

BEFORE OF THE HON'BLE NATIONAL GREEN TRIBUNAL

CENTRAL BENCH, BHOPAL (MP)

APPEAL NO. 02 OF 2024

Order dated 18.09.2024

In the matter of

Tahir Hussain

Versus

State of Rajasthan & Ors.

Committee member

1. Sh. Sunil Kumar Meena, Scientist 'E', CPCB, RD-Bhopal
2. Dr. Ranu Chouksey Verma, Scientist 'C', CPCB, RD-Bhopal



**Central Pollution Control Board
Regional Directorate, Bhopal**

Hon'ble NGT order dated 18.09.2024 in Appeal No. 02 of 2024

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Filed by:


(P Jagan)

Regional Director
Central Pollution Control Board

**CPCB Report in Compliance of Hon'ble NGT Order dated
18.09.2024 in Appeal No. 02/ 2024 in the matter of Tahir
Hussain v/s State of Rajasthan & Ors.**

**Hon'ble National Green Tribunal (CZ) vide its order dated 18.09.2024 in
Appeal No. 02 of 2024 directed under Para 5 as:**

Para 5. *“Accordingly, we are of the view to remit the matter to Director, CPCB, Bhopal to formulate two Member Internal Committee of CPCB who will examine the notification by the State Pollution Control Board dated 02.01.2024 and to submit the report whether it contravenes any of the provisions of guidelines issued by the CPCB or the MoEF&CC and as to whether this provision can be aided modifying the previous order exempting the calculation of environmental compensation.”*

Copy of the order dated 18.09.2024 is appended as **Annexure- I**.

In compliance of the Hon'ble NGT directions, following officers were nominated by Regional Director, CPCB, Bhopal for complying the said order. Copy of the office order is enclosed as **Annexure-II**. The details of the nominated officers are as given below:

1. Sh. Sunil Kumar Meena, Scientist 'E', CPCB, RD-Bhopal
2. Dr. Ranu Chouksey Verma, Scientist 'C', CPCB, RD-Bhopal

1.0 Background

This appeal has been filed by the applicant out of impugned Order dated 02.01.2024 passed by Rajasthan Pollution Control Board (further will referred to as RSPCB) whereunder, the order exempting certain provisions to waive the charging of environmental compensation has been passed.

“The Clause ‘D’ of this order says “No environmental compensation would be levied for the back period for which consent to operate has been regularized”.

The copy of this order is appended as **Annexure-III**.

It is contended by the applicant that the order dated 02.01.2024 passed by RSPCB is in contravention of the guidelines issued by the CPCB and exempting the unit's operating without consent from payment environmental compensation is a violation of environmental laws and;

it is against the principle of “Polluter Pays” as directed by the Hon’ble Supreme Court and Hon’ble NGT in various orders.

The chronological details in the matter are mentioned as under:

- RSPCB vide its order dated 12.01.2017 had laid down procedure for seeking gap period fees between expiry of consent to operate and date of submission of next consent application. The copy of the order is enclosed as **Annexure- IV**.
- To streamline the procedure for computation of EC amount and imposition of EC, RSPCB vide order dated 25.06.2019 had constituted an Environmental Compensation Cell and Environmental Compensation Committee (ECC). The copy of the order is enclosed as **Annexure-V**.
- Subsequently, RSPCB vide its order dated 08.01.2020 issued “*Mechanism of Calculation, Imposition & Recovery of Environmental Compensation*” for defaulter units. The copy of the order is enclosed as **Annexure-VI**.
- Later, RSPCB vide order dated 11.08.2023, had dissolved the ECC and it was directed that all cases of EC imposition shall be taken by the concerned Group-In-Charge (GIC). Also, it mentions that Opportunity of Being Heard (OBH)/ show cause notice shall be given to the project proponent before the issue of order for imposition of EC. The copy of the order is enclosed is **Annexure- VII**.
- Further on 02.01.2024 vide office order No. F.14 (5-Adm) RSPCB/3018-3024 RSPCB clarified the “Back Period” as mentioned in their previous order dated 12.01.2017. Also, at Point (D) it mentions that “*No environmental compensation would be levied for the back period for which consent to operate has been regularized*”.
- An amendment was issued by the RSPCB dated 14.02.2024 w.r.t the above office order dated 2.1.2024 where point (d) was clarified to be read as “*No environmental compensation would be levied for the back period for which consent to operate and acknowledgment has been regularized*”. The copy of the amended order is enclosed is **Annexure-VIII**.

2.0 Legal Provisions for issuance of Consent to Establish (CTE) and Consent to Operate (CTO) and actions in case of violation

The Water (Prevention and Control of Pollution) Act, 1974, The Air (Prevention and Control of Pollution) Act, 1981 and The Environmental (Protection) Act, 1986 stipulate that an industry is required to obtain

Consent to Establish (CTE), Consent to Operate (CTO) and applicable clearances & permissions from the State Pollution Control Board before commencing operation. Further, there are provisions for punitive action in case of violation. The key provisions are presented below:

1. The Water (Prevention and Control of Pollution) Act, 1974 (hereafter referred as the Water Act)

- **Section 25 and 26** of the Water Act, 1974 states that no person shall, without the prior consent of the SPCB, establish or take steps to establish any industry, operation, or process likely to discharge sewage or trade effluent into a stream, well, sewer, or land.
- Actions in case of violation as per the amended Water Act, 1974 are:
 - **Under Section 44**, a person shall be liable to pay penalty which shall not be less than ten thousand rupees, but which may extend to fifteen lakh rupees on contravention of section 25 or section 26.
 - **Under Section 45 (A)**, if any person contravenes any of the provisions of this Act or any order or direction issued thereunder, for which no penalty has been provided for in this Act, shall be liable to pay the penalty which shall not be less than ten thousand rupees, but which may extend to fifteen lakh rupees, and where such contravention continues, he shall be liable to pay an additional penalty which may extend to ten thousand rupees for every day during which such contravention continues.
 - **Section 45 (E)(1)** Whoever fails to comply with the provisions of section 25 or section 26, in respect of each such failure, shall be punishable with imprisonment for a term which shall not be less than one year and six months but which may extend to six years and with fine, and in case the failure continues, with an additional fine which may extend to fifty thousand rupees for every day during which such failure continues after the conviction for the first such failure.

2. The Air (Prevention and Control of Pollution) Act, 1981 (hereafter referred as the Air Act)

- **Section 21** of the Air Act, 1981 mandates that no person shall establish or operate any industrial plant in an air pollution control area unless the previous consent of the State Board has been obtained in pursuance of an application made by such person in accordance with the

provisions of this section, provided that the Central Government may in consultation with the Central Pollution Control Board, by notification in the Official Gazette, exempt certain categories of industrial plants from the application of the provisions of this sub-section.

- Action in case of violation as per The Jan Vishwas (Amendment of Provisions) Act, 2023 which amends the Air Act, 1981 are:
 - **Section 39**, If any person contravenes any of the provisions of this Act or any order or direction issued thereunder, for which no penalty has been provided for in this Act, shall be liable to penalty which shall not be less than ten thousand rupees, but which may extend to fifteen lakh rupees, and where such contravention continues, he shall be liable to additional penalty which may extend to ten thousand rupees for every day during which such contravention continues.
 - **Section 39 (D) (1)**, Offences for failure to comply with provisions of section 21 and for failure to pay penalty.—(1) Whoever fails to comply with the provisions of section 21, shall, in respect of each such failure, be punishable with imprisonment for a term which shall not be less than one year and six months but which may extend to six years and with fine, and in case the failure continues, with an additional fine which may extend to fifty thousand rupees for every day during which such failure continues after the conviction for the first such failure.

3. The Environment (Protection) Act, 1986

- **Section 3** and **Section 7**: These sections empower the Central Government to regulate industries and prohibit the discharge of pollutants in excess of prescribed standards. Industries are required to obtain environmental clearances and permissions.
- Action in case of violation as per The Jan Vishwas (Amendment of Provisions) Act, 2023 which amends the E (P) Act, 1986 are:
 - **Section 14A**, if any person contravenes provisions of section 7 or the rules made thereunder, he shall be liable to penalty in respect of each such contravention, which shall not be less than one lakh rupees but which may extend to fifteen lakh rupees. In case the failure or contravention continues, he shall be liable to additional penalty of fifty thousand rupees for every day during which such contravention continues.

- **Section 15**, if any person contravenes or does not comply with any of the provisions of this Act or the rules made or orders or directions issued thereunder for which no penalty is provided, he shall be liable to penalty in respect of each such contravention which shall not be less than ten thousand rupees but which may extend to fifteen lakh rupees. In case the failure or contravention continues, he shall be liable to additional penalty of ten thousand rupees for every day during which such contravention continues.
- **Section 15 (A)** if any company contravenes any of the provisions of this Act, the company shall be liable to penalty for each such contravention which shall not be less than one lakh rupees but which may extend to fifteen lakh rupees. In case company continues contravention, the company shall be liable to additional penalty of one lakh rupees for every day during which such contravention continues.
- **Section 15 (F) (1)** Offence for failure to pay penalty or additional penalty- (1) Where any person fails to pay the penalty or additional penalty, as the case may be, under sections 14A, 14B, 15, 15A or section 15B within ninety days of such imposition, he shall be liable for imprisonment which may extend to three years or with fine which may extend to twice the amount of the penalty or with both.

