ORS. …RESPONDENTS

INDEX

S.NO.	PARTICULARS	PAGE NO.
1.	**RESPONSE TO THE JOINT COMMITTEE REPORT DATED 06.01.2024**	861-868
2.	**ANNEXURE A-1** Copy of Order dated 30.04.2019 of this Hon'ble Tribunal in Nitin Shankar Deshpande v. Union of India & Ors. (Original Application No. 1069 of 2018)	869-882
3.	**ANNEXURE A-2** Copy of photographs dated 03.02.2024	883
4.	**ANNEXURE A-3** Copy of map prepared from BHUVAN and Google maps	884-885

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Dated;- 08.02.2024

BEFORE THE NATIONAL GREEN TRIBUNAL
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RESPONSE TO SITE VISIT REPORT DATED 06.01.2024

MOST RESPECTFULLY SHOWETH:-

1. That the above titled Applications were filed under Section 14 and Section 15 of the National Green Tribunal Act, 2010 bringing to its notice the illegal discharge of industrial effluents from sugar mill and distillery unit of:
    i. Balrampur Chini Mills Ltd. located in Village Bishunipur, Tehsil & District Balrampur, Uttar Pradesh (subject-matter of Original Application No. 912 of 2022); and
    ii. Bajaj Hindusthan Sugar and Industries Ltd. located in Village Bishunipur, Tehsil & District Balrampur, Uttar Pradesh (subject-matter of Original Application No. 913 of 2022).
2. That vide Order dated 02.11.2023, this Hon'ble Tribunal had granted time to the Joint Committee to conduct a site visit after the sugarcane crushing season of 2023-24 starts.
3. That the Joint Committee submitted a Report dated 06.01.2024 with respect to the functioning of Balrampur Chini Mill Ltd. and Bajaj Hindusthan Sugar and Industries Ltd.

RESPONSE ON BEHALF OF THE APPLICANTS

4. Response with respect to Bajaj Hindusthan Sugar and Industries Ltd.

A. The Joint Committee has not collected samples from locations outside and around Bajaj Hindusthan Sugar Industries Ltd.

5. That the Joint Committee Report states that samples of water were collected from various locations, which are stated in Figure 1 of the Report (Page 528) and at Table 1 and Table 2 (Page 529).

6. It is submitted that these locations are located near the Balrampur Chini Mills and no water samples have been collected from locations near Bajaj Hindusthan Ltd.

7. That the map at Page 528 of the Report marks the locations from where water samples have been collected. It is evident from the map that all locations are located near Balrampur Chini Mills.

8. It is pertinent to observe that since no sampling of water was done from locations near Bajaj Hindusthan unit, therefore, no information has been provided regarding discharge of pollutants from Bajaj Hindusthan unit.

B. The Biological Oxygen Demand and Chemical Oxygen Demand in STPs exceed the values set by this Hon'ble Tribunal in the case of Nitin Shankar Deshpande v. Union of India & Ors. (Original Application No. 1069 of 2018)

9. That the Joint Committee Report at Page 566 has provided the analysis results of sample collected from STP inlet and outlet for Bajaj Hindusthan Sugar Industries Ltd. The Biological Oxygen Demand and Chemical Oxygen Demand levels of the STP outlet has been provided, which are as follows:

Biological Oxygen Demand- 21.8

Chemical Oxygen Demand- 76.5

10. That this Hon'ble Tribunal in the case of **Nitin Shankar Deshpande v. Union of India & Ors. (Original Application No. 1069 of 2018)** had stated that the level of Biological Oxygen Demand and Chemical Oxygen Demand for STPs shall not exceed 10 and 50 respectively. The levels of BOD and COD exceed the parameters set by this Hon'ble Tribunal in the following manner:

Parameters	**Levels of BOD and COD in STPs of Bajaj Hindusthan Sugar Industries Ltd.**	**Levels permitted by this Hon'ble Tribunal in Original Application No. 1069 of 2018**
Biological Oxygen Demand-	21.8	10
Chemical Oxygen Demand	76.5	50

11. That it is clear from the above table that the levels of BOD and COD in STPs outlet of Bajaj Hindusthan Sugar Industries Ltd. exceed the levels permitted by this Hon'ble Tribunal in Original Application No. 1069 of 2018.

    Copy of Order dated 30.04.2019 of this Hon'ble Tribunal in Nitin Shankar Deshpande v. Union of India & Ors. (Original Application No. 1069 of 2018) is annexed herewith as **ANNEXURE A-1.**

C. The Joint Committee has failed to measure the ETP outlet from Bajaj Hindusthan Sugar Industries against the parameters set in Environment (Protection) Rules, 1986 for disposal in surface waters

12. That the Joint Committee Report at Page 565 provides information on analysis results of sample collected from Effluent Treatment Plant (ETP) of Bajaj Hindusthan Sugar Industries.
13. That perusal of the same will show that the parameters such as Biological Oxygen Demand, Chemical Oxygen Demand and Total

Suspended Solids have been measured against the parameters set in Environment (Protection) Rules, 1986 with respect to disposal on land.

