

The Odisha Gazette

EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 1741, CUTTACK, TUESDAY, OCTOBER 26, 2021/ KARTIKA 4, 1943

FOREST, ENVIRONMENT & CLIMATE CHANGE DEPARTMENT

NOTIFICATION

The 14th October, 2021

No.17937/FE.— In exercise of the power conferred by sub-section (1) read with clause (p) of sub-section (2) of Section 64 of the Water (prevention and Control of Pollution) Act., 1974 (6 of 1974) and in compliance with the direction of the judgment dated 6th October, 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 State Government, in consultation with the State Pollution Control Board, Odisha do hereby make the following rules, namely:—

1. Short title and commencement :— (1) These rules may be called the Odisha Prevention and Control of Water Pollution (Procedure for Immersion of Idol after Pujas) Rules, 2021.

(2) They shall come into force on the date of their publication in the *Odisha Gazette*.

2. Definitions :— (1) 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 State Pollution Control Board (SPCB), Odisha 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

Odisha and includes an Authority having vital role during immersion of idol as the State Government may, by notification, specify;

- (e) “idol” means an image or representation of a God or Goddess made of clay and other bamboo materials used for the worship;
 - (f) “Idol maker” means Craftsman or artisan or manufacturers involved in making idols;
 - (g) “local body”, means the Municipal Corporation, Municipality, Notified Area Council or any Panchayat body, as the case may be;
 - (h) “police administration” means the office of the Commissioner of Police or the Superintendent of Police in a District and includes the local police station;
 - (i) “Puja Committee” means Registered and unregistered Puja Committees and shall include individuals or organizations who organises the festivals and makes the idols in pandals raised by it;
 - (j) “Section” means a Section of the Act;
 - (k) “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;
 - (l) “Tazia” means the decorated repicon of the tomb of Hussain, carried in a procession on the 10th day of Muharrum;
2. Words and expressions used but not defined in these rules shall have same meaning as assigned to them in the Act.

3. Functions of Idol Makers

Every idol maker shall ensure that, —

- i. the large scale idol manufacturers involved in making more than 100 idols in a day, shall obtain registration from the concerned local body on deposition of registration fee as decided by the local body depending on the idol making capacity ;
- ii. the idols shall be made from only natural, bio-degradable, eco-friendly raw materials without any toxic, inorganic raw materials like traditional virtuous clay and mud ;

- iii. no use of Plaster of Paris (POP), plastic and thermocol (polystyrene) in idol making;
- iv. no use of toxic and non-biodegradable chemical dyes, oil paints and synthetic dye based paints for painting of the idols;
- v. the idols shall be painted by eco-friendly water based, biodegradable and non-toxic natural dyes;
- vi. only naturally occurring colors from plants (flowers, barks, stamens, leaves, roots, seeds, whole fruits), mineral or colored rocks shall be used for coloring ;
- vii. for making idol attractive, natural resins of trees shall be used as shining material ;
- viii. for making ornaments of idols dried flower components, straws etc. shall be used ;
- ix. for beautification of idols, naturally shedded feathers of different birds, removable and washable decorative clothes made only with natural materials and dyes shall be used in place of disposable material containing paints and other toxic chemicals;
- x. only eco-friendly materials like straw structure shall be used in making idols or decoration of idols or pandals or Tazias in order to prevent pollution in recipient water bodies;
- xi. innovative approaches like use of natural clay, pyramid of sugarcane sticks that represents pandals, natural clay mixed with alum for making idols shall be adopted in consultation with the Board ; and
- xii. the height of the super structure of the idol shall be limited to 40ft and the idol also shall be limited to 20ft in height ;

4. Liabilities of Idol Makers, -

Registered idol maker shall be liable for penalty if he fails to comply with the provisions of rule 3 or any of the registration conditions of the local bodies and thereafter he shall be prohibited to make idols for 2 (two) years by the concerned local bodies and the deposit of the idol maker shall be forfeited by the respective local body.

