



केन्द्रीय प्रदूषण नियंत्रण बोर्ड
CENTRAL POLLUTION CONTROL BOARD
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय भारत सरकार
MINISTRY OF ENVIRONMENT FOREST & CLIMATE CHANGE GOVT OF INDIA

F.No PJ-14011(11)/2/2021-WQM-II-HO-CPCB-HO-Part(2)

1243 Date: 18.05.2023

To

Member Secretary,
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 ANNUAL INSPECTION OF GROSSLY POLLUTING INDUSTRIES (GPIs) UNDER NAMAMI GANGE PROGRAMME

WHEREAS, the Central Board, has delegated powers vested under Section 18 (1) (b) of the Water (Prevention & Control of Pollution) Act 1974 to the Member Secretary, Central Pollution Control Board vide its resolution made in 196th Board meeting dated 29th March, 2022 to issue direction under Section 18 (1) (b) of the Water (Prevention & Control of Pollution) Act, 1974 to State Boards; 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

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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, it has been decided that inspection of Grossly Polluting Industries (GPIs) operating in river Ganga & Yamuna main stem states should be made an annual exercise under Namami Gange Programme and joint teams of experts/officials from third party technical institutes like IITs, NITs etc, SPCBs, State Mission Clean Ganga (SMCG)/District Ganga Committee (DGC) shall carry out inspections of GPIs; and

WHEREAS, a meeting was held on October 01, 2022 with officials of CPCB, National Mission for Clean Ganga (NMCG), SPCBs and technical institutions to discuss modalities of annual inspection of GPIs (2022-23) wherein following decisions were taken:

- i. Technical institutions shall be engaged for carrying out the inspection of the GPIs located in the main stem states of rivers Ganga & Yamuna and their tributaries to verify the compliance w.r.t. notified norms and consent conditions, ETP adequacy assessment, water audit etc.
- 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 atleast 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 all temporary closed units except GPIs which are seasonally closed or have provided prior intimation of closure to concerned SPCB/CPCB. After consideration of re-opening request, unit shall be re-inspected by joint team consisting of technical institutes and SPCBs.
- v. If technical institutes not allowed to enter in industries, SPCBs shall issue closure direction and random inspection of such units shall be carried out by SPCB officials.
- vi. In case of by-pass reported by technical institutes, SPCBs shall issue suitable directions including issuance of closure direction and levying environmental compensation.
- vii. SPCBs shall take appropriate action within 15 days of receipt of inspection report and upload the same on CPCB Portal.
- viii. In case of non-compliance, SPCBs shall issue directions (either show-cause notice for closure or closure 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.

- ix. 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.
- x. Concerned SPCBs shall provide the complete list of GPIs in their state. If any unit found non-complying and not in the list of GPIs provided by SPCBs, the concerned SPCBs shall be levied environmental compensation.

AND WHEREAS, Central Pollution Control Board vide letter dated January 25, 2023, February 21, 2023, April 24, 2023 and May 01, 2023 issued sanction order to authorize the following technical institutions for carrying out inspection of GPIs during February-May 2023:

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	National Institute of Technology, Patna (NIT-P), Bihar
5	Motilal Nehru National Institute of Technology, Allahabad (MNNIT), Uttar Pradesh
6	Central Pulp & Paper Research Institute (CPPRI), Saharanpur, Uttar Pradesh
7	Jadavpur University, Kolkata, West Bengal
8	Aligarh Muslim University, Aligarh (AMU), Uttar Pradesh
9	Jamia Millia Islamia University (JMI), New Delhi
10	Harcourt Butler Technical University (HBTU), Kanpur, Uttar Pradesh
11	National Sugar Institute (NSI), Kanpur, Uttar Pradesh
12	CSIR-National Environmental Engineering Research Institute, Delhi (CSIR-NEERI)
13	CSIR-Indian Institute of Toxicology Research (CSIR-IITR) , Lucknow
14	Vasantdada Sugar Institute (VSI), Pune
15	Indian Institute of Engineering Science and Technology (IEST), Shibpur
16	CSIR-Central Leather Research Institute (CSIR-CLRI)
17	Delhi Technological University (DTU), Delhi

AND WHEREAS, out of 78 GPIs in Bihar, 46 have been inspected out of which 17 reports have been made available to BSPCB. Out of 17 reports, BSPCB has completed 02 actions. Out of these, 1 unit is reported as self-closed and 01 non-complying. BSPCB has issued show-cause notice to non-complying GPI; and

WHEREAS, 01 case of by-pass of effluent is reported by technical institutes and same has been forwarded to BSPCB and as of now, no action is initiated on such type of industries (*Annexure-I*).

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 nominate a nodal officer who will coordinate with technical institutions for participation in joint inspection. SPCBs shall attach atleast one officer of rank of Scientist B or above with each technical institute to facilitate the surprise inspection.
2. BSPCB shall follow the guidelines prepared by CPCB for issuance & revocation of directions based on industrial inspections (*Annexure-II*).
3. BSPCB shall take appropriate action within 15 days of receipt of inspection report. Action to be uploaded on CPCB GPI portal (<https://cpcbinspection.co.in/gpi/>).
4. In case of by-pass of effluent/unauthorized operation/non-operational ETP/entry denied by industries, closure direction including levying environmental compensation shall be issued to these units. Such GPIs 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.
5. In case of non-compliance, BSPCB shall issue directions (either show-cause notice for closure or closure) 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. Follow up actions on Show cause notices to be completed within one month, including issuance of closure directions in case of non-compliance.
7. Closure directions shall be issued by BSPCB to all temporary closed units except GPIs which are seasonally closed or have provided prior intimation of closure to BSPCB/CPCB. After consideration of re-opening request, unit shall be re-inspected by joint team consisting of technical institutes and SPCB.
8. If technical institutes not allowed to enter in industries, SPCB shall issue closure direction. The compliance verification of such units shall be carried out by technical institutes/BSPCB officials after request for revocation from the industry.
9. BSPCB shall provide complete inventory of GPIs in their state.
10. Concerned BSPCB officials participating in the joint inspection shall sign inspection reports at the inspection site.
11. In case samples are being analysed by BSPCB labs, sample results shall be provided to the institutions within 15 days of samples being made available to labs.
12. 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 report by BSPCB shall be intimated to CPCB within 15 days of receipt of this direction.

(Prashant Gargava)
MEMBER SECRETARY

Copy to:

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.	Additional 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

Agarwal