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WEST BENGAL POLLUTION CONTROL BOARD

(Department of Environment, Government of West Bengal)

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Subject :- WBPCB – Ease of Doing Business – Inspection Reform Enablers – Inspection of Establishments (Industries / Health Care Units)

The West Bengal Pollution Control Board is mandated to implement the provisions of the Water (Prevention and Control of Pollution) Act, 1974, the Air (Prevention and Control of Pollution) Act, 1981 and the Environment (Protection) Act, 1986 and Rules made thereunder, for prevention and control of pollution in the state.

Under the provisions of Section 17 (f) of the Water (Prevention and Control of Pollution) Act, 1974 , the Board is responsible for inspecting sewage or trade effluents and works and plants for the treatment of sewage and trade effluents. Under section 17 (e) of the Air (Prevention and Control of Pollution) Act, 1981, the Board is required to inspect air pollution control areas at such intervals as deemed necessary, access the quality of air therein and take steps for the prevention, control or abatement of air pollution. Also, under the provisions of section 23 of the Water (Prevention and Control of Pollution) Act, 1974 and section 24 of the Air (Prevention and Control of Pollution) Act, 1981, any person empowered by the Board has the right to enter and inspect any place for the purpose of examining any control equipment, industrial plant, record, register, documents or any other material object.

Any person who proposes to establish or operate an industry, operations or process which is likely to discharge sewage or trade effluent has to obtain consent from the State Board, under section 25/26 of Water (Prevention and Control of Pollution) Act, 1974 and under section 21 of the Air (Prevention and Control of Pollution) Act, 1981 by submitting prescribed application forms. On receipt of the application for consent, the Board may make such inquiry as it deems fit by following the prescribed procedure before grant of consent. As per the present policy of the Board, the time limit for processing consent applications is 60 days for Red category of industries, 30 days for Orange category of industries, and 15 days for Green category of industries. In accordance with the direction issued by Central Pollution Control Board, the WBPCB has notified the new categorization of Red (High Risk), Orange (Medium Risk), Green (low Risk) and White (lowest risk) industries vide memo no. Memo No. 1512/4A-18/2010 (Pt.I) dated 14.06.2016 which came into effect on 30/06/2016.

Since 2015, the WBPCB, in line with the recommendations of Department of Industrial Policy and Promotion, Ministry of Commerce & Industries, Government of India (DIPP), has taken the following measures to facilitate Ease of Doing Business:

- A system for identifying establishments that need to be inspected based on computerized risk assessment has been designed and implemented. Compliance inspection requirements are differentiated based on category of industry i.e. Red (high risk), Orange (medium risk) and Green (low risk).
- A well-defined inspection procedure and checklist have been uploaded on the Board's website (<http://www.wbpcb.gov.in/writereaddata/files/Inspection-Procedure.pdf>).
- Inspecting officials have been directed to submit inspection reports online within 48 working hours of conducting inspections.

- The system allows users to login to the Board's portal and view and download submitted inspection reports relating to their units.
- A system for computerized allocation of inspectors has been designed and implemented.
- It has been mandated that the same inspector will not inspect the same establishment twice consecutively except in unavoidable circumstances.
- Green category industries with a history of satisfactory compliance have been exempted from environmental compliance inspections.

Compliance inspections are based on categorization of industries viz. Red, Orange and Green (as per CPCB categorization) under the Water (Prevention and Control of Pollution) Act, 1974 and the Air (Prevention and Control of Pollution) Act, 1981. The inspections shall be carried out based on the following schedule:

<i>Risk category</i>	<i>Size of Industry</i>	<i>Frequency of Industry</i>
Red Categories of industries (High Risk)	Identified Grossly Polluting Industries (GPIs) and 17 category of Highly Polluting Industries	To be inspected once in three months
	Identified Seriously Polluting Industries(SPIs) (Other than abovementioned industries)	To be inspected once in a year
	Other Industries	To be inspected once in two years.
Orange Categories of industries (Medium Risk)	Large & Medium Scale Industries	To be inspected once in three years.
	Small Scale Industries	As and when required
Green Categories of industries (Low Risk)	Exempted from inspections. However, inspection may be required only in case of Public complaints, Legal cases or other causes	
Healthcare establishments	Having > 200 beds.	To be inspected once in a year.
	Having >100 but ≤ 200 beds	To be inspected once in two years.

However, in matters related to legal cases / complaints / press clippings / issues referred by Govt. & other authorities, the concerned State Board officials shall carry out inspections as per the instructions issued therein so as to take further action for implementation of various Environmental Acts and Rules.

The Board reserves the right and power as per the provisions laid under Environmental Acts and Rules in vogue to issue directions / orders as deemed fit in the interest of public Health and Environment.

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Member Secretary
West Bengal Pollution Control Board