



By Speed Post

No.B-19004/WQM-II/CPCB/2018-19

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Date: 05.02.2019

To,

The Chairman,
Bihar State Pollution Control Board,
2nd floor, Beltron Bhavan,
Jawaharlal Nehru Marg, Shahstri Nagar,
Patna, Bihar - 800 023

DIRECTIONS UNDER SECTION 18 (1) (b) OF THE WATER (PREVENTION AND CONTROL OF POLLUTION) ACT, 1974 REGARDING PROCESSING OF INDUSTRIAL INSPECTION REPORTS OF INSPECTIONS CARRIED BY CPCB AUTHORIZED INSTITUTIONS

WHEREAS, the Central Board, has delegated powers vested under Section 18 (1) (b) of the Water (Prevention & Control of Pollution) Act 1974 to the Chairman, Central Pollution Control Board vide its resolution made on 133rd Board meeting item no. 3.12 dated 24th March, 2005 to issue direction under Section 18 (1) (b) of the Water (Prevention & Control of Pollution) Act, 1974 to State Board; and

WHEREAS, amongst others, under Section 17 of the Water (Prevention and Control of Pollution) Act, 1974, one of the functions of the State Pollution Control Board (SPCB), constituted under the Water (Prevention & Control of Pollution) Act, 1974 is to plan a comprehensive programme for prevention, control or abatement of pollution of streams and wells located in the State and to secure the execution thereof; and

WHEREAS, amongst others, under section 16 of the Water (Prevention and Control of Pollution) Act, 1974, one of the functions of the Central Pollution Control Board (CPCB), constituted under Water (Prevention and Control of Pollution) Act, 1974 is to coordinate activities of the State Pollution Control Boards and Pollution Control Committees and to provide technical assistance and guidance to SPCBs / PCCs; and

WHEREAS, the Central Government has notified standards for discharge of environmental pollutants from industries and common effluent treatment plants (CETPs), under the Environmental (Protection) Act, 1986 and rules framed there under, and

WHEREAS, the SPCBs and PCCs are empowered to stipulate standards for discharge of environmental pollutants for various categories of industries and common effluent treatment plants (CETPs) more stringent than those notified by the Central Government, under the Environmental (Protection) Act, 1986 and rules framed there under; and

WHEREAS, Chemical (Pharmaceuticals, Organic, Inorganic, Fertilizers, Refinery and Pesticides), Distillery, Sugar, Pulp & Paper, Textile, Dying, Bleaching, Slaughter House, Tannery, Food & Dairy and Others categories of industry identified as Grossly Polluting Industries (GPIs) located in states of Uttarakhand, Uttar Pradesh, Bihar and West Bengal have been discharging effluent directly or indirectly into the river Ganga through drains or tributaries, which causing adverse effect on the water quality of river Ganga and its tributaries; and

WHEREAS, the Central Government has constituted the National Mission for Clean Ganga for taking measures for effective abatement of pollution and conservation of river Ganga; and

WHEREAS, it has been decided that inspection of Grossly Polluting Industries (GPIs) should be made an annual exercise; and

WHEREAS, a meeting was held on January 17, 2018 with officials of CPCB, NMCG, SPCBs and 15 technical institutions and following decisions were made:

- i. Technical institutions will be engaged for carrying out the compliance verification of the grossly polluting industries located on the main stem of river Ganga and its tributaries w.r.t. notified norms and consent conditions.
- ii. Association of SPCBs and SPMGs to be ensured during inspections with technical institutions. Wherever District Ganga Committee is formed, their participation may also be explored in the inspections.
- iii. All the samples shall be analyzed by environmental laboratories recognized under Environment (Protection) Act, 1986 or and laboratories established by SPCBs under Water Act, 1974.
- iv. All inspection report shall be forwarded to concerned SPCBs within 10 days of inspection by the technical institutions.
- v. SPCB shall process inspection reports and shall issue appropriate directions to industries in case of non-compliance within 30 days of receipt of inspection.

AND WHEREAS, inspection of 952 GPIs carried out during April-July 2018 by team of officials comprising of experts from technical institutions, SPCBs, SPMGs/DGCs and all inspection reports were made available to concerned SPCBs by technical institutes for necessary action; and

WHEREAS, CPCB issued direction dated 09.04.2018 under section 18 (1) b of the Water (Prevention and Control of Pollution) Act, 1974 to State Boards of Uttarakhand, Uttar Pradesh, Bihar and West Bengal to take appropriate measures for compliance of following points in a time bound manner with immediate effect:

- i. SPCBs will associate with the technical institutions for carrying out the inspection of GPIs located in their state along with SPMG/District Ganga Committees. SPCBs shall

depute concerned officers for participation in the joint inspection as per schedule provided by the technical institutions.

