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PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

**GOVERNMENT OF WEST BENGAL**  
**ENVIRONMENT DEPARTMENT**  
Prani Sampad Bhawan, 5th Floor, LB-2, Sect-III,  
Salt Lake City, Kolkata-106.

**NOTIFICATION**

No. EN/ 3158/3C-27/2016 - 18th September, 2018.— In exercise of the power conferred by sub-section (1) and in particular by clause (p) of sub-section (2) of section 64 of the Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974) (hereinafter referred to as the said Act) and in compliance with the direction of the judgment dated 06.10.2017 of the Hon'ble National Green Tribunal, Eastern Zone Bench, Kolkata in connection with O.A NO. 51/2016 (*Ambarnath Sengupta -Vs- The State of West Bengal &Ors.*), the Governor, in consultation with the West Bengal Pollution Control Board, is pleased hereby to make, with immediate effect, the following rules, namely:—

*Rules*

1. **Short title and commencement.**— These rules may be called the West Bengal Prevention and Control of Water Pollution (Procedure for Immersion of Idol after Pujas) Rules, 2018.
- (2) They shall come into force at once.
2. **Definitions.**— In these rules, unless there is anything repugnant in the subject or context,—
  - (a) "Act" means the Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974);
  - (b) "bio-degradable" means any organic material that can be degraded by micro-organisms into simpler stable compounds;
  - (c) "board" means the West Bengal Pollution Control Board constituted under section 4;
  - (d) "district authorities" means the Office of the District Magistrate, the office of the Commissioner of Police or the Superintendent of Police in a district of West Bengal and includes an authority having vital role during immersion of idol as the State Government may, by notification in the *Official Gazette*, specify;
  - (e) "idol" means an image or representation of a god made of clay, bamboo etc, used for the worship;
  - (f) "local body", for the purpose of these rules, means and includes the Municipal Corporation or Municipality and any *Panchayat* body;



- (g) "police administration" means the office of the Commissioner of Police or the Superintendent of Police in a district and includes the local police station;
- (h) "Puja Committee" means Registered and unregistered Puja Committees/ committees and shall include individuals or organizations who organises the festivals and makes the idols in pandals raised by it;
- (i) "section" means a section of the Act;
- (j) "stream" includes—
  - (i) river,
  - (ii) water course (whether flowing or for the time being dry),
  - (iii) inland water (whether natural or artificial),
  - (iv) sub-terranean waters,
  - (v) sea or tidal waters to such extent or, as the case may be, to such point as the State Government may, by notification in the *Official Gazette*, specify in this behalf;

3. **Functions of puja committee.**—Every puja committee shall ensure—

- (a) that the idols shall be made from natural materials i.e. traditional clay, bamboo etc;
- (b) that no use of POP in idol making;
- (c) that no use of toxic and non-biodegradable chemical dyes and synthetic colour for painting of the idols;
- (d) that the idols shall be painted by water soluble and non-toxic natural dyes;
- (e) that the height of the super structure of the idol shall be less than 40ft. and the idol also shall not exceed 20ft in height;
- (f) that worship materials like flowers, *vastras* (clothes), other decorating materials made of paper and plastic shall have been removed before immersion of idols and bio-degradable materials shall have been collected separately for disposal in sanitary landfills.

4. **Mandatory declaration to be made by puja committee.**— Every puja committee who organises the festivals and makes the idols in *pandals* raised by it, shall have to submit a declaration before the respective Municipal Corporation, Municipality or Panchayat, as the case may be, specifying—

- (a) that no POP shall be used in the making of idols and raising of super-structure;
- (b) that no synthetic paint or colour containing toxic heavy metals like mercury, cadmium, arsenic, lead and chromium shall be used in the making of idols and raising of super-structure;
- (c) that the height of idol shall be limited to 20 ft;
- (d) that the height of the super-structure shall be limited to 40ft.

5. **Liability of puja committee.**— Every puja committee who organises the festivals and makes the idols in *pandals* raised by it, shall be liable for violation of any of the provisions of these rule and the Board may impose penalty for such violation in accordance with the provisions of rule 11.