These provisions are enforced to ensure that the industries comply with environmental standards and obtain mandatory consents & permissions before commencing operations.

To summarize, in case of violations, such as not having Environmental Clearance (EC) or Consent to Establish/ Operate (CTE/CTO) or violation of the prescribed conditions, with potential to cause direct or indirect environmental damage or any other violation of this nature, the Section 45 (A) of the Water Act, 1974, Section 39 of the Air Act, 1981 and Section 15 of E(P)Act, 1986, state that, "if any person contravenes any of the provisions of these Acts or any order or direction issued thereunder, for which no penalty has been provided for in these Act, shall be liable to pay the penalty which shall not be less than ten thousand rupees, but which may extend to fifteen lacs rupees, and where such contravention continues, he shall be liable to pay an additional penalty which may extend to ten thousand rupees for every day during which such contravention continues".

3.0 Principles in Environmental Law

Hon'ble National Green Tribunal in its numerous orders and judgements has emphasized on various principles for strengthening environmental governance and set accountability for environmental damage.

- **"The Polluter Pays Principle"** states that those who cause environmental damage should bear the costs of managing it to prevent harm to human health or the environment. Polluters are required to pay for the cleanup and restoration of the environment, which can include fines, remediation costs, and compensation for affected communities. Various Hon'ble NGT rulings have set precedents where industries have been directed to pay compensation based on the extent of pollution caused.
- **"Public Trust Doctrine"**: Hon'ble NGT orders invoke the Public Trust Doctrine to prevent over exploitation of natural resources and to mandate sustainable development practices. The government has responsibility to protect natural resources for public use and cannot allow private entities to operate in a manner that harms the environment. The NGT has applied this doctrine in various cases involving water bodies, forests, and air quality, asserting that any activity that depletes or damages these resources can be challenged legally.

It is submitted that granting of retrospective consents and regularizing back period violates these principles.

4.0 Previous orders of Hon'ble Supreme Court and NGT in inter-alia matters related to operation without statutory permission and environmental compensation thereunder

There are several important cases where the Hon'ble National Green Tribunal (NGT) and the Hon'ble Supreme Court of India have questioned the regularization of consent for industries operating without mandatory environmental clearances and/or consents. A few landmark cases and orders in this regard are presented below:

1. Sterlite Industries Case (Vedanta Ltd. vs. State of Tamil Nadu and Others, Special Leave Petition (Civil) Nos 10159-10168 OF 2020

Sterlite Industries (a subsidiary of Vedanta) had operated its copper smelter plant in violation to the environmental norms and without consents under the Water Act and Air Act. The Hon'ble Supreme Court

took a strict stance on non-compliance, stating that industries cannot be allowed to operate without the requisite prior consent. The court upheld the closure order issued by the Tamil Nadu Pollution Control Board (TNPCB), rejecting any possibility of regularizing past violations.

2. Alembic Pharmaceuticals Ltd. vs. Rohit Prajapati & Ors (1.4.2020) Civil Appeal No. 1526 of 2016

In this matter, the Hon'ble Supreme Court ordered that while industries should be held accountable for operating without environmental clearances, the closure of operations as directed by the NGT was disproportionate. Instead, the Hon'ble court imposed a compensation of ₹ 10 crores each on Alembic Pharmaceuticals Limited, United Phosphorous Limited, and Unique Chemicals Limited, to be used for environmental restoration. The Hon'ble court emphasized that penalties are necessary to deter non-compliance with legal requirements and issued these directions under Article 142 of the Constitution. This ruling set aside the Hon'ble NGT's decision to revoke environmental clearances and close the industries, but reinforced the principle of environmental accountability through financial compensation.

3. L.G. Polymer Gas Leak Case (O.A. 73 of 2020 order dated 4.6.2020)

The Hon'ble NGT took Suo moto cognizance of the Vishakhapatnam gas leak at L.G. Polymers India, which had been operating without valid environmental clearance. The order dated 4th June 2020 state at Para 36 as “Safety of citizens and environment are of prime concern. Any economic or industrial activity, however necessary, has to be consistent with the safety of human beings and the environment. The damage to human life, human health and environment has to be restored by applying the ‘Sustainable Development’ principle, of which ‘Precautionary’ and ‘Polluter Pays’ principles are part. In this regard, significant role has to be played by the statutory authorities constituted under the Water (Prevention and Control of 38 Pollution) Act, 1974, Air (Prevention and Control of Pollution) Act, 1981 and the Environment (Protection) Act, 1986”.

4. Common Cause vs. Union of India case WRIT PETITION (CIVIL) NO. 114 of 2014 order dated 2.8.2017

The case involved illegal mining operations in Odisha, where mining companies operated without obtaining the necessary environmental clearances. The Hon'ble Supreme Court held that companies cannot continue operations in the absence of clearances, and the court ordered

the payment of compensation under the polluter pays principle for damage caused during the non-compliance period. This case firmed that no retrospective clearances or consents should be allowed, and industries must be penalized for operating without the necessary legal permissions.

5.0 CPCB methodology for imposing Environmental Compensation

The Hon'ble National Green Tribunal (NGT), Principal Bench in the matter of OA No. 593/2017 (WP (CIVIL) No. 375/2012, Paryavaran Suraksha Samiti & Anr. Vs. Union of India & Ors. directed Central Pollution Control Board (CPCB) that:

“The CPCB may take penal action for failure, if any, against those accountable for setting up and maintaining STPs, CETPs and ETPs. CPCB may also assess and recover compensation for damage to the environment and said fund may be kept in a separate account and utilized in terms of an action plan for protection of the environment. Such action plan may be prepared by the CPCB within three months”

In compliance to this, CPCB issued “Methodology for Assessing Environmental Compensation and Action Plan to Utilize the Fund” in August, 2019 where following cases are considered for levying of Environmental Compensation:

- a. Discharges in violation of consent conditions, mainly prescribed standards / consent limits.
- b. Not complying with the directions issued, such as direction for closure due to non-installation of OCEMS, non-adherence to the action plans submitted etc.
- c. Intentional avoidance of data submission or data manipulation by tampering the Online Continuous Emission/Effluent monitoring systems.
- d. Accidental discharges lasting for short durations resulting into damage to the environment.
- e. Intentional discharges to the environment -- land, water and air resulting into acute injury or damage to the environment.
- f. Injection of treated/partially treated/ untreated effluents to ground water.

The CPCB's methodology for assessing Environmental Compensation has not accounted for cases where units are found operating without CTE and CTO, or units operating after the expiration of CTO. As according to the regulatory provisions, obtaining the necessary consents and clearance before initiating operations is a mandatory requirement that must be strictly adhered to. Thus, if an industry is found operating without the necessary permits/ clearance, it should be closed down.

6.0 Rajasthan Pollution Control Board Mechanism for levying Environmental Compensation

Hon'ble NGT in OA No. 710/ 2017 Order dated 12.03.2019 directed that SPCBs are authorized to recover compensation from the polluters or laying down their own scale which should not be less than the scale fixed by CPCB. RSPCB vide its order dated 08.01.2020 issued "Mechanism of Calculation, Imposition & Recovery of Environmental Compensation" for defaulter units. As per the point no. 3 (8) of this document, cases to be considered for levying Environmental Compensation include, "Operating without obtaining prior consent to operate under the Water (Prevention and Control of Pollution) Act, 1974 and Air (Prevention and Control of Pollution) Act, 1981."

As per RSPCB order dated 08.01.2020, Environmental Compensation shall be imposed on the defaulter units which are operating without CTO or have not applied for renewal of CTO after its expiry. The RSPCB Order dated 02.01.2024 is not in-line with this condition of the issued mechanism.

In RSPCB's order dated 02.01.2024, the cases where non-compliance is observed w.r.t. units operating without obtaining CTO or after expiry of CTO, instead the State Board had proposed charging penalty as 'Back Period fee' on pro-rata basis.

The Back Period is defined in the order as:

- i. The period between expiry of consent to operate and date of submission of application for renewal.
 - ii. The period between date of commencement of unit and submission of application for consent to operate in fresh cases.
- In this regard, Regional Directorate, CPCB, Bhopal sought clarification with the RSPCB and discussed on the matter. It was clarified by the

RSPCB that the office order dated 02.01.2024 was issued to streamline the entire procedure for levying environmental compensation on defaulter units. It had been observed that there were cases where units were imposed both the penalty i.e. back period fees and environmental compensation for the gap period for which the units were found operating without obtaining consent from the State Board. So, in order to address the issue, the State Board has passed order dated 02.01.2024.

- The RSPCB's above referred office order dated 02.01.2024 was discussed in the 152nd Meeting of the Board, wherein it was duly acknowledged and appreciated by the Board members. Copy of the Board meeting is enclosed as **Annexure-IX**.