5. Functions of Puja Committee

Every Puja Committee shall ensure that,—

- i. the eco-friendly idols, as specified in rule 3, shall be procured only from the registered idol makers or may be constructed by the Puja Committee;
- ii. no synthetic paint or colour containing toxic heavy metals like mercury, cadmium, arsenic, lead and chromium shall be used in raising of the structure ;

- iii. eco-friendly idols (made with natural clay, stuffed with eco-friendly food materials such as corn, spinach, wheat and vegetable powder etc. if desired) and decorated with biodegradable, organic colours such as turmeric, chandan, gerua specified *in Annexure – I* shall only be used for offering pujas to avoid impact on environment ;
- iv. prior permission from concerned local body shall be sought by providing management plan and the required provisions (as per the format to be issued by the local bodies for ensuring safe idol immersion during festival season well at least one month in advance for making necessary arrangements,
- v. as far as possible low height idols shall be used and the height of the super structure of the idol shall be limited to 40ft and the idol also shall be limited to 20 feet in height ;
- vi. worship materials like flowers, vastras (clothes), other decorating materials made of paper and biodegradable or compostable plastic (but not single use plastic), shall have been removed before immersion of idols and bio-degradable materials shall have been collected separately in colour coded bins provided at the designated idol immersions areas or spots ; and
- vii. use of cleaned multi-use metallic or glass or plastic utensils, biodegradable plates such as Patravali or Pattal or Vistaraku or Vistar or Khali or trencher made with broad dried leaves such as Areca or Banana or Banyan or Sal leaves, biodegradable paper cups or plates and earthen pots shall be used in place of single use plastic and polystyrene (Thermocol) for prasad distribution and other purposes.

6. 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 local body specifying that, -

- i. eco-friendly idol shall be used ;
- ii. no POP shall be used in the making of idol as well as in the super-structure;
- iii. 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 in super-structure;
- iv. the height of idol shall be limited to 20 feet; and
- v. the height of the super-structure of the idol shall be limited to 40 feet.

7. Liability of Puja Committee, —

Every Puja Committee who organises the festivals and makes the idols in pandals raised by it, shall be liable for penalty for violation of any of the provisions of these rules and the concerned local body may impose penalty for such violation in accordance with the provisions of rule 15.

8. Idol immersion by Households, -

(1) Individual households shall be encouraged to use only eco-friendly idols made of natural clay and bio-degradable materials as decorative and puja materials.

(2) As far as possible, immersion of small idols shall be carried out at their homes in eco-friendly manner in a bucket filled with water and idol be kept in immersed state until it dissolves completely. After settlement of settleable and colloidal solids (if required alum powder or any other equivalent coagulant may be mixed and stirred vigorously using a stick at least for 30 seconds and thereafter slow mixing at least for 30 seconds and then allowed to settle), the supernatant liquid may be used either in gardening or discharged in a drain. Settled mud can be dried and then reused further for future idol making or may be used in gardening as soil.

(3) In case, individual households intend to perform idol immersions, then idols shall be immersed only in the designated on-land temporary artificial ponds or tanks located nearby or artificial movable tanks arranged by the local bodies.

(4) If idol immersion in sea is intended, then provisions of rule 13 with all precautionary measures shall be followed.

9. Functions of local body and District Authority, -

The concerned local body or the District Authority shall have the following functions, namely:—

- i. to grant licenses or permits within the respective jurisdiction to only those Idol maker who uses eco-friendly natural clay materials (but not POP or baked clay) in making idols, prior to festive times;
- ii. to register the large scale idol makers (involved in making idols more than 100 in a day) along with the prescribed fee and a deposit (as decided by the local bodies depending on the idol making capacity).
- iii. to provide a list of permitted and non-permitted substances to be used for making or colouring or decorating idols to the idol makers or craftsman or artisans while granting licenses or permits or registration to the idol makers.;
- iv. to ensure that only registered or licensed idol makers should be strictly allowed to make idols within the jurisdiction of the respective local bodies;