14. That it is unclear as to why the parameters with respect to disposal on land have been taken and not disposal in surface waters. It is submitted that the Joint Committee has taken parameters for disposal on surface waters for Balrampur Chini Mills, but have taken parameters for disposal on land for Bajaj Hindusthan Ltd. without any justification.

15. That since the disposal is taking place in Suwaon Nala, the parameters for disposal on surface waters shall be used for comparison.

16. That the following table will show the violation of parameters set in Environment (Protection) Rules by Bajaj Hindusthan Ltd.:

Parameters	**Standards for disposal in surface waters as per Environment (Protection) Rules, 1986**	**Levels found in ETP lagoon of Bajaj Hindusthan Sugar Industries**
Biological Oxygen Demand	30	42.3
Total Dissolved Solids	2100	2499
Total Suspended Solids	30	108

17. That it is clear from the above table the levels found in ETP lagoon of Bajaj Hindusthan Sugar Industries far exceed the standards for disposal in surface waters as per Environment (Protection) Rules, 1986.

18. Response with respect to Balrampur Chini Mill Ltd.

D. The Joint Committee Report has admitted that pollutants are being discharged from Balrampur Chini Mill unit, which is evident from the water in the drains

19. That the Joint Committee Report at Page 530 has provided details of physical observations and photographs of different locations in the Suwoan Nala.

20. That the ETP discharge drain of Balrampur sugar mill is clearly grey to black in colour, showing presence of pollutants. It is clear that discharge from ETP is not treated and pollutants are being discharged into Suwaon nala.

21. That the Joint Committee Report also provides information on physical observations of water (at Page 531) after mixing of Balrampur Chini Mill (co-gen plant and cane yard) storm water drain. The observations clearly note that the "*drain appeared slight greyish in colour*". These observations clearly show that polluted water is being discharged by the unit.

E. The discharge from ETP outlet from Balrampur Chini Mills Ltd. is admittedly exceeding the parameters set in Environment (Protection) Rules, 1986

22. That the Joint Committee Report at Page 555 provides information on analysis results of sample collected from Effluent Treatment Plant (ETP) of Balrampur Chini Mills Ltd.

23. That perusal of the same will show that the Biological Oxygen Demand, Chemical Oxygen Demand and Total Suspended Solids exceed the parameters set in Environment (Protection) Rules, 1986.

24. That the Joint Committee Report notes the following regarding violation of parameters of Environment (Protection) Rules, 1986:

> "*The analysis results of sample collected after filters was found exceeding the notified discharge norms under Environment*

(Protection) Rules w.r.t BOD (418mg/l against 30mg/l, COD (779mg/l against 250mg/l and TSS (406mg/l against 30mg/l)."

F. No water samples have been taken from drains where only water from the unit is getting discharged

25. That the Joint Committee Report at Page 529 provides a list of monitoring locations from where water samples have been taken for analysis. The analysis of the same is provided at page 532.

26. That a perusal of the same will reveal that water from drains which contains discharge from the units only, have not been analysed. All the locations from where the Joint Committee has taken water samples contains mixed effluents from the motor servicing units as well as domestic sewage.

27. That since there is no water sample analysis of drains where only the unit effluent discharge is found, no conclusion can be drawn regarding the pollution caused by the units.

28. That the Applicant is annexing photographs to show drains which *only* contains effluent discharge from the units. It is clear from the photographs dated 03.02.2024 that the drain is connected to the Balrampur Chini Mills unit directly and is not connected with any other drain.

29. That the photographs will also show the polluting effluents being discharged from the unit, without treatment.

Copy of photographs dated 03.02.2024 are annexed herewith as **ANNEXURE A-2.**

G. Human habitation and settlements are located far away from the unit, therefore the amount of domestic sewage in the drain will be low

30. That as the unit is located in an area with low population density, therefore, there is less likelihood of high pollution load due to sewage flow. The Applicants are annexing a map prepared from BHUVAN, a mapping software prepared by Indian Space Research Organization

to show that there is low population density in the area and the towns are located far away.

Copy of map prepared from BHUVAN and Google maps is annexed herewith as **ANNEXURE A-3.**

31. That in such a scenario, there is less likelihood of sewage being a part of the drain water.

32. That the Joint Committee should have specifically identified the outlet points from the industries and the route of effluent to the drains respectively. Local drain A & B upstream of Sugar mill (shown in the map at Page 528) just abutting the sugar mill and chemical division as shown in the map indicate polluted drains. As drain 'A' bisects the sugar mill and chemical division, it is very likely that the pollution load in the drain is due to the sugar mill, as the location of the mill has low population density thus less likelihood of high pollution load due to sewage flow. A clear drain flow directional map should have been placed on record by the Joint Committee to clarify the flow direction of the drain.

