

Item No. 06

Court No. 1

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

Original Application No. 200/2014
(IA No. 340/2022, MA No. 872/2018,
MA No. 875/2014 & MA No. 480/2018)

M.C. Mehta

Applicant

Versus

Union of India & Ors.

Respondent(s)

Date of hearing: 01.05.2024

**CORAM: HON'BLE MR. JUSTICE PRAKASH SHRIVASTAVA, CHAIRPERSON
HON'BLE MR. JUSTICE SUDHIR AGARWAL JUDICIAL MEMBER
HON'BLE DR. A. SENTHIL VEL, EXPERT MEMBER**

Applicant: Ms. Katyayni, Adv.

Respondent: Mr. Rishi Kumar Awasthi, Adv. for the State of Bihar
Mr. Gigi. C. George, Adv. for NMCG

ORDER

1. In this matter, the Tribunal is considering the issue of prevention and control of pollution of river Ganga and the matter is being taken up State-wise, District-wise and City-wise covering the entire stretch from where river Ganga and its tributaries are flowing.
2. Today the matter is being taken up to consider the status **in the State of Bihar**. In terms of the earlier direction of the Tribunal, the reports by the different Districts of Bihar have been filed and a consolidated report on behalf of the State of Bihar compiling the information relating to all the 38 districts has been filed in terms of the order of the Tribunal dated 19.02.2024.
3. We have heard learned Counsel for the parties and perused that report.

4. Learned Counsel appearing for the Applicant has pointed out that in the State of Bihar, there are inadequate Sewage Treatment Plants (STP's) and almost entire untreated sewage is flowing to river Ganga and its tributaries. She has further referred to the news item published on 19.01.2024 in 'The Economic Times' titled "4737 private healthcare facilities in Bihar flouted biomedical waste disposal norms: official" which reveals that 4737 private healthcare facilities have failed to comply with the norms of biomedical waste disposal. Hence, the Bihar State Pollution Control Board (BSPCB) has decided to take action. She has further submitted that the non-compliance is to the extent that even NHRC has initiated action. She has also referred to another report published on 02.03.2022 in 'The Economic Times' titled "Massive groundwater contamination in 31 of 38 districts in Bihar: Economic Survey". This news report discloses that there is massive chemical contamination in groundwater in large parts of rural Bihar where drinking water sources are unsafe for consumption and they pose a health risk. It further refers to the 16th Bihar Economic Survey Report 2021-22 revealing that the groundwater in rural areas in 31 out of 38 districts is affected by arsenic fluoride and iron contamination and that there is chemical contamination in groundwater in 30,272 rural wards and that a total of 4,742 rural wards in 14 districts situated along the Ganga are particularly affected by arsenic contamination. It further reveals that drinking water sources in 3,791 rural wards in 11 districts are affected by fluoride contamination and there is presence of excess iron in nine Kosi basin districts and few areas in other districts. Counsel for the Applicant is permitted to place these news items on record by a proper affidavit.

5. So far as the issue of demarcation of floodplain zone in the State of Bihar is concerned, the floodplain zone of river Ganga and its tributaries

is required to be demarcated in terms of the River Ganga (Rejuvenation, Protection and Management) Authorities Order, 2016 wherein the floodplain area has been clearly defined.

6. Learned Counsel appearing for the State of Bihar had made an attempt to submit that there is difficulty in demarcation of floodplain zone but he could not point out even a single cogent reason justifying the delay in this regard by the State Authorities. Not even a single effective step has been taken by the State Authorities in Bihar to demarcate the floodplain zone of river Ganga and its tributaries.

7. In the matter of *Mahesh Kumar vs. State of Uttar Pradesh through Chief Secretary*, OA No. No. 275/2023 and *Alok Kumar vs. Union of India Ministry of Environment Forest & Climate Change*, OA No. 569/2023, recently the steps have been taken for demarcation of the floodplain zones of River Yamuna and Hindon in the Greater Noida and Gautam Buddha Nagar District after obtaining 1 meter contour from the Survey of India. The latest order passed by the Tribunal dated 29.04.2024 in the matter of *Mahesh Kumar (supra)* and *Alok Kumar (supra)*, in this regard is as under:

“1. In this Original Application, pivotal issue is in respect of demarcation of floodplain zone of River Yamuna and River Hindon in the concerned districts and unauthorised constructions thereon.

2. Tribunal in the order dated 12.03.2024 had expressed the opinion that Survey of India which is a national reputed surveying agency can be engaged for demarcation of floodplain zone of River Yamuna and River Hindon.

3. Learned AAG appearing for State of UP has informed that so far as the floodplain zone of River Yamuna in the district is concerned, Survey of India has given the map with one metre contour for the stretch of 75 kilometres, out of which, identification of the stretch of 30 kilometre has been done and of remaining 45 kilometre will be done within one week and shape file will be prepared within this period and shared with the Survey of India.

4. *She has submitted that demarcation of floodplain zone of entire 75 kilometre stretch will require four weeks time.*

5. *She has further submitted that since the parliamentary elections are in progress, therefore, four weeks time from 4th of June be granted for this purpose.*

6. *So far as demarcation of floodplain zone of River Hindon in the district under consideration is concerned, she has submitted that map with contours more than one metre were earlier received which were not found to be feasible and workable, hence, map with one metre contour has to be prepared for which Survey of India has sought three months time. She has submitted that state authorities will duly pursue the matter with the Survey of India to ensure that within this three months map of floodplain zone of River Hindon with one metre contour is received.*

7. *In view of the above submission, we grant further time as prayed above by Learned AAG to complete the process of demarcation of floodplain zone of River Yamuna in the two districts and also to obtain the map from Survey of India and take action for identification of floodplain zone of River Hindon and preparation of shape file on the basis of that report within three months and file action taken report at least one week before the next date of hearing.*

8. *List on 07.08.2024.”*

8. The concerned authorities in Bihar can also obtain one meter contour map from Survey of India and take appropriate steps for demarcation of the floodplain zone by following the same.