- v. to impose restriction on the idol makers and Puja Organizing Committees on the height of the idols depending on the availability of water bodies for immersion of idols and provisions made for idol immersion by the local bodies;
- vi. to encourage the individual households or resident welfare associations in a city or town to create temporary ponds or tanks of suitable size and adequate capacity within their campus itself with necessary provision for collection and storage of segregated waste prior to immersion so that instead of immersion in water bodies they can immerse their idols in these temporary ponds or tanks as far as possible. Public shall be involved for idol immersion in such temporary or artificial ponds or tanks. The waste generated from designated idol immersion activity sites shall be collected and disposed of safely by the local bodies within twenty four hours of completion of the idol immersion activity;
- vii. to arrange temporary artificial idol immersion ponds or tanks with the liner made with well graded or highly impervious clay or eco-synthetic liner at suitable locations in close vicinity of the public including open grounds or on the banks of the rivers, stagnant water bodies like ponds and lakes with all necessary safety provisions (such as proper access, approach roads, sign boards, fire safety measure, barricades, designated space for keeping idols prior to immersion, suitable platform with crane provision for idol immersion) for ensuring safe idol immersion during festive season.
- viii. to identify and arrange adequate number of designated temporary or artificial immersion ponds or tanks in consultation with River or Pond Authority, Port Authority, Water Supply Board, Irrigation Department and other concerned State Departments, in the close vicinity of the public colonies, to avoid overcrowding at water bodies and also to reduce pollution load on water bodies;
- ix. to ensure that in case, the designated temporary artificial ponds or tanks are required to be arranged on the bank of the river, in such a case, it should be arranged at suitable places where flow of river or stream is not harmful to the public, does not inundate in case of increase in flow of river during idol immersion period and river is cordoned off and barricaded suitably to avoid any loss of life specially during immersion activities;
- x. to arrange the construction of adequate number and capacity of temporary confined areas on the rivers, lakes or ponds when idol immersion in such water bodies are inevitable. Such confined areas are to be constructed at designated places with earthen bunds for the purpose of immersion of idols atleast 50m away

from the water body. Temporary immersion ponds shall have a free board of at least 100cm. Temporary ponds should be constructed with impervious liner (made with well graded/highly impervious clay or eco synthetic liner, High-Density Polyethylene (HDPE) with a provision of adequate landing platform for keeping the crane for idol immersion. Water in the temporary or artificial immersion ponds or tanks may be drawn from the nearby water body ;

- xi. to allow only supernatant water, after completion of immersion, to flow into river/pond/lake, as the case may be, after checking for colour and turbidity as per BIS specification for Drinking Water IS 10500:2012. Natural coagulants shall be used for pre-treatment of waste water mainly composed of polymers of natural origin extracted from plants, algae or animals. Among these are polysaccharides and water soluble substances that act as coagulation and / or flocculation agents which include microbial polysaccharides, starches, gelatin, galactomannans, cellulose derivatives, chitosan, glues, and alginate ;
- xii. to consider the option for construction of permanent cemented large sized artificial tanks for immersion of idols/ Tazias at suitable places for a village or town or city to avoid direct immersion of idols into rivers or lakes or ponds or sea ;
- xiii. to consider the option for arrangement of movable artificial tanks to reach residential welfare societies where people can do idol immersion without crowding and polluting the water bodies and to avoid accidents that may likely to happen during immersion in rivers, lakes, ponds and sea ;
- xiv. to arrange waste collection centres in the vicinity of the designated temporary/artificial idol immersion sites or locations to ensure collection of segregated materials (such as flowers, leaves, decorating materials etc.) prior to idol immersion. All waste collection centres should have a provision of colour coded bins of adequate size for collection and storage of segregated materials as under municipal solid waste management practice;
- xv. to constitute a Coordination Committee by the local body comprising of local Police Department, Non-Government Organizations, Local Authorities, SPCB, representatives of Puja Committees and other concerned stakeholders for guiding the public in carrying out the immersion without causing environmental damages to the water bodies;
- xvi. to designate a Nodal Officer by the local body to coordinate with the members of the Coordination Committee;

- xvii. to deploy adequate number of staff by the local body at all the designated idol immersion spots under the overall supervision of the Nodal Officer;
- xviii. to notify and inform the public and every Puja Committee on the arranged designated temporary or artificial immersion spots or areas by the local body for idol immersion preferably at least one week before such events of idol immersion through electronic and print media in vernacular language at all the salient points. Proper Sign Boards showing location of temporary idol immersion ponds or tanks and route charts are to be provided at all the salient points also ;
- xix. to ensure that immersion of idols in any river, lakes, ponds or sea shall take place in accordance with the time schedule fixed by the police authority or by the District Authority;
- xx. to deploy sanitary workers at all the temporary immersion sites for ensuring removal of bio-degradable items like flowers, leaves, clothes, ornaments etc. prior to idol immersion at the designated areas ;
- xxi. to prohibit littering or burning of solid wastes comprising of used flowers, clothes, decorating materials, recovered materials like bamboo and wood logs, straw structures etc. , so generated, at the immersion site or on the banks of water body;
- xxii. to ensure that within twenty four hours of the immersion of the idols, the remains of the idols, accumulated debris, straw or jute strings 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;
- xxiii. to ensure that within forty eight 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;
- xxiv. to ensure that after completion of the idol immersion ceremony, within twenty-four hours, the liner material shall be removed and the temporary pits or tanks shall be filled with native soil and levelled properly. The straw structure materials recovered from designated temporary or artificial immersion areas or spots shall be retrieved and processed for converting into organic manure ;
- xxv. to ensure the biodegradable materials be removed before immersion and the concerned local bodies may use these materials for composting and other useful purpose;

