

SPEED POST

B-29012/Inspection-Policy/IPC-VI/2019-20/ 9931-9972

December 12, 2019

To

The Chairman
All SPCBs/PCCs
(as per the list)

SUB: DIRECTIONS UNDER SECTION 18(1)(b) OF THE WATER (PREVENTION & CONTROL OF POLLUTION) ACT, 1974 AND THE AIR (PREVENTION & CONTROL OF POLLUTION) ACT, 1981 REGARDING INSPECTION FREQUENCY FOR ENVIRONMENTAL SURVEILLANCE OF INDUSTRIES.

WHEREAS, under Section 17 of the Water (Prevention & Control of Pollution) Act, 1974, and under Section 17 of the Air (Prevention & Control of Pollution) Act, 1981, one of the functions of State Pollution Control Boards (SPCBs)/Pollution Control Committees (PCCs) is to plan a comprehensive programme for the prevention, control or abatement of pollution of streams, wells and air pollution in the States/ Union Territory and to secure the execution thereof, and;

WHEREAS, under Section 16 of the Water (Prevention and Control of Pollution) Act, 1974 and under Section 16 of the Air (Prevention & Control of Pollution) Act, 1981, 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, CPCB has categorized industrial sectors into red, orange, green and white category and accordingly directions were issued to all the SPCBs / PPCs on March 07, 2016 u/s 18(1)(b) of the Water (Prevention & Control of Pollution) Act, 1974 and the Air (Prevention & Control of Pollution), Act, 1981 for adoption of revised criteria of categorization of industries, and;

WHEREAS, Hon'ble NGT in the matter of OA No. 639 of 2018, Shailesh Singh Vs State of Haryana & Ors., sought a report from a joint Committee of the CPCB, Haryana State PCB, CGWA and District Administration with reference to the allegation of deterioration of ground water quality in major part of the State of Haryana on account of non-compliance of direction of the Hon'ble Supreme Court in the matter of Writ Petition (Civil) 375/2012, Paryavaran Suraksha Samiti & Anr. Vs Union of India & Ors, that no untreated effluents be discharged and requisite ETPs, STPs and CETPs be installed, and;

Contd...

WHEREAS, the report dated December 10, 2018 was filed by the joint Committee pointing out that the Inspection Policy of the State PCB provided for inspection of 'highly polluting 17 categories', 'red' and 'orange' category industries in 3, 5 and 7 years respectively and auto renewal of consent to operate. The report also found large scale violation of environmental norms which had remained unchecked on account of such unsatisfactory policies, and;

WHEREAS, Hon'ble NGT vide order dated March 08, 2019, in the matter of OA No. 639 of 2018, Shailesh Singh Vs State of Haryana & Ors., highlighted that policy followed by the State of Haryana was hit by the mandate of 'Precautionary' and 'Sustainable Development' principles of environmental law. Since there was large scale violation of environmental norms by 'highly polluting 17 categories', 'red' and 'orange' category industries, meaningful environmental regulatory regime was imperative which require revision of the existing policy framework. Further, the Hon'ble NGT also stated that 'auto renewal policy results in pollution remaining unchecked', and;

WHEREAS, Hon'ble NGT stated that there is need for further reduction of period of inspections and increase in frequency with regard to 'highly polluting 17 categories', 'red category' and 'orange category' industries. Vigilance is also required on 'green category' to verify that 'green' status is being genuinely used. The Hon'ble NGT directed that there is need for the CPCB to ensure revision of such policies in all the States having regard to the data of air and water quality, CEPI, non-attainment cities and polluted water stretches, etc. in said States. The policy should cover inspections with reference to the Water (Prevention and Control of Pollution) Act, 1974 as well as the Air (Prevention and Control of Pollution) Act, 1981, and;

WHEREAS, the Hon'ble NGT in the aforesaid matter directed that the State of Haryana may shorten the period of inspection at higher frequencies preferably as follows:

Period of mandatory inspections:

- | | | |
|-------------------------------------|---|----------------|
| a) Highly polluting 17 Category | : | 3 months |
| b) Other Red Category | : | 6 months |
| c) Orange Category | : | 1 year |
| d) Green Category | : | 2 years |
| e) CBWTF/CHWSRDF/ CMSWTDF/CETP/STP: | | 3 months, and; |

WHEREAS, the Hon'ble NGT also directed that these timelines and other changes may be followed by the CPCB for other States under Section 18 of the Water (Prevention and Control of Pollution) Act, 1974/Air (Prevention and Control of Pollution) Act, 1981 unless there are reasons for exception for any particular State, and;

NOW THEREFORE, in a view of the above and in exercise of the powers delegated to the CPCB under section 18(1)(b) of Water (Prevention and Control of Pollution) Act, 1974 and 18(1)(b) of the Air (Prevention & Control of Pollution) Act, 1981, all SPCBs/

PCCs are directed to ensure that for environmental surveillance, industries are inspected preferably at the frequency as mentioned below, unless there are reasons for exception for any particular State:

Sl. No.	Industrial Category/Facility	Frequency of Mandatory Inspection for Environmental Surveillance*
1.	Highly Polluting 17 Category Industries	3 months
2.	Red Category (Other than 17 category industries)	6 months
3.	Orange Category Industries	1 year
4.	Green Category Industries	2 years
5.	CBWTF/ CHWSRDF/ CMSWTDF/ CETP/ STP	3 months

(*States/UTs following more aggressive timelines can continue to do so)

The SPCBs/PCCs shall acknowledge receipt of these directions and submit action taken report (ATR) in compliance of these directions to CPCB within 15 days from receipt of directions.

(S. P. Singh Parihar)
Chairman

Copy to:

1. The Joint Secretary
(CP Division)
Ministry of Environment, Forests
& Climate Change
Indira Paryavaran Bhawan
3rd Floor, Prithivi, Aliganj,
Jor Bagh Road
New Delhi -110 003

2. All Regional Directors, CPCB

3. Divisional Head,
IT Division, CPCB

: (with a request to upload the copy of
Directions on CPCB website)

(Prashant Gargava)

Address List of SPCBs/PCCs

1.	The Chairman Andhra Pradesh State Pollution Control Board D.No. 33-26-14 D/2, Near Sunrise Hospital, Pushpa Hotel Centre, Chalmvari Street, Kasturibaipet, Vijayawada- 520010 Andhra Pradesh	2.	The Chairman Arunachal Pradesh State Pollution Control Board 'ParyavaranBhavan', Yupla Road, PappuNallah, Naharlagun – 791110 Arunachal Pradesh
3.	The Chairman Assam State Pollution Control Board Bamunimaidan, Guwahati – 781021 Assam	4.	The Chairman Bihar State Pollution Control Board PariveshBhawan, Plot No.N-B/2, Patliputra Industrial Area Patna-800023
5.	The Chairman Chhattisgarh Environment Conservation Board ParyavasBhawan, North Block Sector-19 NayaRaipur – 492 099 Chhattisgarh	6.	The Chairman Goa State Pollution Control Board Dempo Tower, EDC Plaza, 1 st floor Patto Plaza, Panaji, Goa – 403001
7.	The Chairman Gujarat State Pollution Control Board Sector 10-A, Gandhi Nagar – 382043 Gujarat	8.	The Chairman Haryana State Pollution Control Board C-11, Sector 6, Panchkula, Haryana 134109
9.	The Chairman Himachal Pradesh State Pollution Control Board ParyavaranBhavan, Phase III, New Shimla – 171009 Himachal Pradesh	10.	The Chairman J&K State Pollution Control Board, Parivesh Bhawan, Forest Complex Gladni, Narwal, transport Nagar, Jammu-180004 Jammu and Kashmir
11.	The Chairman Jharkhand State Pollution Control Board T.A Building, HEC Campus, P.O. Dhurwa Ranchi – 834004 Jharkhand	12.	The Chairman Karnataka State Pollution Control Board ParisaraBhavan, 4 th & 5 th floors, Church Street, Bangalore – 560 001 Karnataka
13.	The Chairman Kerala State Pollution Control Board Plamoodu Junction, Pattam Palace P.O. Thiruvananthapuram – 695004 Kerala	14.	The Chairman Maharashtra State Pollution Control Board Kalpataru Point, 3 rd & 4 th floors Sion Matunga Scheme Road No. 6 Opp. Cine Planet, Sion Circle, Sion (E), Mumbai 400 022 Maharashtra
15.	The Chairman Madhya Pradesh State Pollution Control Board ParyavaranParisar, E-5 Arera Colony Bhopal – 462016 Madhya Pradesh	16.	The Chairman Manipur State Pollution Control Board Lamphelpat, Imphal West D.C. Office Complex – 795004 Manipur
17.	The Chairman Meghalaya State Pollution Control Board Arden, Lumpyngngad, Shillong – 793014 Meghalaya	18.	The Chairman Mizoram State Pollution Control Board New Secretariat Complex, Khatla, Thlanual Peng, Aizwal Mizoram- 796001
19.	The Chairman Nagaland State Pollution Control Board Signal Point, Dimapur, Nagaland – 797112 Nagaland	20.	The Chairman Odisha State Pollution Control Board ParibeshBhawan A-118, Nilakanta Nagar, Unit –VIII, Bhubaneshwar – 751012. Odisha