9. So far as the status of STPs in the State of Bihar is concerned, we have been informed by learned Counsel appearing for National Mission for Clean Ganga (NMCG) that a sum of Rs. 824 crores have been released for construction of STP at Digha.

10. Counsel for the Applicant has referred to internal page 11 of the notes of submission - Bihar (Muzaffarpur and Patna) (page 82), wherein the location of construction of STP in Digha is shown and she has pointed out that this STP is being constructed right in the middle of the river. She has further referred to internal page 62 of the ‘Contractor’s Environmental and Social Assessment Report’ and has submitted that

the location where the Digha STP is being constructed was completely inundated in October 2019, therefore, if the STP is allowed to be constructed in that location, there is every possibility that it will get inundated and all the sewage of the STP will flow into the river. She has referred to the Clause 4.4 of the report (internal page 61) relating to 'Natural Hazards' and clearly mentioning as under:

"Floods – The study area is located in an area vulnerable to floods according to the BMTPC Flood Hazard Map."

11. She has also referred to the 'Natural Hazards' of 'Cyclone' in the same clause which mentions as under:

"Cyclones – The study area lies in the Very High Damage Risk Zone B (50 m/s) according to the BMTPC Wind and Cyclone Hazard Map. The project location experiences cyclones periodically, latest being in May 2020."

12. Learned Counsel for the NMCG seeks time to obtain instruction as to why the Digha STP in such a location has been allowed to be set up. If the need so arises, the NMCG, in consultation with all other concerned authorities, can review its decision permitting setting up of STP in such a location, within six weeks.

13. Counsel for the NMCG is also directed to disclose in the report the details of funds which have been released by the NMCG for construction of different STPs in the State and the status of utilization of funds by the State of Bihar till now including funding in Ganga Action Plan (GAP)-I and II. NMCG is also directed to file an independent report on performance of the State of Bihar in reducing sewage pollution load entering into Ganga in quantifiable terms and improvement observed in terms of water quality of river Ganga particularly with regard to faecal coliform.

14. Learned Counsel for the Applicant has done a strenuous job of preparing the status of the waste treatment on the basis of the report of 38 districts submitted by the State of Bihar. The summary report prepared by Counsel for the Applicant district-wise and head-wise is as under:

District	Sewage	Industries / HZW	BMW	MSW C & D waste	Legacy waste	Hotels/ ashrams	FPZ Demarcation/ E flow	Mining
Purnea (33983) (2 NN & 8 NP)	Tot generation- 63.19 MLD Treated- No STP GAP- 100% 3yrs timeline (no other detail provided) No water quality assessment done FC:	Industries- Effluent generated- 1300 KLD ETP- installed 1 Unit- Non compliant No CETP HZW- boiler ash used for filling low lying areas. Distilleries are ZLD	Tot generation- 269.25 Treated at CBWTF, Bhagalpur (*No. of HCF/ waste water treatment status not provided)	MSW- 142.08TPD Treated- 50TPD GAP- 92.08 TPD Dumping site and some waste is used for filling low lying areas. C&D waste- 10 TPD Used for filling roads No treatment/ recovery units	Tot- 36893 ton/year Timeline - 2yrs (no other detail) GAP- 100%	Tot- 32 CTE/CTO- 09 STP- Not known	Pg 34297 Annex I Status report on FPZ (by WRD) **zoning not feasible	Cases- 449 Penalty- 228.97 lakhs (2023-24) *Illegal mining rampant
Saharsa (33991) 6 ULB	Tot generation- 55.944 MLD GAP- 100% 36 months timeline (no other detail provided) No water quality assessment done FC:	Industries- Effluent Tot- 200 KLD ETP- installed No CETP HZW- boiler ash used for filling low lying areas.	Tot- 401 kg/ day (as per Health dept) 393.21 (as per BSPCB) Treated at- CBWTF Muzaffarpur	MSW- 47.356 TPD Treated- 2.959 GAP- 44.397 C&D waste- 8.9415 TPD (self-utilized by ULBs) No	Tot- not provided Timeline - 36 months	Tot- 11 No CTE/CTO	FPZ- done on Koshi river No industrial encroachment	7 FIRs (April 23- Nov 23)