H. Sudden decrease in Biological Oxygen Demand (BOD) and Chemical Oxygen Demand (COD) from upstream of Chini Mill and Chini Mill Gate drain raise suspicion

33. That the Joint Committee Report, at Page 532 provides for lab analysis results of water samples taken from different locations.

34. That a perusal of the same will show that the Biological Oxygen Demand in local drain upstream of Balrampur Chini Mills Ltd. is 249 which reduces significantly to 67.5 in Balrampur Chini Mill gate drain. Similarly, there is a sharp reduction in the Chemical Oxygen Demand from 588 to 246.

35. That this significant reduction in the BOD and COD of water raises suspicion that the figures have bene fabricated. Since the Joint Committee has failed to annex the lab reports of water samples analysis, therefore, the same cannot be relied upon.

I. The water sample analysis does not conduct scrutiny of heavy metals

36. That discharge coming from sugar and distillery units can have evidence of heavy metals such as lead, cadmium, selenium, nickel etc, which can cause toxicity in the water as well as soil. However, the Joint Committee has not conducted inspection for such heavy metals in the water and has only inspected pH, colour, BOD, COD, Total Suspended Solids, Total Dissolved Solids, So4, Cl, Conductivity, NH3, TC and FC. None of these factors account for the heavy metals that may be discharged by the distillery and sugar units produced during the process. Since, no inspection for heavy metals was done, no conclusion can be drawn regarding the discharge of effluents from the units.

37. In light of the above facts and circumstances, the Hon'ble Tribunal may pass appropriate orders.

THROUGH

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Annexure A-1

Item No. 04 Court No.1

BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

Original Application No. 1069/2018
(M.A. No. 1792/2018, M.A. No. 1793/2018, I.A. No. 150/2019 & I.A. No. 151/2019)

Nitin Shankar Deshpande Applicant(s)

Versus

Union of India &Ors. Respondent(s)

Date of hearing: 30.04.2019

CORAM: HON'BLE MR. JUSTICE ADARSH KUMAR GOEL, CHAIRPERSON
HON'BLE MR. JUSTICE K. RAMAKRISHNAN, JUDICIAL MEMBER
HON'BLE DR. NAGIN NANDA, EXPERT MEMBER

For Applicant(s): Ms. Ekta Sikri and Ms. K. Gayatri, Advocates

For Respondent (s): Mr. Rajkumar, Advocate for CPCB
Mr. Gigi C. George, Advocate for MoEF&CC
Mr. Dhruv Mehta, Sr. Advocate with Mr. Ashish Wad and Mr. Sidharth Mahajan, Advocates

ORDER

1. The issue for consideration is effluent discharge standards for STPs as laid down vide Notification dated 13.10.2017 by way of Environment (Protection) Amendment Rules, 2017 against Serial No. 105 of Schedule-I to the Environment (Protection) Rules, 1986.

2. Vide order dated 21.12.2018, this Tribunal noted that untreated or partially treated sewage is a major source of pollution in the country.

The Hon'ble Supreme Court in the case of *Paryavaran Suraksha Samiti & Anr. Vs. Union of India & Ors.*[1] directed taking of steps so that huge gap in sewage generated and treated is bridged.

3. The Tribunal also noted that the proposed standards as per Draft Notification dated 24.11.2015 issued by Ministry of Environment, Forest & Climate Change (MoEF & CC) are sought to be diluted by the impugned Notification as follows:

Sr. No.	**Parameters**	**Old Norms 1986**	**Draft Norms Nov., 15**	**MoEF& CC Notification October 2017**
1.	Biochemical Oxygen Demand (BOD) (mg/l)	<30	<10	<30 and <20 (metro cities)
2.	Chemical Oxygen Demand (COD) (mg/l)	<250	50	No limit
3.	Total Suspended Solids (TSS) (mg/l)	<100	<20	<100 and <50 (metro cities)
4.	Total Nitrogen (mg/l)	<100	<10	No limit
5.	Ammonical Nitrogen (mg/l)	<50	<5	No limit
6.	Total Phosphorus (mg/l)	No limit	No limit	No limit
7.	Fecal Coliform MPN/100 ml	No limit	<100	<1000

4. The Tribunal also noted that the relaxed standards will deteriorate the water quality and degrade the environment and be a retrograde

[1](2017) 5 SCC 326

step. The dilution will also affect the human life and the water quality of the rivers.

5. Accordingly, the Tribunal constituted an Expert Committee comprising the nominees from IIT Kanpur, IIT Roorkee, NEERI and CPCB which was to give its report after examining the best available technologies and best practices and after referring to the Experts study on the subject particularly CPCB Report on "River Stretches for Restoration of Water Quality, 2014-15" and the order of this Tribunal on the subject of polluted river stretches dated 20.09.2018 in Original Application No. 673/2018 in the matter of News item published in *"The Hindu" authored by Shri Jacob Koshy titled "More river stretches are now critically polluted : CPCB"*. The Tribunal also directed stay of operation of the impugned Notification and application of pre-revised standards till further orders.