- xxvi. to carry surprise inspections of the Puja Committee who organizes the festivals and make the idols in pandals raised by it and to impose penalty for violation of the rules for idol immersion;
- xxvii. to aware Public on aspects relating to procurement of eco-friendly idols only from the licensed or permitted idol makers or craftsman or artisans, location details of idol makers, type of materials to be used for idol making, ill effects of the toxic components of colouring materials of the idols as well as decorating materials during immersion of idols or Tazias in the water bodies or artificial ponds or tanks;
- xxviii. to ensure that immersion of Tazias during Muharram shall be performed in eco-friendly manner;
- xxix. to prepare specific leaflets and posters in vernacular languages for mass awareness and to display and distribute such posters among worshippers involving Eco Clubs, NGOs, Educational Institutes or Universities or Schools ;
- xxx. to give award to the Idol makers for making eco-friendly idols and to the Puja Committees for use of eco-friendly idols and following the rules of idol immersion;
- xxxi. to levy charges for hiring or outsourcing agencies to clean-up the wastes from the designated idol immersion sites, as Visarjan charges, from every individual citizen or community or Puja Committee, as the case may be, performing the idol immersion activity;
- xxxii. to utilize the collected visarjan charges to clean-up the visarjan sites, to manage polluted water from the artificial temporary tank or ponds and for environmentally sound management of solid remains of idol. The waste water collected from the designated temporary artificial ponds or tanks after ensuring on-site pre-treatment shall be discharged into public sewers leading to the Sewage Treatment Plants (STPs) or Common Effluent Treatment Plants (CETPs) ;
- xxxiii. to manage disintegrated material or non-biodegradable materials as per the Solid Waste Management Rule, 2016.

10. Duty of concerned local body to forward Declaration made under rule 6, —

The concerned local body, after obtaining declaration under rule 6, shall forward the same to the respective Regional Offices of the Board.

11. Functions of Police administration,—

The police administration 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.

12. Procedures to be followed for idol immersion in rivers, lakes and ponds, -

(1) Idol immersion in Rivers or Ponds or Lakes shall be encouraged only at specific designated artificial confined tanks or ponds with liner made with well graded or highly impervious clay or eco synthetic liner, on the banks.

(2) A temporary artificial tank or pond with liner made with well graded or highly or impervious clay or eco synthetic liner (HDPE), and having earthen bunds on the bank of the river or lake or pond shall be created for Idol Immersion by the concerned local bodies.

(3) For immersion of idols in rivers, lakes or ponds, a designated location (having proper approach, access, corner portion of a river or pond or lake, having shallow depth of water in river or lakes or ponds) shall be identified and safety provision preferably steel or wooden barricades shall be made by concerned local bodies.

(4) All the flowers, leaves and artificial ornaments of idols shall be removed prior to immersion of idols and only such idols may be immersed in a designated place provided with safety provisions.

(5) Lime or alum or any other equivalent coagulant shall be added in designated temporary lined pond or tank as pre-treatment option for ensuring settling of solids. After completion of immersion, only supernatant water may be allowed by the local bodies to flow into river or pond or lake, as the case may be, after checking for colour and turbidity as per BIS specification for Drinking Water IS 10500:2012.

(6) Post immersion, with remains of idols and activities such as dislodging of the designated area shall be undertaken and ensured its disposal as per the Solid Waste Management Rules, 2016 within twenty four hours by the concerned local bodies.

13. Procedures to be followed for idol immersion in sea, -

(1) In case of Idol immersion in sea, immersion shall be carried out between low tide line (LTL) and high tide line (HTL) (irrespective of its depth) and only at designated areas identified by the Coastal Zone Management Authorities. The low-tide line and high tide lines may be identified and marked well in advance by the local bodies in consultation with the Concerned Authorities.