				treatment/ recovery units				
Supaul (33995) 6 ULBs	Tot- 26.147 MLD GAP- 100% No STP STP under construction- 3 (timeline- 24 months) 2 STP sanctioned (2.5 mld each, timeline- 36 months) No water quality assessment done FC: 1300 MPN/ 100 ml	78 GPI Tot effluent generated- 300 KLD ETP- installed No CETP HZW- No info	Tot generatio n- 225.01 CBWTF- Muzaffar pur	Tot- 61.29 TPD Treated- 0.2 TPD GAP- 61.09 TPD C&D waste- 0.174 TPD (self- utilized by ULBs) No treatment/ recovery units	Tot- not provided Timeline - 1 yr	Tot- 18 No CTE/ CTO	Not identifie d as the Govt does not have access to high resolutio n digital elevation model for river flood plain. (Koshi and Bhagmat i river) Encroach ment-	River Koshi- 2 FIR Fine- 30 lakhs
Madhepu ra (34001) ULBs- 6	Tot generation- 21.69 MLD No STP GAP- 100% Timeline- 36 months FC (Koshi river)- 17000 MPN/ 100 ml No water quality assessment done	No GPI in Madhepur a Tot effluent- 44 KLD ETP- installed CETP- not technically feasible HZW- boiler ash used for filling low lying areas.	Tot generatio n- 372.65 CBWTF- Muzaffar pur	Tot- 59.07 TPD Treated- 2.6 TPD GAP- 56.47 TPD Timeline- 24 months C& D waste- disposed by home owners. No need for plant to be establishe d	Tot quantity and location- Not provided **Legac y waste cleared by filling landsite/ dump site	BSPCB- No applicati on for CTE/CT O by hotels/ ashrams	No direct discharg e of pollutant s by encroach ers on either side of River Koshi and it's tributarie s	FIR- 05 (2023-24) Fine- 7.71 lakhs
Sitamarhi (34005) MC- 1 Nagar parishad- 2 Nagar panchayat-	Tot generation- 49.03 MLD No STP GAP- 100% Timeline- 36 to 48 months No further detail on proposed	Tot no. of units- Tot effluent- 780 KLD ETP- Operation al	Tot HCF- ... Tot generatio n- 370.22 kg Disposal	Tot generation - 98.7 TPD Treated- 10.083 GAP- 88.617 TPD	Total quantity not provided. Timeline - 1 yrs	**Tot- Not provided 07 hotels/ ashrams- have valid CTE/CT O.	FPZ- not done, there no data on pollution in floodplai n	Registratio n of cases- Panchayat - 20 MC- 05 Departme nt- 25

2	STPs and capacity. FC MPN/100ml River Bhagmati-17000 River Manusmar-7900 River Lakhandei-17000 and 35000	CETP- not technically feasible No GPIs in Sitamarhi. One distillery-closed HZW-boiler ash used for filling low lying areas.	- CBWTF Muzaffar pur	**Treated waste utilisation-composting, filling landfill sites and converting plastic to fuel. C&D Waste-3.43 TPD No C& D Treatment facility. **Waste used for filling potholes.		Others have been notified by BSPCB		
Sheohar (34014) (Parishad)	Tot sewage generation- 5 MLD No STP (decision for need of STP will be taken) Gap 100% Timeline- 36 months WQA- no done	No GPIs Tot no. of units not provided. Tot effluent generation - 25KLD ETP-installed CETP- Technically not feasible HZW-boiler ash used for filling low lying areas.	Tot BMW generated- 76.42 CBWTF- Muzaffar pur	MSW tot generation - 22.4 TPD Treated-4.1 TPD GAP-M 18.3 TPD C&D Waste-self utilized No plant established	Landfill tot- **untreated waste is dumped on govt land, so there is no legacy waste (@ Daudchhapra)	No application of hotels/ ashrams operating with valid CTE/CTO	FPZ- Not done	Mining- No case registered within a year on River Ganga
Darbhanga (34024) (NN- 1, NP- 2 N Panchayat - 8)	Tot sewage generation-196.27 MLD (*cumulative of rural area-117.23 MLD-soakpits) No STP (2 STP proposal sent-	Tot effluent-145 KLD Tot no. of units- not provided ETP-installed	BMW generation-804.20 CBWTF- Muzaffar pur	MSW-427.69 TPD (170 TPD cumulative rural data) Treated-307.43 TPD	No legacy waste Utilisation of treated legacy waste-landfill site	Hotels-17 application of hotels/ ashrams operating with valid CTE/CTO	No	FIR- 0

	22.6 & 1.7 MLD) Gap 100% Timeline- 36 months WQA- no done FC- 3300 MPN/ 100 ml (River Kamala) FC- 2300 MPN/ 100 ml (River Bhagmati)	CETP- technically not feasible HZW- boiler ash used for filling low lying areas.		GAP- 120.26 TPD C&D waste- 2.33 TPD Self utilisation, road construction				
Jamui (34035) NP- 2 N Panchayat - 1	Sewage generation- 17.098 MLD (Disposed in low lying areas) STP-0 GAP- 100% Treatment timeline- 36 months WQA- for Kiul river, Ulai river- not provided, as there are no monitoring stations	Industrial waste- 0 No industries	BMW- 99.63 Kg/day Disposal - CBWTF Bhagalpur	MSW tot generation - 43.5 TPD Treatment - 16.4 TPD GAP- 27.1 TPD C& D waste- 0.9 TPD Used in local construction NP Jhajha- legacy waste remediation timeline- 3 yes Utilisation of remediated waste- landfill site	Legacy waste- No legacy waste in NP Jamui and Ngr Panchayat at Sikandra. NP Jhajha- legacy waste remediation timeline- 3 yes Utilisation of remediated waste- landfill site	Hotels/ Ahrams- 07 are operating without CTE/CTO	FPZ- No flood prone area in Jamui.	Mining- NP/ Panchayat - 75 cases Fine- 248.96 lakhs Department (Rural)- 195 cases, 163.68 lakhs
Bhojpur (34041) ULB- 8	Sewage generation – 18.94 MLD + Arrah city discharge (print not clear) Treated- No STP GAP- 100% Timeline- 36 months	Industries- Effluent- 4110 KLD ETP- installed CETP- technically not feasible HZW- only boiler	BMW- 92.99 kgs Disposal - CBWTF Sheikhpura Patna	MSW- 174.54 TPD Treated- 10.92 TPD GAP- 163.62 TPD C& D Waste- 37 TPD	Legacy waste- all clear in the landfill site Utilisation of remediated waste- compost pit and e waste	Hotels/ ashrams- 07 operating with valid CTO/CTE	FPZ- No	Mining- 156 cases (2023-24) Fine- 510.03 lakhs

