

Item No. 08

(Court No. 1)

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

(By Video Conferencing)

Original Application No. 228/2022

**In re: News item published in The Indian Express dated 19.03.2022
titled “STP given nod to discharge treated sewage into Thol”**

Date of hearing: 08.07.2022

**CORAM: HON’BLE MR. JUSTICE ADARSH KUMAR GOEL, CHAIRPERSON
HON’BLE MR. JUSTICE SUDHIR AGARWAL, JUDICIAL MEMBER
HON’BLE PROF. A. SENTHIL VEL, EXPERT MEMBER**

Respondent: Mr. Maulik Nanavati, Advocate for GPCB

ORDER

1. Proceedings in this matter have been initiated on the basis of captioned media report¹ to the effect that the STP proposed to be set up in Kalol town of Gandhinagar District in Gujarat has been permitted to discharge treated waste water into a lake which is a protected wetland and also declared a Ramsar site of international importance. The lake is fresh water lake and if waste water is discharged therein, the eco-system of lake will suffer.

2. Vide order dated 29.03.2022, the Tribunal found it necessary to require the media report to be cross-checked and remedial action taken by a joint Committee of CPCB, State PCB, State Wetland Authority and the District Magistrates, Gandhinagar and Mehsana. The Committee was

¹ Report published in the Indian Express dated 19.03.2022 under the title “STP given nod to discharge treated sewage into Thol”

required to undertake visit to the site and furnish a factual and action taken report in the matter after interaction with the stake holders.

3. Report of the joint Committee has been filed on 01.06.2022 mentioning the discussions held with the stake holders and recommending as follows:-

“4.1 Recommendations of the Joint Committee

The Joint Committee, based on the site visit, consultation with stakeholders, deliberations on facts and records available and submissions of the sub-committee has arrived on following conclusions and alternate utilization / disposal of treated wastewater from proposed sewage treatment plant (STP) of Kalol Nagarpalika without affecting Thol Lake and surrounded Sanctuary:

- 1. Treated wastewater of proposed Sewage Treatment Plant of Kalol Nagarpalika should not be allowed to be discharged directly or indirectly into Thol Lake and its eco sensitive zone in any case.*
- 2. Kalol Nagarpalika shall publish / advertise for Expression of Interest (EoI) for utilization of treated wastewater from their Proposed Sewage Treatment Plant.*
- 3. The options of providing dedicated irrigation canals bypassing Thol Lake and without affecting whole bird sanctuary, Eco-sensitive Zone of Thol Lake and reuse of treated sewage in the nearby industries should be explored. The options explored by the Sub-Committee for utilization of treated sewage may be referred by Kalol Nagarpalika.*
- 4. Guard Pond cum Distribution Pond with OCEMS and regular manual monitoring should be provided for treated sewage from proposed STP and treated sewage may be utilized based on requirements for irrigation and industrial purposes. It is to mention that, the treated wastewater should be fully compliant with the criteria parameters required for use in irrigation and also effectively disinfected to ensure no adverse impact on food chain through crop production and adverse impact on health of farm laborer / farmers.*
- 5. As per Policy for reuse of treated water declared by Government of Gujarat – Para no: 8.1.1.2: “It shall be mandatory for all Gujarat Industrial Development Corporation (GIDC) estates, all industrial units in Special Investment Region (SIR), Industrial parks large industrial units which are consuming minimum one lakh litre of fresh water per day for non-potable purpose and which are situated water per distance from STP or city limits to use TWW. However, it shall not be mandatory to use TWW wherever it comes in direct contact with human beings or is used in processes resulting in*

products for human consumption.” Considering this provision, suitable options may be explored. This will help increasing the underground water table.

6. *Kalol Nagarpalika will ensure compliance of treated sewage quality standards through continuous monitoring.*
7. *Following options are identified to supply treated wastewater from proposed Sewage Treatment Plant. Kalol Nagarpalika shall explore / workout the following options and quantity of wastewater to be supplied to respective options based on feasibility.*

<i>Sr. No</i>	<i>Mode of Utilization</i>	<i>Quantity (MLD)</i>
<i>1.</i>	<i>M/s Indian Farmers Fertilizer Cooperative Limited, Kalol Unit (if treated wastewater quality is feasible for utilization)</i>	<i>11 MLD</i>
<i>2.</i>	<i>GIDC – Kalol (180 industrial units)</i>	<i>2 MLD</i>
<i>3.</i>	<i>M/s Arvind Limited, Santej</i>	<i>3 MLD</i>
<i>4.</i>	<i>M/s Bharat Vijay Mill, Kalol</i>	<i>2 MLD</i>
<i>5.</i>	<i>For irrigation to Sujalam Suflam Circle – 1 through their existing pipeline only during winter season only. Technical modification in existing pipeline shall be done so as to ensure that, treated wastewater do not get mixed with water supplied for drinking purpose. Options shall be explored to satisfy irrigation water requirement by this treated wastewater during remaining period i.e. other than winter season</i>	<i>As per Requirement</i>
<i>6.</i>	<i>Utilization in the garden area of Kalol Nagarpalika, to meet water demand / requirement of the construction activities and for dust suppression</i>	<i>As per Demand</i>

8. *GPCB should keep above recommendations in view while considering the application of Consent to Establish/Operate for the Kalol STP.”*

4. In view of serious violations of norms, learned counsel for the State PCB fairly states that there is need for stringent monitoring of the remedial action in the light of the recommendations in the report.

5. Accordingly, let the State PCB take further action in terms of the recommendations by preventing discharge of sewage waste into the lake, including bypassing the flow of the waste water and to utilize the treated water and to construct the guard pond. The waste water may be utilized by the GIDC through the industrial units in the region, making it

mandatory to do so for the identified establishments, against appropriate charges which may be used for restoration of the lake. The use of fresh water for industrial purposes may be controlled/regulated having regard to the fact that there is scarcity of potable water in the area. Quality of the lake may be maintained as per norms.

The application will stand disposed of accordingly.

A copy of this order be forwarded to the CPCB, State PCB, State Wetland Authority and the District Magistrates, Gandhinagar and Mehsana by e-mail for compliance.

Adarsh Kumar Goel, CP

Sudhir Agarwal, JM

Prof. A. Senthil Vel, EM

July 08, 2022
Original Application No. 228/2022
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