7.0 Submissions of Internal Committee constituted in compliance of Hon'ble NGT Order dated 18.09.2024

1. The committee is of view that obtaining Consent to Establish (CTE) and Consent to Operate (CTO) are the statutory requirements which come under the legal framework for establishment and operation of any unit under the Section 25 of Water (Prevention & Control of Pollution) Act, 1974 and under Section 21 of Air (Prevention & Control of Pollution) Act, 1981.
If an industry is operating without obtaining statutory permissions, regularizing the past period for such defaulter units by charging back-period fees violates the provisions under the Water (prevention & Control of Pollution) Act, 1974 and the Air (prevention & Control of Pollution) Act, 1981.
2. Regularizing defaulter units that have been operating without a valid CTO by imposing "back-period" fees permits these units to operate without accountability for any environmental harm that may have arisen during their unauthorized operations, often conducted without the Pollution Control Board's knowledge. Therefore, it is essential to impose both penalty (in this case, through back-period fees) as a deterrent factor and an Environmental Compensation after case-to-case basis damage assessment to account for damages that have occurred during the period of unauthorized operation.
3. Hon'ble courts in several past inter-alia matters have emphasized that no retrospective regularization shall be considered as these actions violate environmental laws and should not be regularized without

accountability. Both the Hon'ble Supreme Court and Hon'ble NGT have consistently held that industries cannot be granted retrospective clearances or consents under the Water Act, the Air Act, or the Environment (Protection) Act. Prior consent is mandatory. In view of above, it is submitted that regularization of any industry from back period is a violation of environmental laws.

4. The committee submits that granting of retrospective permissions by charging back period fees undermines the consent related regulatory provisions and are not in consonance with the Polluters pay principle and public trust doctrine.
5. The cases of environmental violation where it is difficult to assess the time period for violation, as per Hon'ble NGT order dated 10.07.2019 in OA No. 1038 of 2018 (News item published in "The Asian Age" Authored by Sanjay Kaw Titled "CPCB to rank industrial units on pollution levels"), the Environmental Compensation shall be recovered from such identified polluters at least for five years which is the period specified under Section 15(3) of the National Green Tribunal Act, 2010.
6. In specific cases, where the grave violations are observed and State Board is in the view that damages caused to the environment are of such magnitude that it may require enormous efforts/ money to restore the environment or compensate the affected masses till such restoration completed, a detailed study may be carried out by the Board or by engaging some expert agencies/ institutes to assess such damages and calculate the environmental compensation and cost of restoration to be levied on the polluters. The legal prosecution may also be initiated against such defaulter units.

8.0 Conclusion:

The CPCB's methodology for assessing Environmental Compensation does not account for cases where units are found operating without CTE and CTO, or units operating after the expiration of CTO. As according to the regulatory provisions, obtaining the necessary consents and clearance before initiating operations is a mandatory requirement that must be strictly adhered to. Thus, if an industry is found operating without the necessary permits/ clearance, it should be closed down.

Further, regularizing such defaulter units that have been operating without a valid CTO by imposing "back-period" fees permits these units

to operate without accountability for any environmental harm that may have arisen during their unauthorized operations. Therefore, it is essential to impose both penalty as a deterrent factor and an Environmental Compensation on case-to-case basis where environmental damages may have occurred during the period of unauthorized operation.



(Dr. Ranu C. Verma)
Scientist- C



(Sunil Kumar Meena)
Scientist- E



(P. Jagan)
Regional Director

Item No. 06

**BEFORE THE NATIONAL GREEN TRIBUNAL
CENTRAL ZONE BENCH, BHOPAL**
(Through Video Conferencing)

**Appeal No.02/2024 (CZ)
(I.A.No.13/2024)**

Tahir Hussain

Appellant(s)

Vs.

State of Rajasthan & Ors.

Respondent(s)

Date of Hearing: 18.09.2024

**CORAM: HON'BLE MR. JUSTICE SHEO KUMAR SINGH, JUDICIAL MEMBER
HON'BLE DR. AFROZ AHMAD, EXPERT MEMBER**

For Appellant(s): Ms. Sweksha Prakash, Adv.
Mr. Arun Goswami, Adv.

For Respondent(s): Mr. Prashant Sthapak, Adv.
Ms. Vanshika Dubey, Adv.

ORDER

1. The challenge to this appeal is the order dated 02.01.2024, whereby and whereunder the Rajasthan State Pollution Control Board has passed an order exempting certain provisions to waive the charging of environmental compensation and it is alleged that it is violative of environmental rules.
2. The basic challenge is Clause 'D' which says, "*No environmental compensation would be levied for the back period for which consent to operate has been regularized*".
3. It is further alleged that CPCB has communicated the State Pollution Control Board, Rajasthan that the industrial units are required to obtain consent as per the categorization of the CPCB and the State Board has informed to the authorities and units concerned.

4. Now, the question before this Tribunal is that the directions issued by the State Pollution Control Board is in contravention of the guidelines issued by the CPCB and exempting the past violation is indirectly promoting the operation of units without consent and exempting them from payment of environmental compensation on the cost of environment and further violates the equality of law and rule of law which prevails throughout the country in all the states for calculation of environmental compensation.
5. Accordingly, we are of the view to remit the matter to Director, CPCB, Bhopal to formulate two Member Internal Committee of CPCB who will examine the notification by the State Pollution Control Board dated 02.01.2024 and to submit the report whether it contravenes any of the provisions of guidelines issued by the CPCB or the MoEF&CC and as to whether this provision can be aided modifying the previous order exempting the calculation of environmental compensation.
6. A copy of the order dated 02.01.2024 Annexure-2 issued by the State Pollution Control Board be remitted to the Director, CPCB at Bhopal for further necessary action and to report. Since, the pleadings are complete thus, after receiving this report, the matter be fixed for final hearing. The report be submitted within 30 days.

List it on **07th November, 2024.**

Sheo Kumar Singh, JM

Dr. Afroz Ahmad, EM

18th September, 2024
Appeal No. 02/2024(CZ)
PN



केन्द्रीय प्रदूषण नियंत्रण बोर्ड

क्षेत्रीय निदेशालय (मध्य)

"परिवेश भवन", पर्यावरण परिसर, ई-5, अरेरा कालोनी, भोपाल- 462016

CM-13012/7/2024/LAW-RD-BHOPAL/16890/1202-1203

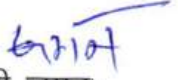
दिनांक: 24 सितंबर, 2024

कार्यालय आदेश

विषय: माननीय एनजीटी द्वारा पारित आदेश के परिपालन से संबंधित।

माननीय एनजीटी के अपील संख्या: 02/2024(CZ) "M/s Tahir Hussain Vs. State of Rajasthan & Ors." में पारित आदेश दिनांक 18/09/2024 के अंतर्गत क्षेत्रीय निदेशक, केन्द्रीय प्रदूषण नियंत्रण बोर्ड, भोपाल को दो सदस्यीय आंतरिक समिति का गठन करने हेतु निर्देशित किया गया है। समिति राजस्थान राज्य प्रदूषण नियंत्रण बोर्ड दिनांक 02.01.2024 की आदेश (छायाप्रति संलग्न) का अध्ययन कर यह जांचेगी कि आदेश सीपीसीबी या एमओईएफ एंड सीसी द्वारा जारी दिशा-निर्देशों के किसी प्रावधान का उल्लंघन तो नहीं करती एवं आदेश का बिन्दु संख्या-D पर्यावरणीय क्षति में छूट देने वाले पिछले आदेश का समर्थन तो नहीं करता। उक्त समिति में इस कार्यालय से श्री सुनील कुमार मीणा, वैज्ञानिक-ई एवं डॉ. रानू चौकसे वर्मा, वैज्ञानिक-ग को नामित किया जाता है। उपरोक्त समिति द्वारा प्रतिवेदन एक माह के भीतर माननीय एनजीटी के समक्ष प्रस्तुत किया जाएगा।

प्रकरण में अगली सुनवाई दिनांक 07/11/2024 को नियत है।


(पी. जगन)
क्षेत्रीय निदेशक

प्रतिलिपि:

1. श्री सुनील कुमार मीणा, वैज्ञानिक-ई, के.प्र.नि.बो., भोपाल
 2. डॉ. रानू चौकसे वर्मा, वैज्ञानिक-ग, के.प्र.नि.बो., भोपाल
- } की ओर कृपया सूचनार्थ एवं पालनार्थ।


क्षेत्रीय निदेशक

Office Copy



Rajasthan State Pollution Control Board

Headquarter : 4, Institutional Area, Jhalana Doongri, Jaipur-302004

Phone : 0141-5159699,5159604 e-mail : member-secretary@rpcb.nic.in

Toll Free Help Line No. : 18001806127 Ext. 7

No. F.14 (5-Adm)RSPCB/3018 - 3024

Date: 21/1/24

ORDER

As per the provisions of Water (Prevention & Control of Pollution) Act, 1974 and/or Air (Prevention & Control of Pollution) Act, 1981 valid consent to operate/ acknowledgement is statutory requirement for operation of units covered under Red, Orange and Green category. Accordingly, no unit of Red/Orange/Green category can operate legally without obtaining valid consent/acknowledgement from Rajasthan State Pollution Control Board (RSPCB).