6. Accordingly, report has been received from CPCB vide e-mail dated 30.04.2019 forwarding the Expert Committee report. The report noted the current status of water quality of rivers which flows in India and the fact that 351 river stretches out of 323 rivers were polluted. There was need for revised standards for BOD and COD with a view to protect the water quality of the rivers/streams. There was also a need for revised standards for TSS, for Nitrogen (Ammonia & Nitrates) and Phosphorus and for Fecal Coliform.

7. The Committee while discussing the need for revised the Standards for BOD and COD observed that:

"Inclusion of COD in sewage discharge certainly offers advantages in terms of early diagnosis on functioning of STPs and thus helps in resorting immediate measures/corrective actions. This is because analysis of COD is completed within 5 Hours as against 5 days at 20°c or 3 days at 27°C for BOD (Sawyer & Mccarty, V. Edition). Moreover, if Government wishes to regulate STPs across the county through online monitoring system in future, inclusion of COD in Discharge Standards will prove beneficial for the reason that COD sensors are quite reliable and readily available in Indian market, however the same is not the case with BOD sensors. Thus, from regulatory point of view also, COD is an important parameter and needs to be included in sewage Discharge Standards."

While discussing the need for revised standards for TSS the Committee has observed that:

" The Microbial quality of wastewater could be linked with the TSS concentration. The larger the Suspended solids, the larger shall be the presence of bacteria, protozoa and viruses. High TSS wastewater cannot be easily disinfected, as the suspended particles "hide" these microorganisms and also react with chemical disinfectants."

Further the committee observed:

"A well designed and operated conventional sewage treatment system such as activated sludge process can meet 20 mg/L effluent TSS discharge standards. Many STPs bases on secondary wastewater treatment all over the globe are able to achieve 10-20mg/L. TSS without any tertiary treatment."

Further with regard to the need for revised standard for Nitrogen (Ammonia & Nitrates) and Phosphorus it has been elaborated by Committee that:

"Nitrogen and phosphorus in all forms are major rate limiting elements essential for the growth of alage and other vegetation in water bodies leading to a state called eutorphication. The greenish color water with large vegetation growth is common sight for not only lakes and ponds but also slow moving rivers.

Eutrophication arises from the oversupply of nutrients (N & P), which leads to overgrowth of plants and alage. Degradation of dead alage and plants by microbes consumes dissoloved oxygen in the water, thereby creating the state of hypoxie.

Eutrophication leads to many problems related to water quality:

- *Large Dissolved oxygen variation leads to fish kills*
- *Filling the water body with dead algae and other vegetation.*
- *Decomposition of dead algae and vegetation at the bottom causing oxygen depletion and further release of nutrient.*
- *Release of algal toxins and odors causing substances make the water unsuitable for human and animal consumption."*

The Committee has also observed that:

Due to the absence of dilution and worsening of our rivers and lakes, it is necessary to move towards nutrients (nitrogen and phosphorus) regulations in water bodies.

The Committee while discussing the revised standards for Fecal Coliforms observed:

"As per "Houses and Household Amenities, Latrine Facility, Census of India - 2011, Registrar General and Commissioner, India" available at http://censusindia.gov.in/ 2011census/hlo/ Data sheet/ India / Latrine. Pdf; Out of 7.9 Crores Urban Households (UHH), nearly 1.7 Crores UHH (i.e. 20 %) lacks adequate sanitation. At the same time more than 5 lakhs villages in the country are now open defecation free (ODF) (https:// sbm.gov.in/sbmdashboard / ODF.aspx.) Although rural parts are covered through sanitary toilets, effluent from septic tanks from newly built 9.2 crores toilets across the country is unavoidable. This may pose very high health risk owing to the fact that "Sanitation" including collection, conveyance and treatment is either absent or inadequate in such areas. ***Relaxing FC pose risk to downstream cities/town/villages that rely on drinking water source on same water body in case of rivers. It appears quite reasonable to say that FC Standards be prescribed to 100 MPN/100 ml. considering its impact on human health in general and readiness of Indian wastewater sector to handle the same (Recommended value of FC in CPHEE0 Manual, 2013 is MPS230/100 mI.).*** *(emphasis added)*

Hence, CPHEE0 2013 recommended the following guidelines for treated sewage discharge into surface water which after some travel may join a ***drinking water source to be used as source of supply for drinking water as given in following Table 5.20***

Table 5.20 Recommended Guidelines for Treated Sewage if Discharged into Surface Water to be used as source of Drinking Water.