	WQA-FC- Gangaji-22000- 1300 MPN/ 100ml River Sone-22000- 17000 MPN/ 100 ml	ash generated, used filling low lying areas.		Used for-road and pit filling	composting machine			
Gopalganj (34051) NP- 3 Ngr panchayat-2	Sewage generation – 28.04 MLD Treated- No STP GAP- 100 % Timeline- 3 yrs WQA FC- River Daha-54000- 24000 MPN River Gandak-7900 MPN	Industries- Effluent-2900 KLD ETP- installed CETP- technically not feasible HZW- only boiler ash generated, used filling low lying areas.	BMW-481.5 Disposal - CBWTF Muzaffarpur	MSW-77.41 TPD Treated- 2 TPD GAP-75.41 TPD C& D Waste-5.85 TPD	Legacy waste-No data. Timeline - 3yrs Utilisation of remediated waste-dump site/ waste pickers and filling low land	Hotels/ ashrams-4 application of hotels/ ashrams with valid CTE/CTO	FPZ- No	Mining-FIR 12 Fine-385.23 lakhs
Saran/chapra (34059) NN- 1 N panchayat-6	Sewage generation – 27.873 MLD Treated- 2 STPs for drains 1.5 and 1.3 MLD (STP capacity 32 MLD and 3.5 MLD) GAP- almost 100% Timeline- 36 months WQA FC- Gangaji-13000 MPN/ 100 ml- 24000 Ghaghra river-11000 MPN Gandak river-28000 MPN/ 100 ml	Industries- Effluent-10 KLD ETP- Installed CETP- technically not feasible HZW-	BMW-364.36 Disposal - CBWTF Muzaffarpur	MSW-210.867 TPD Treated-11.167 TPD GAP-199.7 TPD C& D Waste-10.9 TPD Self-utilisation, road repair	Legacy waste-Not provided Remediation- 12 months Utilisation of remediated waste-RDF, MRF, dumping site, compost pit	Hotels/ ashrams-7 application of hotels/ ashrams with valid CTE/CTO	FPZ- No	Mining-lodged for Gangaji and Gandak river Fine-
Samastip	Sewage	Industries-	BMW-	MSW-	Legacy	Hotels/	FPZ- No	Mining-

ur (34068) NN- 1 NP- 4 Ngr Panchayat - 3 Rural area	generation – 76.723 MLD (10 MLD dist water committee, rural area) Treated- 0 STP GAP- 100% Timeline- 36 Months (1 project 24 months) WQA FC- budhi gandak- 17000 MPN	Effluent- 2070 KLD ETP- installed CETP- technically not feasible HZW- only boiler ash generated, used filling low lying areas.	711.54 Disposal - CBWTF Muzaffar pur	381.06 TPD (216 TPD- dist water and saniation dept committee - treated entirely) Treated- 21.16 (out of 165. 06 TPD) GAP- 143.9 TPD C& D Waste- 1.8 TPD Self utilised	waste- No legacy waste except in NP Daldingh sarai- 24000 ton Utilisatio n of remediat ed waste-	ashrams- 7 applicati ons of hotels/ ashrams with valid CTE/CT O		FIR 17 (2023- 24) Fine-
Kaimur (34080) ULB- 5	Sewage generation – 17.84 MLD Treated- 0 GAP- 100% Timeline- **tentatively 2027 WQA- No sampling	Industries- Effluent- 650 KLD ETP- installed CETP- technically not feasible HZW- only boiler ash generated, used filling low lying areas.	BMW- 31.75 Disposal - CBWTF Patna	MSW- 48.51 TPD Treated- 9.95 TPD GAP- 38.56 TPD C& D Waste- variable	Legacy waste- Timeline - 1 yrs Utilisatio n of remediat ed waste- currently the same place as the MSW dump site	Hotels/ ashrams- 34 No CTE/CT O	FPZ- No	Mining- 12 FIR Fine-
Nalanda (34087) NN- 1 NP- 3 Ngr panchayat- 11	Sewage generation – 33.91 MLD Treated- 1 STP Treatment/ day- 3.5 MLD Capacity and utilisation- 10 MLD GAP- 100%	Industries- Effluent- 2300 KLD ETP- installed CETP- technically not feasible	BMW- 97.82 Disposal -CBWTF Patna	MSW- 328.6 TPD Treated- 37.5 TPD GAP- 291.1 TPD C& D Waste- 2.88 TPD	Legacy waste- Treatme nt- Tender/ DPR stage Utilisatio n of	Hotels/ ashrams- 1 applicati ons of hotels/ ashrams with valid CTE/CT O	FPZ- no	Mining- No info Fine-