(2) Immersion of Idols in High Tide Line (HTL) and Low Tide Line (LTL) into the sea shall be permitted only in Non-Eco-Sensitive Areas earmarked previously in consultation with all the concerned agencies approved by Government of India for demarcation of HTL, LTL, Eco-sensitive area.

(3) Concerned authorities in the State Government dealing with safety and security in coastal areas shall take care of the necessary arrangements such as motor

boats with security personnel or home guards with adequate safety equipment be deployed to supervise idol immersion activities during festive season.

14. Functions of the Board, —

- i. 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. During post-immersion period, samples shall be collected preferably after 3rd, 5th, 7th and 9th day of immersion.
- ii. 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. Sampling shall be done at least 100 m away (downstream side in case of flowing water bodies-rivers) from the immersion site or location to avoid turbulence effect.
- iii. For ascertaining water quality, Physico-chemical parameters such as pH, DO, Color, BOD, COD, Conductivity, Turbidity, TDS, Chloride, TSS, Hardness, Total Alkalinity and Metals (such as Chromium, Lead, Zinc, Copper, Cadmium, Mercury, Antimony, Barium, Cobalt, Manganese, Strontium) may be analyzed. Apart from the water samples, sediment samples also be collected during pre-immersion, during immersion and post-immersion and collected sediment samples be analysed for the metals (such as Chromium, Lead, Zinc, Copper, Cadmium, Mercury, Antimony, Barium, Cobalt, Manganese, Strontium).
- iv. Detailed reports shall be posted on the Board's website in public domain and also shall be shared with Ministry of Environment, Forest and Climate Change (MoEF& CC), Ministry of Jal Shakti (MoJS) and Central Pollution Control Board, within two months of completion of last sampling conducted for a particular festival.
- v. The Board shall help local bodies and District Administration in preparing material for creating mass awareness purposes as well as to assess innovative approaches for eco-friendly idol making by the idol makers.
- vi. The Board shall also 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.
- vii. The Board along with Authorities of local bodies shall carry surprise inspections of the idols in pandal and super structures in pandals raised by the concerned Puja Committee.

15. Penalty, –

(1) If an idol maker violates any provision of rule 3, he shall be liable for penalty under rule 4.

(2) If any Puja Committee who organises the festivals and makes the idols in pandals raised by it, violates any of the provisions of rules 5 and 6, the local bodies may impose penalty for an amount of, –

- (a) in case the Puja Committee is located in the area of Panchayat, Rs. 3,000/-;
- (b) in case the Puja Committee is located in the area of Municipality or Notified Area Councils, Rs. 5,000/-;
- (c) in case the Puja Committee is located in the area of Municipal Corporation, Rs. 7,000/-

3. The penalty amount shall be collected in the form of a bank draft in favour of the concerned local body.

By Order of the Governor

MONA SHARMA

Additional Chief Secretary to Government

[See rule 5 (iii)]

Major Types of Natural Dyes and Their Origin

Chemical Class	Coloring matter	Origin	Color obtained
Vat dyes			
Indole	Indigotin	Woad, indigo	Blues
Quinone	Juglone	Walnut	Browns
Mordant dyes			
Anthraquinones	Alizarin	Madder roots	Reds, oranges, browns
	Pseudopurpurin	Madder roots	Reds, oranges, browns
	Mujistin	Munjeet stems	Reds, browns, maroons
	Laccaic acids	Lac insects	Reds, purples, maroons
Flavoid tannis	Catachin	Cutch	Browns, grays
Saffron, Flavone	Luteolin	Weld	Yellows, Khaki
Flavonol	Quercetin	50% of all plants	Yellows, Khaki
Anthocyanins	Cyanidian	Elderberries	Purples
Neoflavanoidones	Haematoxylin	Logwood	Violets, blacks
	Brazilin	Brazilwood	Reds, purples
Isoflavanoid	Pterocarpin	Sanderswood	Oranges
Direct dyes			
Carinoid	Curcurmin	Turmeric	Yellows
	Crocin	Saffron, gardenia	Yellows
Alkaloid	Berberine	Mahonia wood	Yellows
Orinol	Orcein	Orchil	Purples
Benzoquinone	Carthemine	Safflower	Pinks
Reactive dyes			
Depsides	Atranorin	Lichens	Fawns
Despidones	Salazinic acid	Lichens	Browns