Parameter	*MoEF Standards (A)*	*Recommended Values*
BOD, mg/L	*30*	*Less than 10*
SS, mg/L	*100*	*Less than 10*
TN, mg/L	*100*	*Less than 10*
Dissolved P, mg/L	*5*	*Less than 2*
Faecal Coliforms, MPN/100 mL	*Not specified*	*Less than 230*

(A) General Standards, Environmental Protection Rule, 1986 & as authorized by PCB

• *In order to achieve the above values, the treatment process would need to be designed for nutrient removal in addition to the conventional BOD and SS removal. It has also been reported that if the nutrients were removed to the levels mentioned in Table 3.20, then the amount of chlorine required for disinfection would be less at about 5 mg/ l.*

Considering aforementioned analysis, the Chairman CPCB directed all State Pollution Control Boards to make it mandatory for local bodies to set up sewerage systems for treatment and disposal of sewage to meet the prescribed standards ie., pH 6.5-9, BOD (mg/L): Not more than 10, COD (mg/L): Not more than 50, TSS (mg/L) : Not more than 20, NH_4-N (mg/L): Not more than 5, N-total (mg/L) Not more than 10 ,Fecal Coliforms (MPN/100 ml) Less than 230. The details are provided in Annexure 1."

8. The report further mentions that the stringent standards in terms of Draft Notification dated 24.11.2015 are not only economically viable

and technically feasible, the cost will not be significantly high. In this regard, it was observed:

"7.0 ECONOMIC VIABILITY & RESOURCE POSITION

1. For Nitrification (Conversion of ammonia to nitrate), 20-30% larger aeration tanks are required with additional 40-50 % aeration demand. The Total capital and O&M cost of the system increases by 10-20 & 5-10 % respectively.

2. For further removal of nitrate from wastewater, denitrification (conversion of nitrate to Nitrogen gas) is needed by additional anoxic tank in the system. The capital cost further increases by 5-10 %. Nevertheless, denitrification gives 25 % oxygen credit which reduces 25 % aeration requirement.

3. Finally, overall capital and operational cost implications for achieving standards for metropolitan and class-I cities shall be 20-30 %.

4. Typical total unit costs for wastewater treatment based on experience gained in Western Europe and the USA is presented in Figure XX (WHO/ UNEP 1997), The total unit cost for secondary treatment (BOD < 20-30 mg/L, & TSS < 50-100 mg/L) varies between 1.5-2.0 US$/m3, while for tertiary treatment (BOD, TSS & TN < 10 mg/L) it is 2.0-2.5 US$/m3. The additional burden is approximately 25-33 % which matches with Indian experience as well.

5. In recent years, many STPs are constructed based on effluent BOD, TSS & TN < 10 mg/L) and all the well operated and maintained STPs are providing the desired effluent quality. Some of these STPs are monitored by lIT Roorkee in recent years under several research projects and NGT reports. The performance evaluation results for 20 MGD Nilothi STP, 20 MLD Pappan Kalan STP, 15 MLD Delhi Gate STP and 5 MGD Kapashera STP of Delhi submitted to NGT alongwith 3.0 MID

STP, Rishikesh, 1 MGD STP, Delhi, 27 MGD STP, Haridwar etc., monitored under various research projects is attached as Annexure 3.

6. CPCB has also conducted study on technological achievability of proposed standards. Delhi Jal Board has installed and commissioned 04 STPs on advanced treatment technology along with coliform reduction facilities.

7. In addition, the following STPs all over India are producing the desired quality: 1.5 MLD STP, Cubbon Park, Bangalore, 2.0 MLD STP, Pahalgam, 3.5 MLD STP, Tapovan, Rishikesh, 4.0 MLD STP, IIT' Madras, 12.5 MLD STP, Tonca, Goa, 15.0 MLD STP, Gorakhpur, 17.3 MLD STP, Zirakpur, Punjab, 18 MLD STP, Sarai, Haridwar, 20.0 MLD STP, Hyderabad, 20.0 MLD Sangvi, Pune, 30 MLD STP, Hyderabad, 37.5 MLD STP, UP Housing Board, Lucknow, 40.0 MLD Kharadi, Pune, 40.0 MLD STP, Hubbali, Karnataka, 45 MLD STP, Mundhwa, Pune, 50 MLD STP Kalamboli, Navi Mumbai, 54 MLD STP, Noida, 55.0 MLD, Singanpure, Surat, 56 MLD STP, Indirapuram, Ghaziabad, 68.0 MLD STP, Dehradun, 100 MLD STP, Vashi Navi Mumbai, 130 MLD STP, Nagpur, 137 MLD STP, Greater Noida, 245 MLD STP Indore, etc.

