

F. No. Q-16016/41/2017-CPA  
Government of India  
Ministry of Environment, Forest and Climate Change  
(CP-Division)

2<sup>nd</sup> Floor, Vayu Wing, IPB,  
Jor Bagh Road, New Delhi – 110003

Dated : 27.07.2017

**Subject : Directions under Section 18(1)(a) of the Water Prevention and Control of Pollution Act, 1974 in the matter of death of two children on 2<sup>nd</sup> April, 2017 at Bhiwadi - regarding.**

Whereas an Act to provide for the prevention and control of water pollution and the maintaining or restoring of wholesomeness of water, for the establishment, with a view to carrying out the purposes aforesaid, of Boards for the prevention and control of water pollution, for conferring on and assigning to such Boards powers and functions relating thereto and for matters connected therewith was enacted by the Parliament, known as The Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974) hereinafter refer to the Water Act, 1974;

And whereas, the Rajasthan Assembly adopted the said Water Act and the Rajasthan State Pollution Control Board was constituted under the Water Act, 1974 hereinafter called as the 'RSPCB' responsible for abatement, prevention and control of Water Pollution in the State of Rajasthan;

And whereas, the functions of a State Pollution Control Board have been prescribed under Section 17 of the Water Act, 1974 which *inter alia* include to plan a comprehensive programme for the prevention, control and abatement of water pollution in the State and to secure execution thereof;

And whereas, two children died in a pond on 2<sup>nd</sup> April, 2017 by drowning in a cesspool of untreated/ partially treated industrial effluent and domestic sewage at village Saeedpur, Dharuhera as reported in the press;

And whereas, copy of said news clipping was referred to RSPCB for investigation and a status report therein by the Ministry of Environment, Forest & Climate Change on 7<sup>th</sup> April, 2017.

And whereas, the RSPCB confirmed the said incidence vide its letter No. RSPCB/RO/BWD/Gen-298/1178, dated 21.06.2017 and informed that a criminal case No. 239/17 was already registered at Police Station, Bhiwadi, District Alwar in the matter under relevant sections of the Indian Penal Code, 1860.

And whereas, the RSPCB has been conferred powers to take such steps as are necessary for the prevention, control and abatement of water pollution in the State of Rajasthan and the concerned Municipal Authorities/ ULBs are responsible, under law, to provide proper collection, treatment and disposal of sewage being generated in its jurisdiction by establishing adequate sewage treatment plant for the treatment of sewage effluent so as to bring it at least in conformity to the standards notified under the Environment (Protection) Act, 1986;

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And whereas, Rajasthan State Industrial Development & Investment Corporation (RIICO) is responsible to ensure that effluent arising from in an industrial area is disposed off properly though, prime responsibility for proper treatment of effluent rests with the industry;

And whereas, the Bhiwadi Municipal Council (BMC) , Rajasthan Housing Board (RHB) and RIICO are causing and/or discharging untreated sewage and industrial effluent into the cesspool under reference and other cesspools as per CPCB letter No. A-14011/1/2008-Mon-819, dated 12.07.2017, in contravention of the provisions of Section 24 of the Water Act, 1974.

And whereas, BMC, RHB, and RIICO have failed in discharging their responsibility for protection of environment as far as creating the facilities for collection, treatment and disposal of sewage and industrial effluent in Bhiwadi Industrial Area is concerned;

And whereas, Union Government through Ministry of Housing and Urban Affairs is providing funds to urban local bodies for proper collection, treatment and disposal of sewage and under Atal Mission for Rejuvenation and Urban Transformation (AMRUT) through concerned State Government;

Therefore, in the light of above the Central Government, in exercise of the powers conferred upon it under the provisions of section 18(1)(a) of the Water Act, 1974 and in performance of its functions under this Act, hereby issued following directions:

- (a) The Central Pollution Control Board shall direct the Rajasthan State Pollution Control Board (RSPCB) to ensure that there is proper segregation and collection of industrial effluent and sewage in the industrial area at Bhiwadi;
- (b) In turn, RSPCB shall ensure that proper collection, treatment and disposal of effluent and sewage at Bhiwadi Industrial Area including the villages surrounded by Bhiwadi Industrial Area;
- (c) BMC, RIICO and RHB shall submit a time bound action plans individually/ jointly for setting up sewerage system for proper collection, treatment and disposal of sewage and industrial effluent generated at Bhiwadi and the villages in the vicinity to RSPCB by 31<sup>st</sup> August, 2017;
- (d) RSPCB shall examine the action plans so submitted at its level and get modified by 15<sup>th</sup> September, 2017, if desired;
- (e) RSPCB shall forward said Action Plans by the 29<sup>th</sup> September 2017 to CPCB;
- (f) The effluent from existing cesspools created due to indiscriminate disposal of untreated/ partially treated effluent and sewage shall be pumped to newly created STPs and existing CETP for treatment and such pits shall be kept dry;
- (g) In turn, CPCB shall examine the said Action Plans and would forward it to this Ministry by 16<sup>th</sup> October, 2017 so that facilities are in place by 31.01.2018; and

(h) CPCB shall monitor the implementation of said Action Plans and submit monthly progress report starting from 30<sup>th</sup> November, 2017 till 31.03.2018.

This issues with the approval of Competent Authority.



(R.N. Jindal)  
Director (S)

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To,

The Chairman,  
Central Pollution Control Board,  
Parivesh Bhawan, East Arjun Nagar,  
New Delhi – 110032.

**Copy to :**

1. Secretary, Ministry of Urban Development, Government of India, Nirman Bhawan, C - Wing, Dr. Maulana Azad Road, New Delhi-110011
2. Advisor(MH), CP Division, MoEF&CC: for monitoring the compliance of directions please
3. District Magistrate, Tatarpur Road, Alwar - 301001, Rajasthan.
4. Regional Office, Ministry of Environment, Forest & Climate Change. Aliganj, Lucknow- 226020



(R.N. Jindal)