However, it has been observed that many units in the State are being operated without valid consent of the State Board. Such units may be in any of the following categories:

- Unit did not get the consent renewed timely.
- Unit never applied for consent.

As per prevailing practices in the State Board, consent renewal applications by defaulter units received after expiry of consent to operate is accompanied with additional consent fee i.e. 50% of prescribed fee, if the application is made within 30 days of expiry period and 100% if the application is made after 30 days of expiry of earlier consent.

The "Back Period" mentioned in Board's order dated 12.01.2017 has not been clearly defined. It is therefore defined as below:

- The period between expiry of consent to operate and date of submission of application for renewal.
- The period between date of commencement of unit and submission of application for consent to operate in fresh cases.

Further, Back Period fee on pro-rata basis for Back Period of a year or part thereof is also being charged from such units in addition to the additional consent fee (50% and 100% whichever is applicable). However, consent to operate is not being considered for the gap period and consequently, unit does not get consent for the gap period despite of deposit Back Period fee.

In order to streamline the procedure of charging Back Period fees, the matter has been reviewed and it has been decided that in supersession to previous order no. F12 (PSC-6)/RPCB/2892-2924 dated 12.01.2017 following procedure shall be followed while processing consent applications:-

- The additional consent fee shall be charged on pro-rata basis for Back Period of a year or part thereof. Fee amount per year or part thereof shall be calculated

RajKaj Ref
5267578



Digitally signed by N. V. Jai
Designation: Member Secretary
Date: 2024.01.02 18:09:19 IST
Reason: Approved



Rajasthan State Pollution Control Board

Headquarter : 4, Institutional Area, Jhalana Doongri, Jaipur-302004

Phone : 0141-5159699,5159604 e-mail : member-secretary@rspcb.nic.in

Toll Free Help Line No. : 18001806127 Ext. 7

- commensurate to the applicable fee as per notification i.e. 20% (Red) or 10% (Orange) or 6.67% (Green) of the total consent fee as the case may be.
- b. The grant of Consent to Operate shall be considered for five (Red), ten (Orange) and fifteen (Green) years from date of submission of application and following specific condition shall be incorporated in the renewal letter of Consent to Operate:-
"This Consent to Operate shall also be considered for the period from.....to....."
 - c. The grant of Consent to Operate shall be accorded to the units from date of submission of applications which have never applied for consent to operate at the State Board. The Back Period fee shall be charged from date of commissioning in such cases after proper verification of the authenticity regarding date of commissioning mentioned by the Project Proponent.
 - d. No Environmental Compensation would be levied for the Back Period for which Consent to Operate has been regularised.
 - e. The Back Period fee would not be charged for the period where the unit has not been in operation for a minimum period of one year or more subject to submission of adequate supporting documentary evidence by the Project Proponent.
 - f. No Back Period fee shall be charged in one time acknowledgment cases under the Green category.
 - g. The Back Period fee shall not be charged for violation period in case of closure directions.

It is further clarified that this dispensation would also be applicable in cases where demand of Environmental Compensation raised on account of "Back Period" is yet to be deposited.

(Vijai N.)
Member Secretary

Copy to following for information/ necessary action:-

1. PS to Chairperson, RSPCB, Jaipur.
2. PS to Member Secretary, RSPCB, Jaipur.
3. CEE/CAO/CSO, RSPCB, Jaipur.
4. All Group In-charges, RSPCB, Jaipur.
5. GIC(IT), RSPCB, Jaipur- with directions to upload on Board's website.
6. All Regional Officers, Regional Office, RSPCB.
7. Master file.

Signature Not-Verified

RajKaj Ref
5267578

Digitally signed by N.Vijai
Designation : Member Secretary
Date: 2024.07.02 16:09:19 IST
Reason: Approved



राजस्थान राज्य प्रदूषण नियन्त्रण मण्डल
RAJASTHAN STATE POLLUTION CONTROL BOARD

4, संस्थानिक क्षेत्र, झालाना डूंगरी, जयपुर
फोन नं.: 5101871,5101872, ईपीबीएक्स: 5159600,5159699 फैक्स: 5159694&97

OFFICE-ORDER

Annexure-IV

In supersession to all previous orders/circulars, applicability of consent fee to be deposited by the project proponents for gap period between expiry of consent to operate and date of submission of next consent application is clarified as under:

1. Additional CTO fee shall be charged on pro rata basis for gap period of a year or part thereof. Fee amount per year or part thereof shall be calculated commensurate/ proportionate to the applicable fee as per the notification i.e. 20% (Red) or 10%(Orange) or 6.67% (Green) of the total consent fee as the case may be. However, Grant of consent to operate shall be considered for five/ten/fifteen years from the date of submission of the application as the case may be, subject to the specific condition that :-

"Deposition of consent fee for the gap period i.e. from to shall not entitle the project proponent for ex-post-facto consent for the said period and the State Board reserves the right to initiate legal proceedings in accordance with law against the unit for operating without obtaining prior consent to operate during this period."

2. In case where the unit has not been in operation for a period of one year or more, the consent fee for such period would not be charged, provided the unit submits adequate supporting documentary proof or evidence.
3. If any unit is operated even after confirmation of the closure directions under section 31A/33A of Air/Water Acts or section 5 of the EP Act and/or there is gross violation(s) during the gap period, the fees shall not be charged for this gap period and prosecution has to be launched for violation(s), under the provisions of Water (Prevention and Control of Pollution) Act, 1974 and Air (Prevention and Control of Pollution) Act, 1981.

All concerned are directed to follow above procedure while processing consent applications. This bears approval of the competent authority.

(K. C. A. Arun Prasad)
Member Secretary

Date: 12/1/17

F12 (PSC-6) RPCB/ 2892-2924

Copy to following for information:-

1. P.S. to Chairperson, RSPCB, Jaipur.
2. Sr. P.A. to Member Secretary, RSPCB, Jaipur
3. Chief Environment Engineer, RSPCB, Jaipur.
4. Group In charge,
EC/Hazardous/MSW/BMW/HOP/Textile/CPM/Planning/IT,DF&Cess/MUID/Mines/CD&SCM
G/ Legal, RSPCB, Jaipur.
5. Regional Officer, Regional Office, RSPCB, Kota/Jaipur(S)/Jaipur(N)/Bikaner/Alwar/Udaipur/
Bharatpur/Chittorgarh/Kishangarh/Pali/Sikar/Bhilwara/ Balotra/Jodhpur/Bhiwadi.
6. Master File

Member Secretary



राजस्थान राज्य प्रदूषण नियंत्रण मण्डल
RAJASTHAN STATE POLLUTION CONTROL BOARD
04, झालाना संस्थानिक क्षेत्र झालाना डूंगरी जयपुर-3020004

ईपीबीएक्स: 5 159600, 5 159699 फैक्स: 5 159694-97 www.rpcb.rajasthan.gov.in

OFFICE ORDER

The Hon'ble Supreme Court in Writ Petition Civil No. 375/20012 Paryavaran Suraksha Samiti & Anr. Vs Union of India & Others and Hon'ble National Green Tribunal in Original Application No. 606/2018 Compliance of Municipal Solid Waste Management Rules, 2016 and in several other cases has issued directions to impose Environmental Compensation on all the individuals/units /industries/mines/institutions/entities etc who are causing damage to the environment on the principle of 'POLLUTER PAYS'.

For compliance of the directions passed by the Hon'ble Supreme Court and Hon'ble National Green Tribunal the Environment Compensation Cell' (ECC) is hereby constituted at RSPCB, Headquarter with immediate effect.

This bears the approval of the competent authority.

Sd/-
(Shailaja Deval)
Member Secretary

No. F-10(193-Corres)/RPCB/Plg./E.C./1306-1337

Dated 25.06.2019

Copy to the following for information & necessary action:—

1. PS to Chairperson, Rajasthan State Pollution Control Board, Jaipur.
2. PA to Member Secretary, Rajasthan State Pollution Control Board, Jaipur
3. Chief Environment Engineer, Rajasthan State Pollution Control Board, Jaipur.
4. Chief Accounts Officer, Rajasthan State Pollution Control Board, Jaipur.
5. All the Group Incharges, Rajasthan State Pollution Control Board, Jaipur.
6. Regional Officer, Alwar, Bikaner, Bhiwadi, Bhilwara, Balotra, Bharalpur, Chittorgarh, Kishangarh, Kota, Jodhpur, Jaipur (North), Jaipur (South), Udaipur, Pali, Sikar, Rajasthan State Pollution Control Board.