8. In practical experience with actual tendered cost, the experience has been quite differing. Many tenders based on old and less stringent quality standards have been awarded at much higher per MLD cost as compared to STPs having more stringent standards. Plus on a long term basis, new technologies have lower life cycle costs. Other factors which are encouraging most corporations and contractors to adopt new technologies are more compact designs, less land requirement, less construction time, better material of construction, less maintenance cost, automation and less dependency on expensive trained manpower to operate plants in remote locations."

9. Accordingly, the Committee further observed that:

"● The new stringent standards are devised considering the deterioration condition of water bodies and unavailability of adequate dilution water in our water bodies. If not stringent quality standards are not implemented then in the coming future with more population burden on rivers, situation will further deteriorate.

- *The greatest benefit of these standards is to achieve all purpose non-portable reuse quality effluent. Each STP is to be treated as a source of water for reuse and recycling, helping in mitigating drought/climate change in the country. It will also reduce exploitation of groundwater reserves and dependency on rainfall which has become quite unpredictable in the past few years. Climate change is a reality that should be addressed and adopted for in the coming future. It will go a long way in reducing agricultural dependency on bore well water.*
- *If treatment of wastewater is not carried out with intention of reuse and recycle expenditure on conveyance/long distance transport of water/sewage will be much higher. Even as on toady in many cities cost of conveyance of water is much higher than the treatment of sewage to make it fit for most uses including domestic uses. For example the cost of transporting water from Narmada to fulfil water supply needs of Indore city (approximately @ Rs. 20/cum) is much higher than the cost of treating sewage to tertiary level."*

In view of above and severity of depletion of aquatic resources vis-a-vis the financial aspects related to conveyance and treatment of water/sewage the committee recommended that the effluent discharge for STPs to be as follows:

"

Sl. No.	*Industry*	*Parameters*	*Standards (Applicable to all mode of disposal)*			
1	*2*	*3*	*4*			
	Sewage Treat-ment Plants (STPs)		*Mega and Metropolitan Cities*	*Class I Cities*	*Others*	*Deep Marine Outfall*
		pH	*5.5-9.0*	*5.5-9.0*	*5.5-9.0*	*5.5-9.0*
		Bio-Chemical Oxygen Demand (BOD)	*10*	*20*	*30*	*30*
		Total Suspended Solids (TSS)	*20*	*30*	*50*	*50*
		Chemical Oxygen Demand (COD)	*50*	*100*	*150*	*150*
		Nitrogen-Total	*10*	*15*	*-*	*-*
		Phosphorus-Total(For Discharge into Ponds, Lakes)	*1.0*	*1.0*	*1.0*	
		Fecal Coliform (FC) (Most Probable	*Desireable-100 Permissible-*	*Desireable-230 Permissi*	*Desireable-1000 Permissible-*	*Desirable-1000 Permissibl*

		Number per 100 mililiter, MPN/100 ml	*230*	*ble-1000*	*10,000*	*e-10,000*

Note:

(i) *Mega-Metropolitan Cities have population more than 1 crore, Metropolitan Cities-Population more than 10 Lakhs and Class-1 Population more than 1 Lakh.*

(ii) *All value in mg/l except for pH and Fecal Coliform.*

(iii) *These standards will be applicable for discharge into water bodies as well as for land disposal/applications.*

(iv) *These Standards shall apply to all new STPs for which construction is yet to be initiated.*

(v) *The existing/under construction STPs shall achieve these standards within 07 years from the date of notification.*

(vi) *In case where the marine outfall provides a minimum initial dilution of 150 times at the point of discharge and a minimum dilution of 1500 times at a point 100m away from discharge point, then norms for deep sea marine discharge shall be applied.*

(vii) *Reuse/Recycling of treated effluent shall be encouraged.*

(viii) *State Pollution Control Boards/Pollution Control Committees may make these norms more stringent taking into account the local conditions.*

"

10. We have heard Learned Counsel for the parties.

11. Learned Counsel for the applicant submits that while the Expert Committee is fully justified in suggesting parameters as per its report for Mega-Metropolitan Cities, there is no justification for different and diluted standards for Class-I cities, Other cities or Deep Marine Outfall and to that extent the report of the Expert Committee fall short of the required scientific logic and database. While

recommending the diluted standards for Class-I cities, Other cities or Deep Marine Outfall the Committee has not given any explanation with regard to the existing pollution load in these areas, the available systems in place, the efficacy of the systems in terms of meeting of norms, the population impacted by deteriorating water quality and likely consequences on health of people if these diluted norms are permitted. There is no scientific justification offered for diluting the norms for these areas in which the majority of country's population resides. Also such standards we feel must apply not only to new STPs but also to the existing ones. Further, there is no justification for non-application of such standards for seven years for existing STPs.

12. Learned Counsel for CPCB and interveners are unable to justify dilution of standards for areas other than Mega Metropolitan Cities or for existing STPs.