	Timeline- 3- 4 yrs WQA- no	HZW- only boiler ash generated, used filling low lying areas.		No plant established Utilization - filling low lying areas	remediated waste-resource recovery, energy generation, construction material, landfill, filling low lying areas.			
Aurangabad (34099) NP- 2 Ngr panchayat-4	Sewage generation – 29.534 Treated- No STP GAP- 100% Timeline- 36 months WQA FC- 17000 MPN/ 100 ml	Industries- No GPI Effluent- 262 KLD ETP- installed CETP- technically not feasible HZW- only boiler ash generated, used filling low lying areas.	BMW- 75.88 Disposal - CBWTF Gaya	MSW- 61.66 TPD Treated- 4.642 GAP- *57.018 C& D Waste- tot generation not given. Plant capacity- 160+ 60 KLD	Legacy waste- No	Hotels/ ashrams- 3 applications of hotels/ ashrams with valid CTE/CTO	FPZ- No	Mining- 133 Fine-
Siwan (34105) NP- 1 Ngr panchayat-8	Sewage generation – 118.4 MLD Treated- No STP GAP- 100% Timeline- 36 months WQA FC- River Not 17000 – 35000	Industries- Effluent- 300 KLD ETP- installed CETP- technically not feasible HZW- only boiler ash generated, used filling low lying areas.	BMW- 450. 33 Disposal - CBWTF Muzaffarpur	MSW- 130.56 TPD Treated- 0 GAP- 100% C& D Waste-	Legacy waste- Timeline - 36 months Utilisation of remediated waste-filling low lying areas	Hotels/ ashrams- 18 applications of hotels/ ashrams with valid CTE/CTO	FPZ- No	Mining- FIR 8 Fine- 415.16
Munger	Sewage	Industries-	BMW-	MSW-	Legacy	Hotels/	FPZ- No	Mining-

(34113) NP-	generation – 41.23 MLD Treated- 0 GAP- 100% Timeline- 1 STP- 3 to 4 months and another STP in 36 months (no other details provided) WQA FC- Gangaji 17000- 24000	Effluent- 500 KLD ETP- installed CETP- Technicall y not feasible HZW- only boiler ash generated, used filling low lying areas.	86.91 Disposal - CBWTF Bhagalp ur	211.44 TPD Treated- 36.83 TPD GAP- 173.61 TPD C& D Waste- 2.25 TPD + No plant for treatment	waste- (144000 MT 300 MT/ 24 months 8460 TPD) Utilisatio n of remediat ed waste- west waste is used as fertilizer and RDF id disposed to cement factory	ashrams- No applicati ons of hotels/ ashrams with valid CTE/CT O		FIR 22 Fine- 319.21 lakh
Banka (34122) NP- 1 Ngr panchayat- 3	Sewage generation – 17.5 MLD Treated- 0 (proposed 4 STP of 26.2 MLD) GAP- 100% Timeline- 36 months WQA- lean water	Industries- Effluent- 880 KLD ETP- Installed CETP- Technicall y not feasible HZW- only boiler ash generated, used filling low lying areas.	BMW- 150.72 Disposal - CBWTF Bhagalp ur	MSW- 30 TPD Treated- 5.35 ton GAP- 24.65 ton C& D Waste- 7 Ton Filling low lying land	Legacy waste- Timeline - 36 months Utilisatio n of remediat ed waste- compost fertilizer	Hotels/ ashrams- No such facility exists	FPZ- No	Mining- FIR 178 Fine- 762.7 lakhs
Lakhisara i (34130) NP- 3	Sewage generation – 19 MLD Treated- 0 GAP- 100% Timeline- 1 STP @ 6 MLD will be completed in 1 yr	Industries- Effluent- 60 KLD ETP- installed CETP- Technicall y not feasible	BMW- 108.01 Disposal - CBWTF Bhagalp ur	MSW- 42 TPD Treated- 16 TPD GAP- 26 TPD C& D Waste- 1.05 TPD	Legacy waste- No Utilisatio n of remediat ed waste- land filling	Hotels/ ashrams- No such establish ment	FPZ- No	Mining- FIR 65 Fine-

	2 STP@ 11MLD proposed WQA- No sampling done	HZW- only boiler ash generated, used filling low lying areas.		Dumped in temporary site				
Nawada (34136) NP- 3	Sewage generation – 34.6 MLD Treated- No STP GAP- 100% Timeline- 2028 WQA- No sampling	Industries- Effluent- 150 KLD ETP- installed CETP- technically not feasible HZW- only boiler ash generated, used filling low lying areas.	BMW- 67.72 Disposal - CBWTF Gaya	MSW- 102.83 Ton Treated- 9.6 ton GAP- 93.23 ton C& D Waste- self utilised	Legacy waste- 42 ton/ 12 months 6833 ton/ 24 months Utilisatio n of remediat ed waste- dumping site in low lying area	Hotels/ ashrams- No applicati ons of hotels/ ashrams with valid CTE/CT O	FPZ- No	Mining- no info Fine-
Sheikhpura (34141) NP- 2 Ngr panchayat- 2	Sewage generation – 19.548 MLD Treated- No STP GAP- 100% Timeline- 3 Yrs WQA- no sampling done	Industries- Effluent- 60 KLD ETP- installed CETP- technically not feasible HZW- only boiler ash generated, used filling low lying areas.	BMW- 38.01 kg/ day Disposal - CBWTF Gaya	MSW- 62.71 TPD Treated- 7.73 TPD GAP- 54.98 TPD C& D Waste- 0.305 TPD Self utilised	Legacy waste- 12 months Utilisatio n of remediat ed waste- compost and inert material disposed.	Hotels/ ashrams- No applicati ons of hotels/ ashrams with operating valid CTE/CT O	FPZ- No	Mining- No mining Fine-
Patna (34147) NN- 1 NP- 10 N Panchayat	Sewage generation – 212.506 MLD Treated- 106.5 MLD Existing STP	Industries- Effluent- 2000 KLD ETP- installed	BMW- 5249.93 Disposal -CBWTF Patna	MSW- 1304.16 TPD Treated- 782.2 TPD	Legacy waste- Treated- 7.1 lakh ton @ Patna	Hotels/ ashrams- 79 applicati ons of hotels/ ashrams	FPZ- No	Mining- FIR- 306 Fine-