- ii. The concerned nodal officer of SPCBs shall coordinate with technical institutions, SPMG/District Ganga Committees to finalize the inspection schedule. All the samples shall be analyzed by EPA recognized laboratories or and laboratories established by SPCBs under Water Act, 1974.
- iii. SPCB shall submit weekly progress report every Monday in the prescribed format.
- iv. In case samples are being analyzed by SPCB labs, sample results shall be provided to the institutions within 10 days of samples being made available to labs.
- v. SPCB shall process inspection reports of inspections carried out either jointly or by technical institution and issue appropriate directions to industries within 30 days of receipt of inspection reports, in case of non-compliance.
- vi. The information of inspection shall be submitted through the android base application and web portal developed by CPCB for this purpose.

AND WHEREAS, CPCB issued D.O letters dated 13 April 2018 to Chief Secretaries of 4 main stem Ganga States (Uttarakhand, Uttar Pradesh, Bihar and West Bengal) for appropriate directions to concerned officials for timely action; and

WHEREAS, CPCB issued D.O letters dated 20 July 2018 to Chief Secretary, Government of Bihar, and Chairman, BSPCB, for appropriate instructions to concerned officers of BSPCB for timely action and submission of action taken report on weekly basis; and

WHEREAS, CPCB issued DO letters dated 26th July 2018 to Member Secretaries of UPPCB & UEPPCB to ensure that the units which were found temporarily closed during inspections, be issued closure directions under the Water Act, 1974 directing them to resume operation only after compliance verification and permission by SPCB under intimation to CPCB, and

WHEREAS, all GPIs have been inspected and all inspection reports are made available to SPCBs by technical institutes, however action has still to be completed in case of large number of GPIs which were found non-complying or self-closed during inspection; and

WHEREAS, out of 48 inspection reports processed by BSPCB, 5 GPIs are reported as temporarily closed, 3 GPIs were reported as permanently closed during inspections, and

WHEREAS, out of 48 inspection reports processed by BSPCB, 39 GPIs are reported as complying and 1 GPI is reported as non-complying, which is issued closure direction; and

WHEREAS, as decided in video conference held on 01.08.2018, all GPIs which were found temporarily/permanent closed will be issued closure directions till compliance is ensured and action against non-complying GPIs where SCN/direction have been issued shall be completed within 15 days including issuance of closure directions or revocation based on compliance verification by concerned SPCBs to ensure that all GPIs be inspected and complying with effluent discharge norms; and

WHEREAS, it has been decided that all the temporary and permanent closed GPIs should be closed, sealed and power supply disconnected through concerned District Magistrates and GPIs where Show cause notices/directions have been issued, action including issuance of closure direction or revocation based on the compliance verification shall be completed; and

NOW, THEREFORE, in view of above observations and in exercise of the power conferred under section 18(1) (b) of the Water (Prevention and Control of Pollution) Act, 1974, you are hereby directed to take appropriate measures for compliance of following:

1. All GPIs which are reported by BSPCB as temporarily/permanently closed or non-complying, where closure directions have been issued by concerned BSPCB shall be ensured to be closed, sealed and power supply disconnected through concerned District Magistrates (DMs) and a report shall be obtained from DMs and the action taken report shall be forwarded to CPCB by Feb 20, 2019. Such units shall not be allowed to resume operation till verification of their ETP functioning and compliance status as prescribed under Water Act 1974, Air Act 1981 & Environment Protection Act, 1986 by concerned SPCBs.
2. All the non-complying GPI units shall be inspected, the non-complying GPIs shall be closed, sealed and power supply shall be disconnected through concerned DMs and reports shall be obtained from DMs by Feb 20, 2019. Such units shall not be allowed to resume operation till verification of their ETP functioning and compliance verification with the prescribed norms by concerned BSPCB.

BSPCB shall acknowledge the receipt of the directions immediately and forward the action taken report to CPCB before 20th February 2019.

(S.P.S. Parihar)
CHAIRMAN

Copy to:

1. The Director General, : for kind information please
National Mission for Clean Ganga (MoWR, RD & GR)
1st Floor, Major Dhyan Chand National Stadium
India Gate, New Delhi - 110002

2. Member Secretary, : for kind information please
Bihar State Pollution Control Board,
2nd floor, Beltron Bhavan,
Jawaharlal Nehru Marg, Shahstri Nagar,
Patna, Bihar - 800 023
3. The Joint Secretary (CP Division), : for kind information please
Ministry of Environment, Forests & Climate
Change, Indira Paryavaran Bhawan, Jorbagh Road,
New Delhi - 110013
4. Regional Director, Regional Directorate : for kind information and to
South end Conclave, Block-502, 5th & 6th Floor, ensure compliance of the
1582, Razidanga, Main Road, direction please
Kolkata-700107
5. ✓ The Incharge, IT Division, CPCB : for uploading on CPCB website
6. Master File, CPCB : to keep record


(Prashant Gargava)
MEMBER SECRETARY