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No.B-19004/WQM-II/CPCB/TPA/2019-20-858

Date: 14.08.2020

To

District Magistrate,
Housing Colony, Gonda, Uttar Pradesh 271003

DIRECTION UNDER SECTION 5 OF THE ENVIRONMENT (PROTECTION) ACT, 1986

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 State Pollution Control Boards (SPCBs) and Pollution Control Committees (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, Grossly Polluting Industries (GPIs) from sectors 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, Jharkhand and West Bengal have been discharging effluent directly or indirectly into the river Ganga and its tributaries (Ramganga & Kali-East) through drains, having potential to cause adverse effect on the water quality of river Ganga and its tributaries; and

WHEREAS, the Hon'ble NGT judgment dated 13.07.2017 in matter of MC Mehta Vs Union of India, OA no. 200 of 2014 has mandated that no industries, big or small can be permitted to pollute the groundwater, drains, water bodies and environment and in all events the discharge of effluents from the unit has to be strictly in compliance with the prescribed standards. The units shall be liable to be closed and shutdown with immediate effect, in case it is found defaulting; and

WHEREAS, the Hon'ble Supreme Court of India in WP (375 of 2012) passed a judgement dated 22.02.2017 that *"the concerned SPCBs are mandated to carry out inspections, to verify, whether or not, each industrial unit regarding "consent to operate", has a functional primary effluent treatment plant. Such of the industrial units, which have not been able to make their primary effluent treatment plant fully operational, within the notice period, shall be restrained from any further industrial activity. This direction may be implemented by requiring the concerned electricity supply and distribution agency, to disconnect the electricity connection of the defaulting industry. We therefore hereby further direct, that in case the concerned SPCBs make a recommendation to the concerned electrical supply and*

distribution agency/company, to disconnect electrical supply to an industry, for the reason that its primary effluent treatment plant is not functional, it shall honor such recommendation, and shall disconnect the electricity supply to such defaulting industrial concern, forthwith," and

WHEREAS, it has been decided that inspection of GPIs should be made an annual exercise; and

AND WHEREAS, inspection of 1072 GPIs carried out during April-November 2019 by team of officials comprising of experts from Technical Institutions, SPCBs, State Project Management Groups (SPMGs)/District Ganga Committees (DGCs) and all inspection reports were made available to concerned SPCBs by technical institutes for necessary action; and

WHEREAS, concerned SPCBs have taken action against GPIs which were found self-closed and non-complying during inspections; and

WHEREAS, SPCBs issued closure directions under section 33(A) of the Water (Prevention & Control of Pollution) Act, 1974 to 131 GPIs which were found self-closed (110 temporary closed and 21 permanent closed) and non-complying (08); and

WHEREAS, 01 GPI is located in your jurisdiction and list is enclosed at Annexure-I; and

WHEREAS, it has been decided that GPIs which have been issued closure directions by SPCBs/CPCB shall be closed, sealed and power supply be disconnected through concerned District Magistrates (DMs) and reports shall be obtained from DMs;

AND NOW THEREFORE, in view of above observations and in exercise of the power conferred under section 5 of The Environment (Protection) Act, 1986, you are hereby directed to ensure that GPIs located in your jurisdiction which have been issued closure directions under Section 33(A) of the Water (Prevention & Control of Pollution) Act, 1974 by concerned SPCBs (list at Annexure-I) be closed forthwith and ensure that these units do not operate till the permission granted by concerned SPCBs to the unit. For this purpose, industries shall be physically checked, sealed and power supply be disconnected.

The action taken report on each GPI (as per list enclosed) shall be submitted by District Magistrate to CPCB by August 31, 2020. District Magistrate shall acknowledge the receipt of the directions to CPCB immediately.

(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. Chairperson, : for kind information please
Uttar Pradesh Pollution Control Board,
1st Floor, PICUP Bhavan,
Vibhuti Khand, Gomti Nagar, Lucknow - 226010
3. 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
PICUP Bhawan, Vibhuti Khand, ensure compliance of the
Gomti Nagar, Lucknow- 226010 direction please
5. ✓ Incharge, IT Division, CPCB : for uploading on CPCB website
6. Master File, CPCB : to keep record


(Prashant Gargava)
MEMBER SECRETARY

Annexure 1**District wise Industry list (Temporary/Permanent Closed or Closure directions for Non-Compliance)**

S.No	District	Industry name	Sector		Compliance status
1	Gonda	Starlight Bruchem Ltd (Narang Distillery Ltd) Nawabganj Gonda	Distillery	Temporary Closed	Closed by UPPCB