

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No. 2746 of 2016

*Khannagar Khapurja Silpanchal Puja .... Petitioner*  
*Committee*

Mr. K.K. Rout, Advocate

-versus-

*State of Odisha and Others .... Opposite Parties*

Mr. Debakanta Mohanty, AGA, Mr. Debasis Nayak, Advocate (CMC), Mr. B. P. Das, Advocate for Opp. Party No.5- Member Secretary, State Pollution Control Board, Mr. P. K. Bhuyan, Advocate for WATCO and the Managing Director, WATCO

**CORAM:**  
**THE CHIEF JUSTICE**  
**JUSTICE R.K. PATTANAİK**

**ORDER**  
**04.04.2022**

**Order No.**

21. 1. Mr. Debasis Nayak, learned counsel for the Cuttack Municipal Corporation (CMC) informs the Court that the discharge of effluents into the Kathajodi river is happening through a drain which is in fact a branch drain, which had to be connected to the main drain. He states that the work on the main drain is stuck because it has to pass under a Railway over bridge and despite money having been deposited for the work with the Railways since 2014, the work is not progressing.
2. Notice be issued to the East Coast Railways (ECR). Mr. P. K. Parhi, learned Assistant Solicitor General of India accepts notice for the ECR and states that he will seek instructions. Since he accepts notice, let required number of copies of the petition be served on him in course of the day.

3. The Managing Director, WATCO is present in Court and he says that the drinking water availability in Ward No.48 in Cuttack will be ensured by the end of June, 2022. However, the provision of drinking water to every household in Cuttack is expected to be completed by the end of December, 2024. He will place on record an affidavit indicating the detailed time schedule for provision of drinking water in Cuttack city. The said affidavit be filed by Friday i.e. on or before 8<sup>th</sup> April, 2022.

4. Dr. Kailasam Murugesan, Member Secretary, State Pollution Control Board, Odisha (SPCB) has filed an affidavit where *inter alia* it is indicated that the deteriorating water quality is found in the downstream of major urban local bodies such as Cuttack, Bhubaneswar and Rourkela and the reasons therefore is due to discharge or partially treated or untreated domestic waste water into river bodies. There are 129 stations of the SPCB monitoring the water quality of 11 major river systems of the State, such as Mahanadi, Brahmani, Baitarani, Rushikulya, Nagavali, Subarnarekha, Budhabalanga, Vansadhara, Kolab, Indravati and Bahuda. The water quality at 110 stations conforms to Class C rivers, whereas water quality at 19 stations do not conform to Class C with respect to either Biochemical Oxygen Demand (BOD) or Total Coliform (TC) or both. The order passed by the National Green Tribunal (NGT), Principal Bench, New Delhi in O.A. No.673 of 2018 concerning the remedial action for 351 polluted river stretches in India and in particular the order dated 6<sup>th</sup> December, 2019 of the NGT has been placed on record. It is seen that there is a Central Monitoring Committee (CM Committee) constituted pursuant to the orders of the NGT. This CM

Committee held in its 12<sup>th</sup> meeting on 4<sup>th</sup> February, 2022 in which States were asked to take up proposals under AMRUT 2.0 “for bridging the gap between sewage generation and treatment capacity and with regard to sewerage network connections.”

5. The Orissa Water Supply and Sewerage Board (OWSSB) will inform the Court on the next date of the current status of completion of the 16 MLD Sewerage Treatment Plant (STP) at Mattagajpur. A representative of the OWSSB shall remain present on the next date in the Court.

6. Notices be issued to the Bhubaneswar Municipal Corporation (BMC), Rourkela Municipal Corporation (RMC) and the Sambalpur Municipal Corporation by speed post with A.D., making it returnable by Friday i.e. on 8<sup>th</sup> April, 2022, requisites for which shall be filed by tomorrow i.e. on 5<sup>th</sup> April, 2022. Their respective Secretaries shall inform the Court of the steps taken for installation of Sewerage Treatment Plants and complying with the norms specified by the SPCB regarding discharge of effluents into the rivers within their respective jurisdictions. The Secretaries will also remain present online on the next date.

7. List on Friday i.e. on 8<sup>th</sup> April, 2022 at 10.30 AM.

***(Dr. S. Muralidhar)***  
***Chief Justice***

***(R.K. Pattanaik)***  
***Judge***