13. We find that there is no justification for diluted standards for areas other than Mega and Metropolitan Cities. The water quality standards are required to be same for the population of major cities or other cities. No justification has been shown for different standards for persons living in cities other than Mega and Metropolitan Cities. Major population of this country will be affected by diluted standards and only persons in Mega and Metropolitan Cities will have comparatively better standards without any valid reason or distinction. We may note that filters, UV filters etc. are facilities

mainly available in major cities and not in smaller cities or villages where the standards are proposed to be diluted.

14. Accordingly, we accept the report of the Expert Committee with the modification that the standards recommended for Mega and Metropolitan Cities will also apply to rest of the country. We also direct that the standards will apply not only for new STPs but also for existing/under construction STPs without any delay and giving of seven years time stands disapproved.

MoEF & CC may issue an appropriate Notification in the matter within one month from today.

The Application is disposed of.

Adarsh Kumar Goel, CP

K. Ramakrishnan, JM

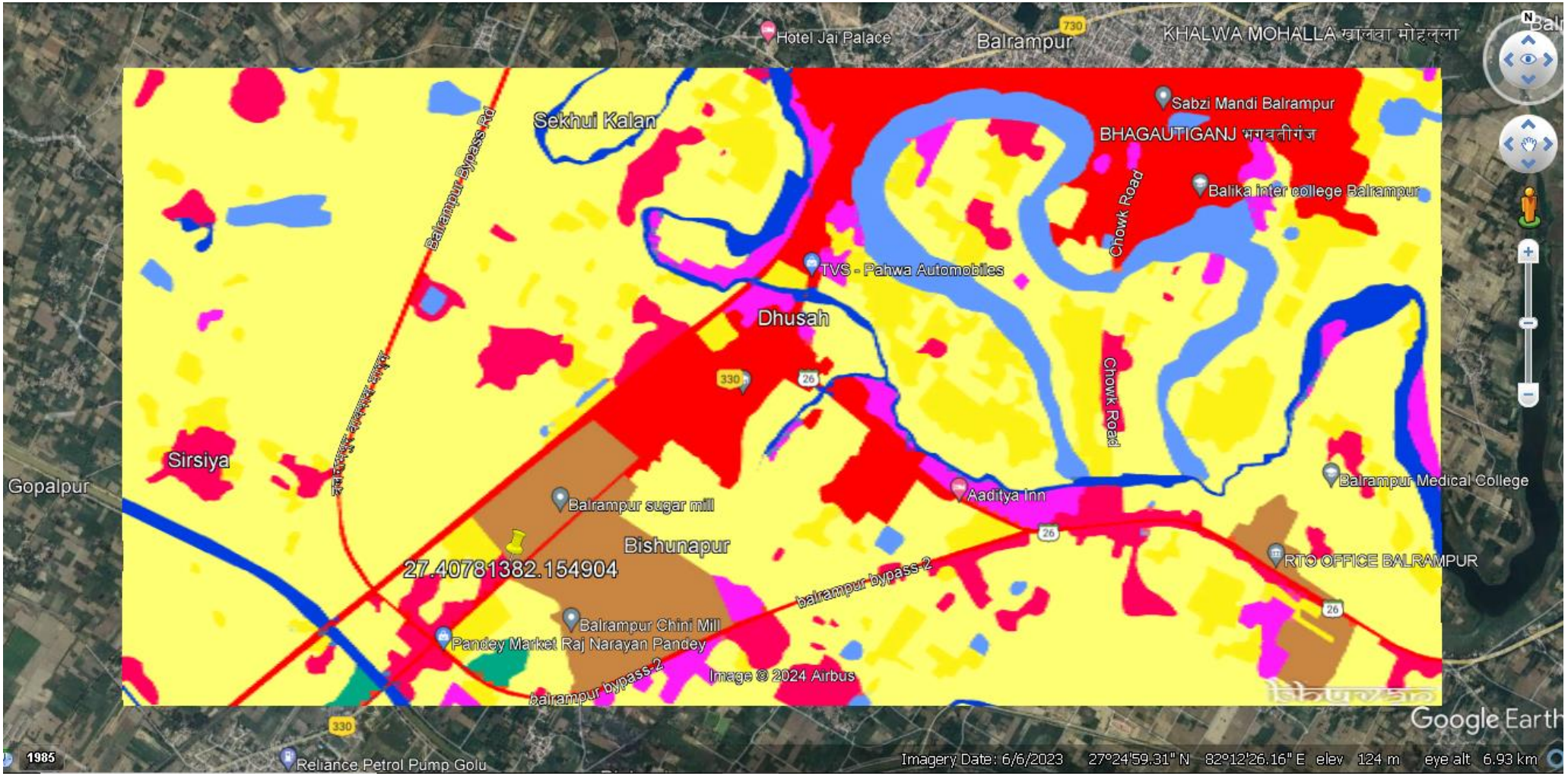
Dr. Nagin Nanda, EM

April 30, 2019
Original Application No. 1069/2018
SN

Annexure A-2

Photographs dated 03.02.2024 showing the drain directly flowing from the Balrampur Chini Mill unit