- 5	tot. capacity @104 MLD GAP- 106.006 MLD Timeline- 2 STP @mokama and bakhtiyarpur will be complete by 31/12/24. STP @ Barh- 15 yrs Etc.. WQA FC- Gangaji- 3300- 24000 MPN	CETP- Technicall y not feasible HZW- only boiler ash generated, used filling low lying areas.		GAP- 648TPD C& D Waste- 224.1 TON 474 KG Plant- 50 TPD Utilized capacity- 25 TPD	NN Utilisatio n of remediat ed waste-	operating with valid CTE/CT O		
Madhuba ni (34166) NN- 1 NP- 1 N Panchayat - 4	Sewage generation – 37.27 MLD Treated- 0 GAP- 100% Timeline- 2 yrs/ 36 months/ 24 months WQA FC- Kamala river- 2700- 1300 Dhos river- 4900- 13000	Industries- Effluent- 335 KLD ETP- installed CETP- Technicall y not feasible HZW- only boiler ash generated, used filling low lying areas.	BMW- 512.67 Disposal - CBWTF Muzaffar pur	MSW- 110.997 TPD Treated- 62.171 TPD GAP- 48.826 TPD C& D Waste- No treatment plant establishe d	Legacy waste- Timeline - 2025- 2027 Utilisatio n of remediat ed waste-	Hotels/ ashrams- 6 applicati ons of hotels/ ashrams with operating valid CTE/CT O	FPZ- no	Mining- FIR 24 Fine- 109.07
Buxar (34175) NP- 1 Ngr panchayat- 4	Sewage generation – 29.74 MLD Treated- 0 GAP- 100% Timeline WQA FC Gangaji- 4900- 17000 MPN	Industries- Effluent- 181 KLD ETP- installed CETP- not technically feasible HZW- only boiler ash generated,	BMW- 27.74 Disposal - CBWTF Patna	MSW- 102.42 ton Treated- 5 ton GAP- 97.42 ton C& D Waste- 1.17 ton Treatment plant not available	Legacy waste- 58,018 Ton Timeline - 2024 Utilisatio n of remediat ed waste- dump site	Hotels/ ashrams- No applicati ons of hotels/ ashrams with operating valid CTE/CT O	FPZ- No	Mining- FIR 06 illegal transportat ion No case of illegal mining registered Fine-

		used filling low lying areas.						
Bhagalpur (34183) NN- 1 NP- 2 Ngr panchayat- 5	Sewage generation – 111.26 MLD Treated- 1 STP @10 MLD (sultanganj) with utilisation capacity 4.42 MLD for 9.99 MLD discharge GAP- 106.84 MLD Timeline WQA FC- Gangaji 54000- 1300 MPN	Industries- 13 Effluent- 558 KLD ETP- Installed CETP- not technically feasible HZW- only boiler ash generated, used filling low lying areas.	BMW- 4806.23 Disposal - CBWTF Bhagalpur	MSW- 344.547 TPD Treated- 38.71 GAP- 305.837 C& D Waste- 8.74 MT No plant, self- utilised by ULBs	Legacy waste- 161862 ton No treatment Utilisation of remediated waste-	Hotels/ ashrams- 11 applications of hotels/ ashrams with operating valid CTE/CTO	FPZ- No	Mining- 5 cases Fine-
Araria (34197) ULB- 6	Sewage generation – 32.01 MLD Treated- 0 STP GAP- 100% Timeline- 36 Months WQA FC- Parmar river 17000 MPN/ 100ML	Industries- Effluent- 1100 KLD ETP- installed CETP- Not technically feasible HZW- only boiler ash generated, used filling low lying areas.	BMW- 122.64 Disposal - cbwtf Bhagalpur	MSW- 83.8 TPD Treated- 0.667 TPD GAP- 83.133 TPD C& D Waste- 65.15 TPD Self utilisation, no plant	Legacy waste- 0 Timeline - 48 months Utilisation of remediated waste- on dumpsite	Hotels/ ashrams- 5 applications of hotels/ ashrams with operating valid CTE/CTO	FPZ- No	Mining- FIR 11 Fine- 108.55 lakh
Rohtas (34201) NN- 1 NP- 3 Nrg Panchayat - 7 Departme	Sewage generation – 75 MLD + 50 kg Treated- 0 STP GAP- 100% Timeline	Industries- Effluent- 850 KLD ETP- installed CETP- not	BMW- 57.26 Disposal - CBWTF Patna	MSW- 142.42 TPD Treated- 29.4 GAP- 113.02	Legacy waste- 2.50.3.00 ton/yr Utilisation of remediat	Hotels/ ashrams- 04 applications of hotels/ ashrams with operating	FPZ- No	Mining- 311 FIR (April 23 to March 24) Fine- 1118.59