Sd/-
Member Secretary



Rajasthan State Pollution Control Board

Headquarter, 4, Institutional Area, JhalanaDoongri, Jaipur-302004

Phone :0141-5159699,5159604 e-mail : member-secretary@rpcb.nic.in

TollFreeHelpLineNo. : 18001806127 Ext. 7

OFFICE ORDER

For compliance of directions passed by the Hon'ble Supreme Court and Hon'ble National Green Tribunal, this office has constituted Environmental Compensation Cell as well as Environmental Compensation Committee vide office order no F-10(193-corres)/RPCB/Plg./E.C./1306-1337 and no 1338-1369 dated 25.06.2019.

In continuation to these office orders, the State Board hereby issues mechanism for assessing, imposition and recovery of environmental compensation from the defaulter units, copy enclosed.

The ROs and GICs are directed to submit proposals in accordance with this mechanism.

Environmental Compensation Committee is directed to assess Environmental Compensation from the defaulters accordingly. Committee shall also reassess the Environmental Compensation amount and take necessary action for its recovery in the matter of those units on which interim Environmental Compensation has already been imposed.

This bears approval of the competent authority.

-sd-

(Shailaja Deval)
Member Secretary

F(Env. Comp.-18) RPCB/EG-257+0297

Date: 08/01/2020

Copy to following for information and necessary action:-

1. P.S. to Chairperson, RSPCB, Jaipur.
2. Addn. P.S. to Member Secretary, RSPCB, Jaipur.
3. Chief Environment Engineer, RSPCB, Jaipur/ Chief Scientific Officer, RSPCB, Jaipur/ Chief Accounts Officer, RSPCB, Jaipur/ Head of Office, RSPCB, Jaipur.
4. Group In charge, Environmental Clearance/Hazardous /MSW/BMW& E-waste/Hotel, Oil & Metals /Textile/Cement &Power /Planning/IT/CD&Cess/MUID/Mines/DF/ IEC/VTR/SPIO/Training & Project/SCMG &DS/Legal, RSPCB, Jaipur.
5. Regional Officer, Regional Office, RSPCB, Kota/Jaipur(S)/Jaipur(N)/Bikaner/Alwar/Udaipur/Bharatpur/Chittorgarh/ Kishangarh/Pali/Sikar/Bhilwara/ Balotra/Jodhpur/Bhiwadi.
6. Master File.

Member secretary

Mechanism of Calculation, Imposition & Recovery of Environmental Compensation



Rajasthan State Pollution Control Board

Headquarter, 4, Institutional Area,
Jhalana Doongri,
Jaipur-302004

1. Background

The Hon'ble Supreme Court in Writ Petition Civil No. 375/2012 Paryavaran Suraksha Samiti & Others. Vs Union of India & Others and the Hon'ble NGT in Original Application No. 606/2018 - Compliance of Municipal Solid Waste Management Rules, 2016 and in several other cases has directed the Board to impose Environmental Compensation on all the individuals/ units /industries/ mines/ institution/ entities etc. who are causing damage to the environment on the principle of 'POLLUTER PAYS'.

The Hon'ble National Green Tribunal, in the matter of OA No.593/2011 – Paryavaran Suraksha Samiti and Others. Vs. Union of India and Ors., in the order dated 19.02.2019 directed that:-

"CPCB may take penal action for failure against those accountable for setting up and maintaining STPs, CETPs and ETPs and CPCB may also assess and recover compensation for damage to the environment and the said fund may be kept in a separate account and utilized in terms of an action plan for protection of the environment".

The NGT vide Order dated 12.03.2019 in OA No. 710/2017 held that the SPCBs are also authorized to recover compensation from the polluters or laying down their own scale which should not be less than the scale fixed by CPCB.

The CPCB has developed methodology for assessing environmental compensation for industries and guidelines for assessing environmental compensation charges against health care facilities and common biomedical waste treatment facilities.

The State Board vide orders dated 25.06.2019 has already constituted an Environmental Compensation Cell and Environmental Compensation Committee (ECC). So far, the State Board has been levying interim environmental compensation on defaulters based on its own criteria.

The State Board hereby devises mechanism for assessing environmental compensation on the lines of guidelines/ methodology framed/ suggested by CPCB.

2. Procedure for calculating amount of environmental compensation for industries

The environmental compensation for the industries will be calculated as per the following formula:

$$EC = PI \times N \times S \times LF \times RF$$

Where, EC is the amount of environmental compensation in Rs.

PI is Pollution Index of sector

N is the number of days of violation

S is a factor for scale of operation

LF is location factor

RF is a factor in Rupees for EC, which takes into account the violations on part of the PP

The above variables may be fixed as per following procedure:-

PI (Pollution Index)

The following values of PI have been recommended in the CPCB report:-

Category	Red	Orange	Green
PI	80	50	30

On similar lines, values of PI for industries, hotels, construction projects, hospitals, mines, common facilities etc. are indicated at annexure 'A'.

S (Scale of operation)

Value of S may be taken varying from 0.25 to 1.25 depending upon the scale of operation.

Different values of S has been worked out for Industries, Hotels, Mines, Hospitals, HCEs other than hospitals, construction projects, CETP/ STP, CTDF for HW, CTDF for BMW,

CTDF for E-waste and other activities having only source of pollution such as DG sets. These values are given at Annexure 'B'.

LF (Location Factor)

Value of Location Factor will be based on population of the city/town and location of the industrial activity. For the industrial unit located within municipal boundary or up to 10 Km distance from the municipal boundary of the city/town, following values of location factors (LF) has been taken based on the population of the city/town:

S.No.	Population(in Lacs)*	Location Factor
1	Upto one lac	1.0
2	More than one lac upto 5 lac	1.25
3	More than 5 lac upto 10 lac	1.5
4	More than 10 lac	2.0

**Population of the city/town as per the latest Census of India.*

LF will be 1.0 in case unit is located at a distance > 10Km from the municipal boundary.

RF (Rupee Factor)

Value of RF will include all possible violations and each violation will have different weightage depending upon its gravity/ impact on the environment and RF is equal to sum of 200+ weightages of all violations. However, an upper limit of 300 has been considered which means that the RF will not exceed 300 in any case. Values of weightages of various violations for different sectors are listed at Annexure 'C'.

Note:-

- i. In any case, N (number of days) may be different for various violations. In such case, the amount will be calculated individually for different violations and added.
- ii. In case of results of analysis not conforming to the prescribed standards, the number of days will be counted from the date of collection of sample up to the date of

submission of analysis report (from State Board or laboratory recognized by the RSPCB/CPCB/MoEF& CC) conforming to the prescribed standards after rectifying the shortcomings in pollution control measures by the Project Proponent.

- iii. In case of repetition of violations, the amount of environmental compensation will be increased by 25%, on each repetition.
- iv. Although effort has been made to include all possible violations, which a PP may make, there might be cases of violations which do not fit into any of the category. In such cases, the ECC will decide the weightage and RF of such violation.

3. Guidelines for imposing environmental compensation on violators

Following cases will be considered for taking cognizance of non-compliance and fit for levying Environmental Compensation:-

1. Discharging environmental pollutants in excess of the standards prescribed under EP Rules and/ or prescribed in the consent orders issued under Air /Water Act.
2. Non-compliance of the directions issued by the State Board such as directions under section 33A/ 31A of Water & Air Acts or section 5 of E.P Act or non-adherence to the action plans submitted to the Board etc.
3. Failure to install OCEMS, intentional avoidance of data submission or data manipulation by tampering OCEMS.
4. Accidental discharge of effluent/ emissions for short durations which may cause damage to the environment.
5. Intentional discharge of effluent or emissions including bypassing pollution control devices, which may result in damage to the environment.
6. Discharge or disposal of effluent at a point/ place other than permitted in the consent order or environmental clearance.
7. Failure to prevent discharge of pollutants into water bodies.
8. Operating without obtaining prior consent to operate under the Water (Prevention and Control of Pollution) Act, 1974 and/or Air (Prevention and Control of Pollution) Act, 1981.

9. Operation of Health Care Facilities without authorization under BMW Rules, 2016;
10. No membership of CBWTF for disposal of biomedical waste;
11. Improper Segregation of generated biomedical waste as per color coded system prescribed under BMW Rules, 2016;
12. No facility for pre-treatment of yellow (h) category waste (microbiology, biotechnology and other clinical laboratory waste);
13. Storage facility not provided for segregated biomedical waste (applicable for bedded hospitals);
14. Not provided Effluent Treatment Plant for treatment of wastewater, in case when city sewerage network is not connected to terminal STP; and
15. Non-compliance to other responsibilities as stipulated for Healthcare Facilities under BMW Rules, 2016.
16. Any other violation of Environmental Regulations not covered above which ECC deems fit for imposition of environmental compensation.