21.	The Chairman Punjab State Pollution Control Board Nabha Road, ITI Rd, Adarsh Nagar, Prem Nagar, Patiala - 147001. Punjab	22.	The Chairman Rajasthan State Pollution Control Board A-4 Institutional Area, JhalaneDungri Jaipur – 302004. Rajasthan
23.	The Chairman Sikkim State Pollution Control Board State land Use & Environment Cell Govt. of Sikkim, Deorali, Gangtok. Sikkim	24.	The Chairman Tamil Nadu State Pollution Control Board No. 76, Mount Salai, Guindy, Chennai - 600032. Tamil Nadu
25.	The Chairman Telangana State Pollution Control Board ParyavaranBhavan A-3, Industrial Estate, Sanath Nagar, Hyderabad – 500 018. Telangana	26.	The Chairman Tripura State Pollution Control Board PariveshBhawan, Pt. Nehru Complex, Gorkhabasti P.O., Kunjaban, Agartala, West Tripura - 799 006. Tripura
27.	The Chairman Uttarakhand Environment Protection & Pollution Control Board 29/20, Nemi Road, Dehradun – 248001. Uttarakhand	28.	The Chairman Uttar Pradesh State Pollution Control Board Building.No. TC-12V VibhutiKhand, Gomti Nagar, Lucknow– 226010. Uttar Pradesh
29.	The Chairman West Bengal State Pollution Control Board ParibeshBhavan Building, No.10-A, Block –LA, Sector 3, Salt Lake City, Kolkata – 700 091. West Bengal		
30.	The Chairman Andaman & Nicobar Islands Pollution Control Committee Department of Science & Technology Dollyganj Van Sadan, Haddo P.O., Port Blair-744102 Andaman & Nicobar	31.	The Chairman Chandigarh Pollution Control Committee ParyavaranBhawan Madhya Marg, Sector - 19 B, Chandigarh – 160019. Chandigarh
32.	The Chairman Daman, Diu & Dadra Nagar Haveli Pollution Control Committee Office of the Deputy Conservator of Forests Moti Daman, Daman – 396220. Daman & Diu	33.	The Chairman Delhi Pollution Control Committee 4 th floor, ISBT Building, Kashmeri Gate, Delhi - 110006. Delhi
34.	The Chairman Lakshadweep Pollution Control Committee Lakshadweep Administration Department of Science, Technology & Environment Kavarati – 682555. Lakshadweep	35.	The Chairman Puducherry Pollution Control Committee Department of Science, Technology & Environment Housing Board Complex, 3 rd floor, Anna Nagar, Pondichery – 600 005