nt of civil surgeon- 1	WQA FC- Sone river- 3300 MPN/ 100 ML	technically feasible HZW- only boiler ash generated, used filling low lying areas.		C& D Waste- 1.56 TPD (MC Sasaram)	ed waste- on dumpsite	valid CTE/CT O		lakhs
Muzaffar pur (34210) MC- 1 NP- 3 Nrg panchayat- 7	Sewage generation – 99.76 MLD Treated- 0 STP GAP- 100% Timeline- NA WQA FC Gandak river- 17000 MPN Burhi Gandak- 17000 MPN	Industries- Effluent- 1700 KLD ETP- Installed CETP- not technically feasible HZW- only boiler ash generated, used filling low lying areas.	BMW- 7427.59 kg/day Disposal - CBWTF Muzaffar pur	MSW- 337.232 TPD Treated- 112.63 TPD GAP- 224.602 TPD C& D Waste- 11 TPD	Legacy waste- 263490 MT Utilisatio n of remediat ed waste- RDF, landfill, bio fertilizer	Hotels/ ashrams- 55 applicati ons of hotels/ ashrams with operating valid CTE/CT O	FPZ- No	Mining- FIR 17 (2023- 24) Fine- 369.94 Lakhs
Khagaria (34222) NP- 2 Ngr panchayat- 4	Sewage generation – 35.622 MLD Treated- 0 STP GAP- 100% Timeline- under approval WQA FC- Gandak river- 13000 MPN	Industries- Effluent- 50 KLD ETP- installed CETP- not technically feasible HZW- only boiler ash generated, used filling low lying areas.	BMW- 155.32 kg Disposal - CBWTF Bhagalp ur	MSW- 64.235 TPD Treated- 1 ton GAP- 63.235 TPD C& D Waste- 2.5 ton No need for any plant, C& D waste is locally consumed	Legacy waste- no Utilisatio n of remediat ed waste- dumped in temporar y waste zone	Hotels/ ashrams- BSPCB is monitori ng	FPZ- No	Mining- FIR 19 (April 2023- March 24) Fine-
Katihar (34230) NN- 1	Sewage generation – 8.4 MLD	Industries- Effluent- 171 KLD	BMW- 150.08 Disposal	MSW- 167.65 TPD + 60 kgs	Legacy waste- 157242 tonnes	Hotels/ ashrams- 9 applicati	FPZ- No	Mining- 3 cases registered

Ngr panchayat-7 Dept of water and sanitation committee - 1	Treated- bioremediation for 3 drains GAP- 100% Timeline WQA FC Koshi river- 35000 MPN	ETP- installed CETP- not technically feasible HZW- only boiler ash generated, used filling low lying areas.	- CBWTF Bhagalp ur	Treated- 26.22 TPD+ 36 kgs GAP- 141.43 TPD+ 24 kgs C& D Waste- 16.05 TPD	(from 1 Nagar nigam, Nagar panchaya ts have no legacy waste) Utilisatio n of remediat ed waste- MRF plant installed	ons of hotels/ ashrams with operating valid CTE/CT O		Fine-
Gaya (34241) ULB- 9	Sewage generation –96.4 MLDa Treated- 1 STP @ 10 MLD (status of operation not known) GAP- 100% Timeline WQA	Industries- Effluent- 400 KLD ETP- installed CETP- not technically feasible HZW- only boiler ash generated, used filling low lying areas.	BMW- 2146.13 Disposal - CBWTF Gaya	MSW- 580.38 TPD Treated- 511.37 TPD (no details given about treatment facilities) GAP- 69.01 TPD C& D Waste- 51.472 tonnes No plant for treatment	Legacy waste- Utilisatio n of remediat ed waste-	Hotels/ ashrams- 6 applicati ons of hotels/ ashrams with operating valid CTE/CT O	FPZ- Rivers- Falgu, morhar, dardha, mohane, palmar etc – No FPZ done	Mining- 123 Fine-
Motihari/ east champara n (34252)	Sewage generation – 35 MLD Treated- 0 GAP- 100% Timeline WQA	Industries- No major industry Effluent- ETP- CETP- HZW- only boiler ash generated, used	BMW- 100 kgs/ day (Pg. 34253) 3931 kg/ month (Pg. 34261) HCF- 25 Disposal - CBWTF	MSW- 58.52 TPD Treated- 12 TPD GAP- 45.52 TPD C& D Waste- 4.2 TPD	Legacy waste- 32 TPD Utilisatio n of remediat ed waste-	Hotels/ ashrams- applicati ons of hotels/ ashrams with operating valid CTE/CT O	FPZ- No	Mining- 0 Fine-

		filling low lying areas.	Muzaffar pur					
Bettiah/ west champaran (34265)	Sewage generation – NA Treated- NA GAP- NA Timeline- NA WQA FC- Ramrekha river- 92000 MPN Harha river- 22000 MPN Sikrahna river- 28000 MPN HARBORA river- 1700 MPN Kohra river- 13000	Industries- Effluent- 6000 kld ETP- installed CETP- not technically feasible HZW- only boiler ash generated, used filling low lying areas.	BMW- 507.02 Disposal - CBWTF Muzaffar pur	MSW- 341.5 TPD Treated- 42 TPD GAP- 299.5 TPD C& D Waste- 4.65 tpd	Legacy waste- approx 200000 tonnes Utilisation of remediated waste-	Hotels/ ashrams- 9 applications of hotels/ ashrams with operating valid CTE/CTO	FPZ- no	Mining- FIR 23 Fine- 9.10 lakhs
Kishanganj (34273) NP- 1 Ngr panchayat- 3	Sewage generation – 22.7 MLD Treated- 0 GAP- 100% Timeline- NA WQA- FC- 13000 MPN	Industries- Effluent- 1800 KLD ETP- CETP- HZW- only boiler ash generated, used filling low lying areas.	BMW- 211.43 Disposal - CBWTF Bhagalpur	MSW- 76.02 TPD Treated- 0.4 TPD GAP- 75.62 TPD C& D Waste- 1.1	Legacy waste- Nil Utilisation of remediated waste-	Hotels/ ashrams- 01 applications of hotels/ ashrams with operating valid CTE/CTO	FPZ- No	Mining- FIR 8 (April 23- March 24) Fine-
Begusarai (34277) NN- 1 NP- 5	Sewage generation – 63.14 MLD Treated- 0 GAP- 100% Timeline WQA FC- 22000 MPN/ 100 ml	Industries- Effluent- 1777KLD ETP- installed CETP- not technically feasible HZW- only boiler	BMW- 157.74 kg/day Disposal - CBWTF Bhagalpur	MSW- 178.9 TPD Treated- 52.2 tpd GAP- 126.7 TPD C& D Waste- 11.05 TPD	Legacy waste- 169520 ton Utilisation of remediated waste- compost and road filling	Hotels/ ashrams- 15 applications of hotels/ ashrams with operating valid CTE/CTO	FPZ-	Mining- 11 cases Fine-

