



No.B-19004/WQM-II/CPCBTPA/2020-21

By Speed Post

Date: 03.11.2020

To

9721
Member Secretary,
Uttar Pradesh Pollution Control Board
Building No. TC-12V, Vibhuti Khand, Gomti Nagar,
Lucknow-226 010 Uttar Pradesh

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

WHEREAS, the Central Pollution Control 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;

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;

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 (PCCs) and to provide technical assistance and guidance to SPCBs / PCCs;

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;

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

WHEREAS, Grossly Polluting Industries (GPIs) are defined as industrial units having potential to discharge 100 kg/day BOD load and/or handling hazardous chemicals as specified in Manufacturing, Import and Storage of Hazardous Chemicals Rules 1989 and as amended;

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, Jharkhand, Bihar, Delhi, Haryana and West Bengal have been identified as GPIs having potential to discharge effluent directly or indirectly into the rivers Ganga & Yamuna through drains or tributaries, which cause adverse effect on the water quality of these rivers and their tributaries;

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

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

WHEREAS, a meeting was held on August 07, 2020 with officials of CPCB, NMCG, SPCBs, SMCGs and technical institutions to discuss modalities of annual inspection of GPIs wherein the following decisions were taken:

- i. Technical institutions shall be engaged for carrying out the compliance verification of the grossly polluting industries located in the basin of rivers Ganga & Yamuna and their tributaries w.r.t. notified norms and consent conditions.
- ii. Concerned SPCBs and SMCGs shall nominate a nodal officer who will coordinate with technical institutions for participation in joint inspection.
- iii. Technical institutions shall inform the Nodal Officer of SPCBs and SMCGs/DGCs about the region to be inspected one week in advance. Joint team shall meet on the fixed spot/location on the day of inspection. The industry(s) to be visited shall be selected randomly using App, to maintain surprise element. Team leader of technical institutes shall ensure surprise inspection.
- iv. GPIs found temporarily closed during 2019 inspections shall be prioritized for inspection.
- v. Regarding analysis of samples, preference shall be given to laboratories recognized under Environment (Protection) Act and Water Act. In case of non-availability, institute having adequate laboratory facility, may use their own lab for sample analysis.
- vi. All inspection reports shall be forwarded to concerned SPCBs within 15 days of inspection by the technical institutions.
- vii. Dry inspection reports shall be prepared at site during industry visit and shall be signed by all participating officials including officials from SPCBs/SMCGs.
- viii. Concerned SPCBs shall take appropriate action within 15 days of receipt of inspection report. Details of action taken shall be uploaded on CPCB Portal as well.
- ix. In case of non-compliance, SPCBs shall issue directions within 15 days of receipt of inspection report. Further, in case of show Cause Notices the unit shall be re-inspected and closure directions shall be issued in case of non-compliance within 30 days. Follow up inspections of show cause notices shall be carried out by SPCB officials.

- x. Regarding temporarily closed units, concerned ROs shall intimate in advance. Closure directions shall be issued by SPCBs to temporarily closed units except seasonal and already intimated units. After consideration of re-opening request, unit shall be re-inspected by joint team consisting of technical institutes. SPCBs shall issue closure directions to units which were found temporarily/permanently closed during inspections.
- xi. SPCBs shall issue show cause notices/closure directions following appropriate procedures in case of non-complying GPIs.
- xii. SPCBs shall follow the guidelines prepared by CPCB for initiating action, based on the inspection reports of the technical institutes, as well as for revocation of closure directions.
- xiii. Concerned SPCBs shall submit a tabulated weekly report on reports processed and action taken during week preceding on every Monday; and

WHEREAS, Central Pollution Control Board vide letter dated September 24, 2020 and October 13, 2020 issued sanction order to authorize the following technical institutions for carrying out inspection of GPIs during October-December 2020:

- 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 Jadhavpur University, Kolkata, West Bengal
- 9 Aligarh Muslim University, Aligarh (AMU), Uttar Pradesh
- 10 Jamia Millia Islamia University, New Delhi (JMI)
- 11 Harcourt Butler Technical University (HBTU), Kanpur, Uttar Pradesh
- 12 National Sugar Institute, Kanpur, Uttar Pradesh
- 13 National Environmental Engineering Research Institute, Delhi
- 14 CSIR-Indian Institute of Toxicology Research, Lucknow
- 15 Muzaffarpur Institute of Technology, Muzaffarpur, Bihar
- 16 Vasantdada Sugar Institute, Pune

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 the following:

1. SPCBs shall nominate one senior officer as Nodal Officer to coordinate with CPCB and technical institutes for organizing inspections and follow-up actions. The concerned nodal officer of SPCBs shall coordinate with technical institutions and also ensure participation of SPCB officials in the joint inspection.
2. The concerned SPCB officials participating in the joint inspection shall sign inspection reports at the inspection site.
3. In case samples are being analyzed by SPCB labs, sample results shall be provided to the institutions within 15 days of samples being made available to labs.
4. SPCBs shall submit a tabulated weekly report on status of inspection reports processed and action taken on weekly basis for preceding week on every Monday.
5. SPCBs shall process inspection reports of inspections carried out either jointly or by technical institutions and take appropriate action within 15 days. Details of action taken shall be uploaded on CPCB Portal as well.
6. In case of non-compliance, SPCBs shall issue show-cause notices/closure directions following appropriate procedures within 15 days of receipt of inspection reports. Further, in case of Show Cause Notices, the unit shall be re-inspected and closure directions shall be issued in case of non-compliance within 30 days. Follow up inspections of show cause notices shall be carried out by SPCB officials.
7. Regarding temporarily closed units, concerned ROs shall intimate in advance. Closure directions shall be issued by SPCBs to temporarily closed units except seasonal and already intimated units. After consideration of re-opening request, unit shall be re-inspected by joint team consisting of technical institutes. SPCBs shall issue closure directions to units, which were found temporarily/permanently closed during inspections.
8. SPCBs shall follow the guidelines prepared by CPCB for initiating action, based on the inspection reports, as well as for revocation of closure directions.
9. The information of action taken on inspection reports along with a copy of directions shall be submitted through the web portal developed by CPCB for this purpose.

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

(Shiv Das Meena)
CHAIRMAN

Copy to:

1. 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. Joint Secretary (CP Division), : for kind information please
Ministry of Environment, Forests, & Climate
Change, Indira Paryavaran Bhawan, Jorbagh Road,
New Delhi - 110013
3. Regional Director, Regional Directorate (North), : for kind information and to
Central Pollution Control Board, ensure compliance of the
PICUP Bhawan, Vibhuti Khand, direction please
Gomti Nagar, Lucknow - 226 010
4. Incharge, IT Division, CPCB : for uploading on CPCB website
5. Master File, CPCB : to keep record


(Prashant Gargava)
MEMBER SECRETARY