6. **Functions of local body and district authority.**—The concerned local body or the district authority shall have the functions—

- (a) to identify and also notify adequate number of designated immersion spots to avoid overcrowding and reduce pollution load on water bodies and inform the same to public and every puja committee through awareness programme preferably a month before such events of idol immersion;
- (b) to ensure that immersion of idols in river Ganga or any river, lakes or ponds shall take place in accordance with the time schedule fixed by the police authority or by the district authority;



- (c) to prohibit burning of solid wastes, so generated comprising of used flowers, clothes, decorating materials, etc. at the immersion site;
  - (d) to ensure that within 24 hours of the immersion of the idols, the remains of the idols, accumulated debris, straw or jute strings etc. and all other waste materials related to the immersion of idols have been removed from the banks of river, water body and are transported to the solid waste dumping sites of the concerned local body for ultimate disposal, unless the same is collected by idol makers or others for recycling;
  - (e) to ensure that within 48 hours of the immersion of idols, remaining left over materials at idol immersion points on the banks of rivers, lakes, beaches, etc. have been collected by the concerned local body for disposal;
  - (f) in case of immersion of idols in rivers and lakes to ensure that arrangement have been made for construction of temporary confined ponds with earthen bunds for the purpose of immersion of idols. After the completion of immersion, supernatant water may be allowed to flow in river, pond and lake, as the case may be, after checking for colour and turbidity and lime may be added in temporary confined ponds;
  - (g) to ensure the biodegradable materials be removed before immersion and the concerned local bodies may use these materials for composting and other useful purpose;
  - (h) to carry surprise inspections of the puja committee who organises the festivals and makes the idols in *pandals* raised by it;
  - (i) to levy fees from the puja committee to clean the banks of river of other water body situated within the appropriate jurisdiction.
  - (j) A co-ordination Committee comprising Police, Non-Government Organizations, Local Authorities, SPCBs, representatives of puja committees and stakeholders shall be set up for guiding the public in carrying out the immersion with minimal impact on water bodies.
7. **Duty of concerned local body to forward Declaration under rule 4 to the Board.**—The concerned local body of the puja committee who organises the festivals and makes the idols in *pandals* raised by it, shall, after obtaining declaration specifying the making of idols and raising of super-structure under rule 4, forward the same to the Board.
8. **Functions of police authority.**—(1) The police authority shall ensure the removal, transportation and disposal of the remains of idol and other waste materials with active co-operation of the concerned local body and shall ensure cleaning of the water bodies after immersion.
- (2) The concerned police authority may prohibit the puja committee from organizing festivals in future, either temporarily or permanently.
9. **Functions of Board.**—
- (1) The Board shall conduct water quality assessment of the water body, preferably in Class-I cities (having population more than one lac), at three stages i.e. pre-immersion, during immersion and post immersion. Considering the size of water body, appropriate number of sampling locations may be determined in order to get a fairly representative assessment of water quality. For ascertaining water quality, Physico-chemical parameters such as pH, DO, BOD, COD, Conductivity, Turbidity, TDS, Total Solids and Metals (Chromium, Lead, Zinc and Copper) may be analyzed and results posted on the SPCB's website.
  - (2) The Board shall campaign on the ill effects of the toxic components of colouring materials, not only of the idols, but also other decorating materials used during the festive season with help of the local administration. Specific leaflets and poster for mass awareness shall be prepared and distributed by the Puja committees.
  - (3) The Board shall carry surprise inspections of the puja committee who organises the festivals and makes the idols in *pandals* raised by it.
  - (4) The Board shall utilized the penalty amount collected from the puja committee who organises the festivals and makes the idols in *pandals* raised by it, for upgradation of environment of the State;
  - (5) The Board shall issue necessary direction in this regards.



10. **Procedures to be observed at immersion point.**—The procedures as mentioned below shall be followed at immersion point:—
- (1) In case of immersion of idols in lakes or ponds, all the flowers, leaves and artificial ornaments of idols shall be removed and idols may be immersed into a corner of pond using removable synthetic liners in the bottom and the post immersion, liners may be taken out along with remains of idols and lime shall be added to the pond water for settling the solids and in due course, desludging of the pond shall be undertaken afterwards.
  - (2) in case of immersion in rivers, temporary ponds having earthen bunds along river bank shall be created as idol immersion spots and removable synthetic liner may be placed well in advance in bottom of pond and the said liner along with remains of idols shall be removed from the point within 48 hours of immersion of idols.
  - (3) in case of idol immersion in sea, immersion may be done between low tide line and high tide line (irrespective of its depth) and the low-tide line and high tide lines may be identified and marked well in advance and motor boats with security personnel or home guards with adequate safety equipment shall be deployed to supervise the immersion.
11. **Penalty.**—(1) If any puja committee who organises the festivals and makes the idols in *pandals* raised by it, violates of any of the provisions of rule 4, the Board may impose penalty for an amount of —
- (a) in case the puja committee located in the area of Panchayat, Rs. 3,000/- ;
  - (b) in case the puja committee located in the area of Municipality, Rs. 5,000/-;
  - (c) in case the puja committee located in the area of Municipal Corporation, Rs. 7,000/-.
- (2) The penalty amount shall be collected in bank draft in favour of West Bengal Pollution Control Board.

By Order of the Governor,

I. PANDEY

*Additional Chief Secy. to the Govt. of West Bengal.*