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To

The Chairman,
Bihar State Pollution Control Board,
Parivesh Bhawan, Plot No. NS-B/2
Paliputra Industrial Area,
Patliputra, 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 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; 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 (PCCs) 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 CETPs more stringent than those notified by the Central Government, under the Environmental (Protection) Act, 1986 and rules framed there under; and

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; 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, 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; and

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; 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 October 01, 2021 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 GPIs located in the basin of rivers Ganga & Yamuna and their tributaries w.r.t. notified norms and consent conditions.
- ii. Concerned SPCBs and SMCGs/DGCs shall nominate a nodal officer who will coordinate with technical institutions for participation in joint inspection. SPCBs shall attach one officer with each technical institute to facilitate the surprise inspection.
- iii. Concerned SPCBs shall nominate officer of rank of Scientist B or above to participate in inspections.
- iv. Closure directions shall be issued by SPCBs to temporary 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.
- v. If technical institutes are not allowed to enter in industries, SPCBs shall issue closure direction and random inspection of such units shall be carried out by technical institutes/SPCB officials.
- vi. In case of non-compliance, SPCBs shall issue directions 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.
- vii. 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.

- viii. SPCBs shall take appropriate action within 15 days. Action will be uploaded on CPCB Portal as well. SPCBs will complete follow up actions on Show cause notices within one month, including issuance of closure directions in case of non-compliance.
- ix. Concerned SPCBs shall provide the complete list of GPIs in their state. If any additional GPI is found after finalization of list, environmental compensation shall be levied against concerned SPCB.

AND WHEREAS, Central Pollution Control Board vide letter dated December 06, 2021, December 29, 2021 and February 21, 2022 issued sanction order to authorize the following 24 technical institutions for carrying out inspection of GPIs during December 2021 - March 2022:

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
17	Pollution Control Research Institute, Haridwar
18	Indian Institute of Engineering Science and Technology, Shibpur
19	CSIR-Central Leather Research Institute
20	National Institute of Technology Durgapur
21	ICAR-National Dairy Research Institute, Karnal
22	Central University of South Bihar, Gaya
23	Jharkhand University of Technology, Ranchi
24	Guru Gobind Singh Indraprastha University, Delhi

AND WHEREAS, the inspection of GPIs commenced w.e.f. December 10, 2021 and completed on April 13, 2022. Out of 66 GPIs in Bihar, reports of 65 GPIs have been made available to BSPCB through web-portal. Out of 65 reports available with BSPCB, till date action is initiated against only 60 GPIs and action against 05 GPIs are still pending. The progress in initiation of actions by BSPCB, based on reports provided by technical institutes is slow; 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 the following:

1. BSPCB shall follow the guidelines prepared by CPCB for issuance & revocation of directions based on industrial inspections (*Annexure-1*).
2. BSPCB shall take appropriate action within 15 days of receipt of inspection report. Action to be uploaded on CPCB GPI portal (<https://frontend.gangagpis.in/>).
3. In case of by-pass of effluent/non-operational ETP/non-cooperation by industries, closure direction including levying environmental compensation shall be issued to those units where action is yet not taken. Unit shall also be directed to submit the action plan to curb the pollution and adequacy assessment report of their effluent treatment plant (ETP) and same may be forwarded to CPCB within 30 days.
4. Follow up actions on Show cause notices to be completed within one month, including issuance of closure directions in case of non-compliance.
5. In case of non-compliance, BSPCB shall issue directions 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 BSPCB officials.
6. Closure directions shall be issued by BSPCB to temporary 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.
7. If technical institutes not allowed to enter in industries, BSPCB shall issue closure direction including levying of environmental compensation. The compliance verification of such units shall be carried out by technical institutes/ BSPCB officials after request for revocation from the unit.
8. Concerned BSPCB officials participating in the joint inspection shall sign inspection reports at the inspection site.
9. In case samples are being analyzed by BSPCB labs, sample results shall be provided to the institutions within 15 days of samples being made available to labs.

10. BSPCB shall submit a tabulated weekly report on status of inspection reports processed and action taken on weekly basis for preceding week on every Monday.

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

(Naresh Pal Gangwar)
CHAIRMAN

Copy to:

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| 1. Director General,
National Mission for Clean Ganga
(MoWR, RD & GR)
1 st Floor, Major Dhyan Chand National
Stadium,
India Gate, New Delhi - 110002 | : for kind information please |
| 2. Joint Secretary (CP Division),
Ministry of Environment, Forests & Climate
Change, Indira Paryavaran Bhawan,
Jorbagh Road,
New Delhi - 110013 | : for kind information please |
| 3. Regional Director,
Regional Directorate (East),
'South end Conclave' Block-502,
5th & 6th Floor,
1582, Razidanga, Main Road,
Kolkata-700107 | : for kind information and to
ensure compliance of the
direction please |
| 4. Incharge, IT Division, CPCB | : for uploading on CPCB website |
| 5. Master File, CPCB | : for record |


(Prashant Gargava)
MEMBER SECRETARY