Note –

- i) In any case, minimum compensation shall be as under:

1	Hospitals	1200/- per day
2	Common BMW disposal facility	3000/- per day
3	Discharge of untreated/partial treated Sewage (city population more than 15 lacs)	Rs 10crore
4	Discharge of untreated/partial treated Sewage (city population more than 5 lacs upto 15lacs)	Rs 1crore
5	Discharge of untreated/partial treated Sewage (city population more than 1 lacs upto 5lacs)	Rs 10 lac
6	Discharge of untreated/partial treated Sewage (city population upto 1lac)	Rs 5lac
7	Improper Solid Waste Management (city	Rs 5crore

	population more than 15 lacs)	
8	Improper Solid Waste Management(city population more than 5 lacs upto 15lacs)	Rs 1 crore
9	Improper Solid Waste Management(city population more than 1 lacs upto 5lacs)	Rs 10 lac
10	Improper Solid Waste Management (city population upto 1lac)	Rs 5lac
11	Other units	5000 /- per day

- ii) In specific cases, where the Board is of the view that the damages caused to the environment are of such magnitude that it may require enormous efforts/ money to restore the environment or reconstruct/ repair property including damage to crop/ crop yield or compensate the affected masses till such restoration is completed, a detailed study may be ordered to be carried out by ECC through one or more expert agencies/ institutions to assess such damages and work out the cost of restoration and environmental compensation to be levied on polluters. The expenditure incurred on such study (studies) shall be borne by the polluters.
- iii) The formula for working out environmental compensation as given in these guidelines is for causing minor undetectable damages to the environment.
- iv) Number of days for which violation took place is the period between the day of violation observed/due date of implementation /compliance and the day of compliance verified by the Regional Office.

4. Imposition of Interim Environmental Compensation

Since imposition of final EC can be done only after the industry/project proponent rectifies the violation, the ECC may impose interim EC on the basis of period of violation when the violation was detected by the State Board and time period needed to rectify the violations available if any. In case no such time period is available, ECC may impose interim EC based on estimated time by which the violation can be rectified.

However, in all such cases where interim EC has been imposed will be reviewed by ECC for deciding final EC once the violations are completely rectified and verified by the State Board.

5. Procedure to impose Environmental Compensation

Following procedure shall be adopted by GICs and ROs in cases of EC:-

1. Regional Officer will forward the case for imposing EC to the respective GIC with all supporting documents. The GIC at his level may also initiate cases for imposing EC.
2. GIC shall process the case on Group file and decision regarding imposition of EC will be taken after due approval of the Chairperson within a period of 10 days after receipt of complete proposal from Regional Officer.
3. The case for imposition of EC will be forwarded to the EC cell mentioning all the details of violations and grounds on which EC is being recommended on the industry/ mine/ hospital/other units within a period of 7 days. A format of Data Sheet which should mandatorily be enclosed with each case forwarded to ECC for imposing EC is enclosed as annexure 'D'. A soft copy of the proposals with Data Sheet may also be forwarded by the GIC to ECC.
4. The Environmental Compensation Committee (ECC) will consider details furnished in the Data Sheet and take a view on the tentative amount of EC to be imposed within 15 days' time from receipt of the proposal from the GIC.
5. OBH will be given to the PP before Chairperson prior to deciding the final amount of EC for which a show cause notice for intended directions under section 31 A of the Air Act, 1981 and 33 A of the Water Act, 1974 or E.P Act, 1986 will be issued by EC Cell mentioning the ground on which EC is proposed to be imposed and the tentative amount of EC.

6. After the outcome of the OBH, directions to impose EC under section 31 A of the Air Act, 1981 and 33 A of the Water Act, 1974 or E.P Act, 1986 will be issued after due approval of the Chairperson within 10 days from the date on which OBH was held.

6. Mechanism to recover Environmental Compensation

Following procedure will be adopted for recovery of the EC imposed by the State Board:-

1. EC imposed will need to be deposited by PP at concerned Regional Offices within a period of 60 days from issue of directions.
2. In case of failure to deposit EC amount within 60 days, the defaulting PP shall be liable to pay additional 1.5% of the EC amount per month till such payment is made.
3. Concerned Regional Officers will follow up with the units which fail to deposit EC within the stipulated time period through holding of camps, meeting with Associations, or by providing OBH at their level. This process will be completed by ROs within a period of 30 days after expiry of the time by which the EC was to be deposited by the PP.
4. Thereafter, Regional Officers will intimate details of units which fail to deposit EC despite their best efforts to EC Cell with a copy to concerned GIC, along with *correspondence address, e-mail address and mobile numbers. (action to be taken by Regional Officers within next 15 days).*
5. Final OBH will be given to the PP at the Head Office before Chairperson before taking any further action. Suitable time extension may be considered during the OBH based on the facts of each individual case.
6. Names of units which fail to deposit EC amount even after the additional time granted during OBH will be recommended by EC Cell to concerning GICs within a period of 15 days from expiry of additional time for taking action regarding refusal/revocation of consent and issue of closure directions.

7. No new/renewal of CTE/CTO of the defaulter shall be entertained until and unless the EC is deposited.
8. Concerned GIC will ensure that process of refusal/revocation of consent and issue of directions for closure under section 33 A of the Water Act and/or 31 A of the Air Act or section 5 of E.P. Act is completed within a period of 30 days after receipt of recommendation from EC Cell.
9. Legal actions/prosecution/contempt of Hon'ble court/NGT order against the defaulter in accordance with law will also be initiated against the unit by concerned GIC. The legal action may include filing of prosecution against the unit under the provisions of Water/Air Act/EP Act or an execution application before the Hon'ble Tribunal.
10. After expiry of six months by the defaulter in depositing the EC, the concerned District collector shall be requested to recover the EC amount in accordance with law i.e. Rajasthan Public Demand recovery Act, 1952 or any other Act for the time being in force.

7. Mechanism for Appeal

Any person aggrieved by the directions of the State Board regarding imposition of EC may prefer an appeal before the competent authority within 30 days of issue of the directions (competent authority under Air Act is Appellate Authority constituted by the State Government and Hon'ble NGT under Water Act and E.P. Act).

Pollution index			
S. No.	Polluter type	Category	PI
1	Industry	Red	80
2	Industry	Orange	50
3	Industry	Green	30
4	Hotel	Red	80
5	Hotel	Orange	50
6	Construction projects	Orange	50
7	Construction projects	Green	30
8	Hospitals	Red	80
9	HCEs other than hospitals	Red	80
10	Mine	Red	80
11	CTDF (HW)	Red	80
12	CTDF (BMW)	Red	80
13	Land Fill Site (MSW)	Red	80
14	E-waste recycling/refurbishing/dismantling	Red	80
15	CETP/ STP	Red	80
16	Activities/ operations (no industry) and not covered above; like D.G. set etc.	Green / White	30

Annexure-'B'

Industry	S factor			
	micro 0.25	small 0.5	medium 1	large 1.25
Hotel	upto 50 beds	more than 50 beds and less than 300 beds	300 beds or more	
	0.25	0.5	1.25	
Construction projects	built up area less than 20000 sq metre	built up area more than 20000 sq metre and upto 1.50 lac sqm.	built up area more than 1.5 lac sq m. Upto 5 lac sq.m.	built up area more than 5 lac sq.m.
	0.25	0.5	0.75	1.25
Hospitals	upto 20 beds	more than 20 and upto 200 beds	more than 200 and upto 500 beds	more than 500 beds
	0.25	0.5	0.75	1.25
HCEs other than hospitals	Clinics/ dispensaries	Animal houses	Veterinary institutes	
	0.25	0.5	0.5	
Mine	upto 5 ha	more than 5 ha and upto 100 ha	more than 100 ha.	
	0.25	0.5	1.25	
CTDF (HW)	Area of facility upto 10Acre	Area of facility more than 10 upto 20 Acre	Area of facility more than 20 Acre	
	0.25	0.5	1.25	
CTDF (e-Waste)	Area of facility upto 1000 square meter	Area of facility more than 1000 square meter upto 5000 square meter	Area of facility more than 5000 square meter upto 10000 square meter	Area of facility more than 10000 square meter
	0.25	0.5	0.75	1
CTDF (BMW)	Bed connected with facility upto 5000	Bed connected with facility from 5001 upto 10000	Bed connected with facility more than 10000	
	0.25	0.5	1.25	
Land Fill Site(MSW)	Benifited population upto 1 Lac	Benifited population more than 1 Lac upto 5 Lac	Benifited population more than 5 Lac upto 10 Lac	Benifited population more than 10 Lac
	0.25	0.5	1	1.25
CETP/ STP	Design capacity upto 200 kld	Design capacity more than 200 kld and upto 1 MLD	Design capacity more than 1 MLD and upto 10 MLD	Design capacity more than 10 MLD
	0.25	0.5	1	1.25
Activities/ operations not covered above; like D.G. set etc.	D.G. set upto 1 MVA	D.G. set more than 1 MVA and less than 5 MVA	D.G. set of 5 MVA or more	
	0.25	0.5	0.75	