		ash generated, used filling low lying areas.						
Arwal (34282)	Sewage generation – 8.38 MLD Treated- 0 STP GAP- 100% Timeline- 48 months WQA Sone river	Industries- Effluent- 92 KLD ETP- installed CETP- not technically feasible HZW- only boiler ash generated, used filling low lying areas.	BMW- 13 kg Disposal - CBWTF, Gaya	MSW- 23.103 TPD Treated- 1 TON GAP- 22.103 TPD C& D Waste-	Legacy waste- has been cleared by filling in dump sites Utilisatio n of remediat ed waste-	Hotels/ ashrams- No applicati ons of hotels/ ashrams with operating valid CTE/CT O	FPZ-	Mining- 0 Fine-
Jehanabad (34285)	Sewage generation – 27.5 MLD Treated- 0 GAP- 100% Timeline- 36 months WQA- not provided	Industries- Effluent- 172 KLD ETP- installed CETP- not technically feasible HZW- only boiler ash generated, used filling low lying areas.	BMW Disposal - CBWTF Gaya	MSW- 98.45 TPD Treated- 49.18 TPD GAP- 49.27 C& D Waste- 3.73 TPD	Legacy waste- Utilisatio n of remediat ed waste-	Hotels/ ashrams- applicati ons of hotels/ ashrams with operating valid CTE/CT O	FPZ- no	Mining- 23 FIR (April23- March 24) Fine- 23.34 lakhs
Vaishali (34289)	Sewage generation- 45.88 MLD Treated- 0 GAP- 100% Timeline- 48	Industries- Effluent- 617 ETP- installed CETP-	BMW- 645.85 kg/day Disposal - CBWTF Muzaffar pur	MSW- 146.39 MLD Treated- 114 tpd GAP- 31.99 TPD	Legacy waste- 12 months Utilisatio n of remediat	Hotels/ ashrams- no such establish ment	FPZ- No	Mining- 3 cases Fine-

	months WQA-FC Gandak river- 22000 MPN	proposed HZW-only boiler ash generated, used filling low lying areas.		C& D Waste- 5.87 tpd	ed waste-bio fertilizer and inert material is disposed of.			
WRD Report	Annex I- 2 Pg. 34303 FPZ meetings							
BSPCB Report	Pg. 34326- FC Pg. 34343- Industries Pg 34395- BMW							

15. The above report clearly reflects huge gap in the treatment of sewage generated along with other waste from different sources which may be a cause for high level of pollution of river Ganga and the tributaries in the stretch concerned. As per the information disclosed in the above tabulated statement, estimated sewage generation is 1700 MLD and except at Patna and Bhagalpur, nowhere sewage is getting treated. State Capital, Patna has an apparent reported gap of 106 MLD.

16. The data of CPCB is available in public domain wherein status of STPs maintained during August – November 2023 in Bihar is as under:

State	Approx. Sewage Generation in Ganga front towns (MLD) (2017-18)	Towns covered by STPs	Total STPs monitored	Installed capacity of monitored STP (MLD)	Operational	Operational Capacity (MLD)	Utilized Capacity (MLD)	Non-operational	Non-operational Capacity (MLD)	Complying w.r.t. FC (<230MP N per 100 mL)	Non-complying w.r.t. FC (>230MP N per 100 mL)
Bihar	480.0	4	7	224.5	6	164.5	92.6	1	60.0	2	4

17. The above table clearly reveals estimated sewage generation in four Ganga front towns is 480 MLD. 92.6 MLD is getting treated against

installed sewage treatment capacity of 224.5 MLD. We also further find from the data of drains monitored by CPCB during 2022 that 68 drains carrying 897.22 MLD of sewage sullage are joining river Ganga.

18. Counsel for the Applicant has also submitted that strangely in the report it is stated that all the industries have Effluent Treatment Plant (ETP) which is very doubtful. She has also expressed doubt about functioning status of these ETPs.

19. We do not find any complete water quality analysis report in respect of the samples from the tributaries or river Ganga. Only the report relating to faecal coliform has been placed on record which is much exceeding the requisite parameters. Hence, the State/District Authorities are directed to submit the water sample analysis report by taking samples at the point where the tributary merges river Ganga and also at the point of entry of river Ganga in the State and exit point.

20. Let the fresh report be submitted by all the 38 districts and a compilation thereof be submitted by the State of Bihar keeping in view the observations made above, at least two weeks before the next date of hearing by supplying an advance copy to Counsel for the Applicant.

21. List on 15.10.2024.

Prakash Shrivastava, CP

Sudhir Agarwal, JM

Dr. A. Senthil Vel, EM

May 01, 2024
Original Application No. 200/2014
(IA No. 340/2022, MA No. 872/2018,
MA No. 875/2014 & MA No. 480/2018)
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