



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

By Speed Post

Date: 12.10.2018

To,

11923  
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 133<sup>rd</sup> Board meeting item no. 3.12 dated 24<sup>th</sup> 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 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**, in the meeting chaired by Principal Secretary to Prime Minister regarding "Clean Ganga Mission" on 04/11/2017, it was decided that inspection of Grossly Polluting Industries (GPIs) should be made an annual exercise; and

**WHEREAS**, a meeting was also taken on January 17, 2018 by Secretary MoWR, RD & GR and Director General, NMCG with officials of CPCB, NMCG, SPCB and 15 technical institutions wherein the following decisions were taken:

- 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**, Central Pollution Control Board vide letter dated March 26, 2018 issued sanction order to authorize the following technical institutions for carrying out inspection of GPIs during April-June, 2018:

- 1 Indian Institute of Technology, Delhi (IIT-D)
- 2 Indian Institute of Technology, Roorkee (IIT-R) Uttarakhand
- 3 Indian Institute of Technology, Kharagpur (IIT-Kgp), West Bengal
- 4 Indian Institute of Technology - BHU, Varanasi (IIT-BHU), Uttar Pradesh
- 5 National Institute of Technology, Patna (NIT-P), Bihar
- 6 Motilal Nehru National Institute of Technology, Allahabad (MNNIT), Uttar Pradesh
- 7 Central Pulp & Paper Research Institute, Saharanpur, Uttar Pradesh
- 8 Pollution Control Research Institute, BHEL, Haridwar (PCRI-BHEL), Uttarakhand
- 9 Jadhavpur University, Kolkata, West Bengal

- 10 Aligarh Muslim University, Aligarh (AMU), Uttar Pradesh
- 11 Jamia Millia Islamia University, New Delhi (JMI)
- 12 Harcourt Butler Technical University (HBTU), Kanpur, Uttar Pradesh

**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. SPCB 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 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 26<sup>th</sup> 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**, it has been observed that though all GPIs have been inspected and all inspection reports are made available to SPCBs by technical institutes, a large number of inspection reports are still pending for processing and action taken at the end of SPCBs; and

**WHEREAS**, out of 48 inspection reports processed by BSPCB till October 8, 2018, 15 units are reported as temporarily closed, 4 units were reported as permanently closed during inspections, which is a substantially large number. Ensuring compliance of these units is necessary for meeting the objective of this exercise of annual inspection of GPIs, and


WHEREAS, out of 48 inspection reports processed by BSPCB till October 8, 2018. 25 units are reported as complying and 4 are reported as non-complying out of which 3 show cause notices are issued:

To ensure that all GPIs be inspected and complying with effluent discharge norms, it is necessary that all units which were found temporarily/permanent closed should not be allowed to resume operation till compliance is ensured as decided during video conference held on 25.05.2018 and 01.08.2018 and strict action be taken against non-complying units.

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. BSPCB shall complete action with respect to inspection reports and provide action taken report to CPCB by October 20, 2018.
2. All GPIs which are reported by BSPCB as temporarily/permanently closed shall be issued directions under the Water Act, 1974 to remain closed and not to resume operations till their compliance with norms as prescribed under Water Act 1974, Air Act 1981 & Environment Protection Act, 1986 be ensured by SPCBs. Closure directions to temporary/permanent closed units shall be issued before October 20, 2018 and reported to CPCB.
3. BSPCB shall take stringent action for the non-complying units found discharging effluent causing grave injury to the environment like Septic condition in ETP, Non-functional ETP, Bypass arrangement, etc.
4. Show cause notices issued to non-complying units shall be processed for further action including issuance of confirm directions adhering to the time line indicated to the unit. Action in all respect shall be completed by October 31, 2018.

The action taken by SPCB shall be intimated to CPCB within 15 days of recipient of this direction.

  
(S.P.S. Parihar)  
CHAIRMAN

Copy to:

1. The Director General, : for kind information please  
National Mission for Clean Ganga (MoWR, RD & GR)  
1<sup>st</sup> 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