Industry/ Hotel/ Construction projects		Hospital/ HCEs		Mine		CTDF (HW/E-Waste/ BMW/ MSW)		CETP/ STP		Activities/ operations not covered above; like D.G.	
Violation	RF	Violation	RF	Violation	RF	Violation	RF	Violation	RF	Violation	RF
Operating without consent	10	Operating without consent or authorisation	10	Operating without consent	10	Operating without consent or authorisation	10	Operating without consent or authorisation	10	Operating without consent	10
Operating in violation of closure directions	15	Operating in violation of closure directions	15	Operating in violation of closure directions	15	Operating in violation of directions under section 31A/ 33A	15	Operating in violation of directions under section 31A/ 33A	15	Operating in violation of closure directions	15
Abstraction of ground water without permission	20	ETP not provided	20	Violation of EIA Notification or EC conditions	25	Violation of EIA Notification or EC conditions	20	Violation of EIA Notification or EC conditions	20	Inadequate height of DG stack	15
Effluent/ emission not conforming to standards (exceedance more than 25%)	25	No arrangement/ membership for disposal of BMW with CBWTF	30	Indiscriminate disposal of mine waste within lease area	20	Abstraction of ground water without permission	10	Abstraction of ground water without permission	10	Acoustic enclosures not provided with DG set	20
Making discharge of effluent at any place in violation of consent conditions or bypassing SCADA (in case of CETP connected units)	25	Effluent/ emission not conforming to standards (exceedance more than 25%)	25	Indiscriminate disposal of mine waste outside lease area	25	Effluent/ emission not conforming to standards (exceedance more than 25%)	25	Effluent/ emission not conforming to standards (exceedance more than 25%)	25	Making discharge of effluent at any place in violation of consent conditions	25

Manufacturing a product, which is banned/ prohibited	25	Making discharge of effluent at any place in violation of consent conditions	25	Intersection of ground water table or abstraction of without prior permission	10	Making discharge of effluent at any place in violation of consent conditions	25	Making discharge of effluent at any place in violation of consent conditions	25	Violation of consent condition	20
Indiscriminate handling/ storage/ disposal of HW	25	Improper segregation of BMW	15	Inadequate PCM (Air or Water)	20	Not collecting BMW from designated HCES regularly	15	Absence of flow meters at inlet or outlet	10	If handling of HW is involved	25
Adequate PCM not installed	25	Improper storage of BMW	20	Any other violation of Rules	10	Improper storage of waste	20	Improper storage of HW	20	Any other violation of Rules	10
Adequate PCM installed, however not meeting the prescribed standards	10	BMW not collected and disposed within 48 hours	20			Not complying with standards of autoclave/ microwave	20				
					25			OCEMS required but not installed	15		
OCEMS required but not installed	15	Adequate PCM not installed	10			Running without STP	30	Intentional avoidance of data submission or data manipulation by tampering the OCEMS	10		
Intentional avoidance of data submission or data manipulation by tampering the OCEMS	10	Adequate PCM installed, however not meeting the prescribed standards				Running with inadequate capacity of STP	15	Any other violation of the Act/ Rules	10		

Any other violation of Rules	10	Any other violation of Rules	10		OCEMS required but not installed	15			
					Intentional avoidance of data submission or data manipulation by tampering the OCEMS	10			
					Any other violation of Rules	10			
Total (RF)	215	Total (RF)	225	Total (RF)	135	Total (RF)	240	Total (RF)	170
									140

Data sheet for cases forwarded to ECC for imposing Environmental Compensation (EC)

A. General information

1.	Name of establishment/ entity	
2.	Site address	
3.	Distance from the municipal boundary of the nearest city/town (in kilometres)	
4.	Population of the nearest city/town as per latest Census of India(In Lacs)	
5.	District	
6.	Correspondence address	
7.	Unit ID (in MIS, if any)	
8.	Email ID	
9.	Category – Red/ Orange/ Green	
10.	Type (Sector), as per categorization of the Board	
11.	Size- In case of industry (Large/ Medium/ Small/ Micro) In case of hospital (Number of beds) In case of other HCFs whether it is Clinics/dispensaries/animal House/Veterinary institutes In case of Hotel (number of beds and star) In case of mine (lease area)	

<p>In case of CETP/ STP (Capacity in MLD)</p> <p>In case of CTDF for HW(Total land in Acre)</p> <p>In case of CTDF for BMW(No. Of beds connected)</p> <p>In case of CTDF for E-Waste(Total land in Square metre)</p> <p>MSW (Total population of the city/town)</p> <p>In case of building/ construction projects, total built up area</p> <p>In case of D.G. Set(Capacity)</p>	
---	--

B. Details of violations:-

1.	Details of violations for which EC is being recommended.	1.
2.	Period of violation in number of days (If period of violation is not available period from the date of violation observed first time up to date of expected rectification may be given).	
3.	Details of NGT/ court orders if any, for imposing EC on this entity.	

4.	Whether EC imposed in past? (Yes/ No)? If yes; please give following details:- i. Date of issuing directions ii. Amount of EC imposed.	
5.	Remarks	

- Please enclose copy of necessary documents such as the inspection report, analysis reports of samples, copy of show cause notices/directions issued etc.

Signature

With name and designation

Signature

With name and designation



Rajasthan State Pollution Control Board

Headquarter, 4, Institutional Area, Jhalana Doongri, Jaipur-302004

Phone : 0141- 2716804, 2716800 e-mail : member-secretary@rpeb.nic.in

Helpline No. : 0141-2716877

F.14.(5-Adm)RSPCB/Project

1529-1536

Office Order



Annexure-VII

Date: 11.8.23

The Mechanism for imposition of Environmental Compensation (EC) issued vide office order dated 08.01.2020 requires that the cases of imposition of Environmental Compensation should be forwarded to the Group (Env. Comp) for placing before Environmental Compensation Committee (ECC).

This provision to place all matters of EC before ECC was kept for the reason as the concept of imposing EC was new and the process of imposing EC may be streamlined.

Now that the process of imposing EC has streamlined and stabilized, it has been reviewed and considering the fact that the mechanism in place for computation of EC amount is stabilised, it is directed that henceforth the cases of imposition of EC need not be forwarded to the ECC. The action for imposition of EC shall be taken by the concerned Group on following lines:-

1. The action for imposition of Environmental Compensation (EC) against the defaulter units shall be taken by the concerned GIC.
2. The amount of EC shall be computed and following Principle of Natural Justice an Opportunity of Being Heard (OBH)/Show cause notice shall be given to the project proponent before issue of the final order for imposition of EC by the GIC. In this show cause notice, the amount of EC intended to be imposed shall be mandatorily cited.
3. Computation of EC shall be in accordance with the mechanism issued vide office order dated 08.01.2020(as amended) except for the following cases:
 - I. Cases with specific directions/orders of the Hon'ble Court/NGT for imposition of EC and scale of EC/amount have been specified in the order itself.
 - II. Cases of violations of the provisions of the Rules/Notifications issued by the MOEF and CC, GOI where scale of EC is also part of the notification.
 - III. Cases of violations in NCR Region in case, CAQM issues a separate mechanism for imposition of EC in NCR Region.
4. After issuing show cause notice and/or giving OBH to the PP the order for imposing EC shall be issued by the GIC and in case, it is concluded by the GIC to not impose EC, then the case shall be referred to the Member Secretary.
5. The Power delegation Matrix of the Board issued vide office order dated 24.02.2021 is amended to the above extent.

Signature valid

Digitally signed by N. Vijai
Designation: Member Secretary
Date: 2023.08.11 19:20:56 IST
Reason: Approved

RajKaj Ref No. : 4507599





Rajasthan State Pollution Control Board

Headquarter, 4, Institutional Area, Jhalana Doongri, Jaipur-302004

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Helpline No. : 0141-2716877



All the cases pending for imposition of EC with the Group (Env. Comp) as on date shall be returned to the respective Groups for further processing on above lines. The GICs shall also check the record, for more such cases pending for imposing EC and if so, shall process such cases also on above lines.

With above arrangement coming into force the Environmental Compensation Committee (ECC) is dissolved.

This order shall come into force with immediate effect.

(Vijai N.)
Member Secretary

Date: 11.8.23

F.14.(5-Adm)RSPCB/Project/1529-1536
Copy to the following for information/ necessary action –

1. PS to the Chairperson, RSPCB, Jaipur.
2. PS to the Member Secretary, RSPCB, Jaipur.
3. CEE/CSO/CAO, RSPCB, Jaipur
4. Group In-charge/OGM/ HBC/ Mines & SCMG/ CPP, Env.Comp./ CD/ PDF/ Legal/ HSW/ MSW/ E-waste/ Project/ BMW/ MUID/ Textile/ Liquid Waste/ IT & Plastic / Planning/ RTI/ VTR/OCEMS, RSPCB, Jaipur.
5. GIC(Env.Comp.) RSPCB, Jaipur with directions to transfer all the cases pending for imposition of EC as on date to the respective Groups within 7 days. All the record of Group (Env. Comp) shall also be transferred to the respective Groups within 7 days.
6. Regional Officer, RSPCB Alwar/ Bhiwadi/ Bharatpur/ Bikaner/ Balotra/ Bhilwara/ Bansawara/ Bundi/ Chittorgarh/ Hanumangarh/ Jaipur (North)/ Jaipur (South)/ Jhunjhunu/ Jhalawar/ Jaisalmer/ Jodhpur/ Kota/ Kishangarh/ Nagaur/ Pali/ Rajsamand/ Sikar/ Sawai Madhopur/ Sirohi/ Udaipur with directions to forward list of cases pending for imposition of Environmental Compensation as on date to the concerned GIC within 7 days.