Annexure A-3

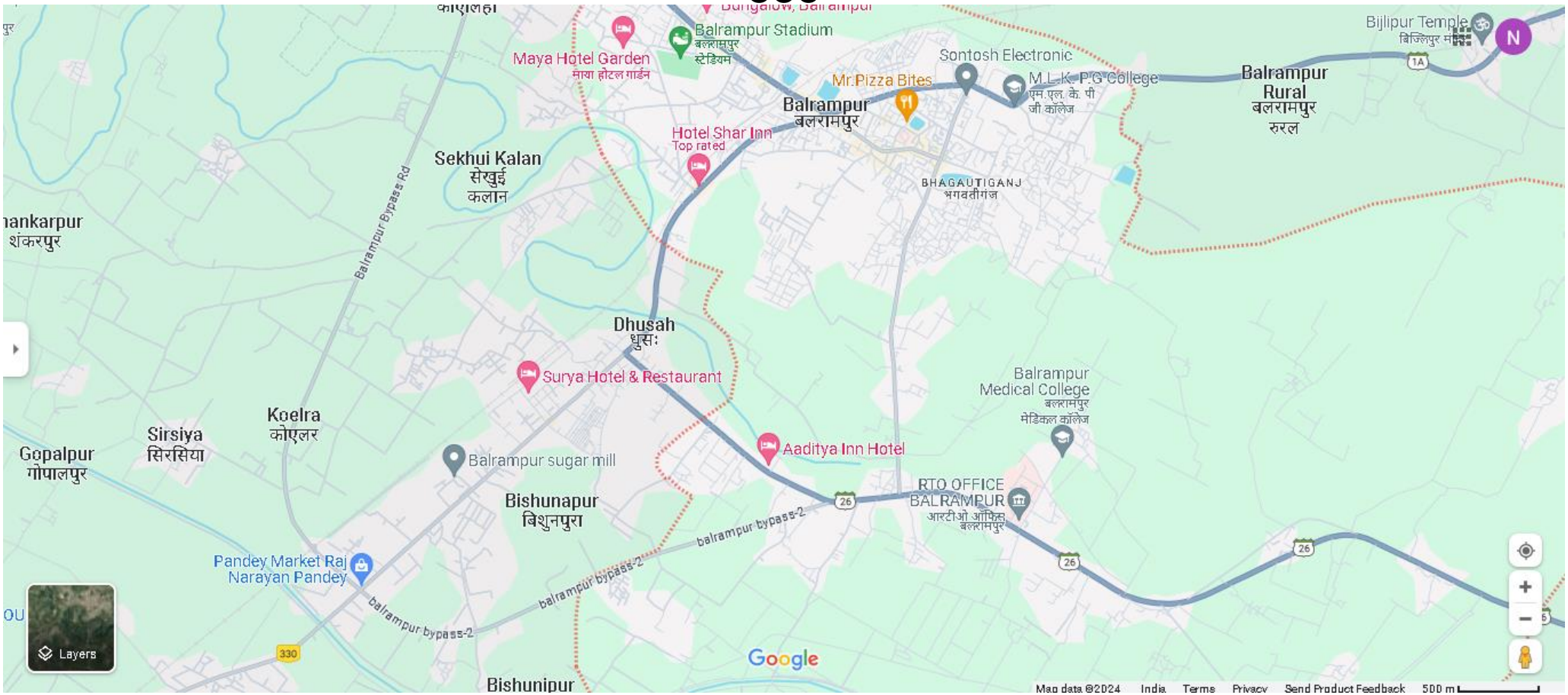


Source: Google Earth and Bhuvan

Red is Built Up Area

Brown is industry (sugar mill, chemical and distillery)

There is very less built up, more agriculture and plantation in yellow. The town is up North and the nalla / river bisects low density area (below) and high density area (upwards).


Balrampur Stadium
बलरामपुर स्टेडियम
Maya Hotel Garden
माया होटल गार्डन
Sontosh Electronic
Mr.Pizza Bites
M. L. K. P.G. College
एम.एल. के. पी जी कॉलेज
Balrampur
बलरामपुर
Balrampur Rural
बलरामपुर रुरल
Bijlipur Temple
बिजलिपुर मंदिर
Hotel Shar Inn
Top rated
Sekhui Kalan
सेखुई कलान
BHAGAUTIGANJ
भगवतीगंज
Balrampur Bypass Rd
Dhusah
धुसः
Surya Hotel & Restaurant
Balrampur Medical College
बलरामपुर मेडिकल कॉलेज
Koelra
कोएलर
Sirsiya
सिरसिया
Gopalpur
गोपालपुर
Balrampur sugar mill
Aaditya Inn Hotel
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Bishunapur
बिशुनपुरा
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