Member Secretary

Signature valid

Digitally signed by N. Vijai
Designation: Member Secretary
Date: 2023.08.11 19:23:56 IST
Reason: Approved

RajKaj Ref No. : 4507599





Rajasthan State Pollution Control Board

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No.F.14 (5-Adm) RSPCB 3536-3544

Date 14/2/24

ORDER

The State Board vide Order no. F.14 (5-Adm)RSPCB/3018-3024 dated 02.01.2024 has streamlined procedure for charging Back Period Fees while processing Consent Applications.

In partial modification to the aforesaid Order dated 02.01.2024, the point (d) may be read as "No Environmental Compensation would be levied for the Back Period for which Consent to Operate and acknowledgement has been regularized" instead of "No Environmental Compensation would be levied for the Back Period for which Consent to Operate has been regularized".

It is further clarified that the Back Period in all cases shall deemed to be regularized whether back period fees has been recovered in consent cases or exempted in acknowledgement cases,

This bears approval of competent authority.

(Vijai N.)

Member Secretary

No.F.14 (5-Adm) RSPCB 3536-3544

Date 14/2/24

Copy to following for information/ necessary action: -

1. PS to Chairperson, RSPCB, Jaipur.
2. PS to Member Secretary, RSPCB, Jaipur.
3. Joint Secretary, RSPCB, Jaipur.
4. CEE/CAO/CSO, RSPCB, Jaipur.
5. All Group In-charges, RSPCB, Jaipur.
6. GIC(IT), RSPCB, Jaipur- with directions to upload on Board's website.
7. All Regional Officers, Regional Office, RSPCB.
8. Master files

Member Secretary

Signature valid

RajKaj Ref
5578859



Digitally signed by N. Vijai
 Designation: Member Secretary
 Date: 2024.02.14 12:26:21 IST
 Reason: Approved



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Annexure- IX



Minutes of the 152nd Board Meeting held on 21st June 2024

152nd Meeting of the Rajasthan State Pollution Control Board was held on 21st June 2024, at 12.00 Noon at its Head Office, Jaipur. The meeting was attended by following Members/representatives:

1.	Shri Shikhar Agrawal, IAS Chairperson, RSPCB, Jaipur	Chairperson
2.	Shri Sankatha Prasad, Retd. IFS, Jaipur.	Member
3.	Shri Kewalchand Gulechha, Pali.	Member
4.	Smt. Divya Singh, D/o Sh. Sanjay Gurjar, Parshad, Jaipur.	Member
5.	Shri Rajendra Bhatt, IAS Managing Director, Rajasthan State Mines & Minerals Ltd., Udaipur.	Member
6.	Smt. Khyati Mathur, IFS Secretary, Department of Environment and Climate Change, Govt. of Rajasthan.	Member
7.	Shri Aizaz Nabi Khan, Joint Secretary, Finance (Expenditure-III) Department, Govt. of Rajasthan.	Member
8.	Shri R.K. Sethia, Additional Commissioner, Industries and Commerce Department, Govt. of Rajasthan nominee of Commissioner Industries, Govt. of Rajasthan.	Member
9.	Sh. Ashok Choudhary, CE, UDH Department, Jaipur, Govt. of Rajasthan.	Member
10.	Shri Vijai N, IFS Member Secretary, RSPCB, Jaipur.	Member Secretary
11.	Shri Tarun P. Gupta, Sr.RM, RIICO, nominee of Managing Director, RIICO, Jaipur.	-

At the outset, Member Secretary, Rajasthan State Pollution Control Board, Jaipur welcomed the members of Board and thereafter initiated point-wise discussion of agenda items of the Board Meeting.

1. Agenda Item No. 152.01: Confirmation of Minutes of 151st Board Meeting.

Resolution:

152.01: After discussion on the agenda item, the Board members resolved to approve the minutes of the 151st Board meeting.

Signature valid

Digitally signed by N. Vijai
Designation: Member Secretary
Date: 2024.06.22 19:45:32 IST
Reason: Approved





Rajasthan State Pollution Control Board

Headquarter, 4, Institutional Area, Jhalana Doongri, Jaipur-302004
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2. Agenda Item No. 151.02: Compliance of decisions taken in 151st Board Meeting held on 14.09.2023.

Resolution:

152.02: After discussion on the agenda item, the Board members resolved that agenda item no. 151.01, 151.02, 151.03, 151.04, 151.05, 151.06, 151.07, 151.08, 151.09, 151.10, 151.11, 151.12, 151.14, 151.15, 151.16, 151.17, 151.18, 151.20, 151.21, 151.22, 151.23, 151.25, 151.26, 151.27, 151.31, 151.32, 150.12 and 150.13 may be dropped as action has been taken and no further action is required.

It was further directed to expedite compliance of pending matters approved in 151st Board Meeting.

3. Agenda Item No. 152.03: Approval of the Final Accounts of the Board for the financial year 2022-23.

Resolution:

152.03: The Board resolved to approve the Final Accounts (Balance Sheet and Income & Expenditure) of the board for the financial year 2022-2023.

4. Agenda Item No. 152.04: Post facto approval of the Annual Report 2022-23 of State Board.

Resolution:

152.04: The Board resolved to grant post facto approval for the Annual Report of the State Board for the year 2022-23.

5. Agenda Item No. 152.05: Post facto approval for revision of rates for sampling and analysis of sample of water, waste water, soil, hazardous waste, stack emission, ambient air quality and monitoring of noise.

Resolution:

152.05: The Board resolved to grant post facto approval to revise the rates for sampling and analysis of samples (charges for collection and analysis) of water, waste water, soil, hazardous waste, stack emission, ambient air quality, monitoring of noise at par with the rates prescribed by CPCB vide notification dated 23.02.2022.

Signature valid

Digitally signed by N. V. Jai
Designation: Member Secretary
Date: 2024.06.22 19:45:32 IST
Reason: Approved
RajKaj Re
826668



Rajasthan State Pollution Control Board

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6. **Agenda Item No. 152.06: Approval for Auto-renewal system for Consent to Operate under the Water Act, 1974, the Air Act, 1981 and Authorization under various Notification/ Rules under EP Act, 1986 and expansion in capital investment for issuing acknowledgement under Green category upto MSME Sector.**

Resolution:

152.06: The Board resolved to grant the approval for the Auto-renewal system for renewal of Consent to Operate under the Water Act, 1974 and the Air Act, 1981 and Authorization issued under EP Act, 1986 for those industries which are complying the environmental norms and qualify for Green channel system. Further approval accorded to consider MSME units falling under green category for issuing acknowledgement.

7. **Agenda Item No. 152.07: Approval of Purchase of Computers/ Laptops along with Printer/ associated accessories for Board Officials.**

Resolution:

152.07: The Board resolved to grant the approval for the purchase of 100 Computers/ Laptops along with Printer/ associated accessories with an estimated expenditure of about Rs. 1.5 crore.

8. **Agenda Item No. 152.08: Perusal of closure of project titled "Air Pollution control by removal and decomposition of toxic gases, particulate matter and hazardous organic compounds using Nanostructured materials" awarded to IIIT Kota.**

Resolution:

152.08: Board noted the action taken for closure of project titled "Air Pollution control by removal and decomposition of toxic gases, particulate matter and hazardous organic compounds using Nano-structured materials" awarded to IIIT Kota.

9. **Agenda Item No. 152.09: Approval for installation of IOT enabled Plastic Bottle Flaking Machines/ Reverse Vending Machines at 50 locations in Rajasthan.**

Resolution:

152.09: The Board resolved to grant the approval for re-tender for Supply, Installation, Commissioning, Operation and Maintenance of IOT enabled Plastic Bottle Flaking Machines /Reverse Vending Machines for a period of 4 (four) years at 50 locations in Rajasthan by RSPCB.

Signature valid

Digitally signed by N. V. Jai
Designation: Member Secretary
Date: 2024.06.22 19:45:32 IST
Reason: Approved
RajKaj Re
82668



Rajasthan State Pollution Control Board

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10. Agenda Item No. 152.10: Perusal of Environmental Audit Scheme in the State for improving level of regulatory compliances.

Resolution:

152.10: Board perused and appreciated steps taken in meeting long term regulatory compliances through the Environmental Audit Scheme in the State for improving level of regulatory compliances.

11. Agenda Item No. 152.11: Approval for developing "Early Warning and Decision Support System for Air Quality Management in Alwar District".

Resolution:

152.11: Board appreciated the initiatives taken for air quality prediction in Jaipur city and resolved that approval is accorded for developing "Early Warning and Decision Support System for Air Quality Management in Alwar District".

12. Agenda Item No. 152.12: Perusal of sanction of Rs. 11,75,50,000/- to Jaipur Development Authority (JDA) for Construction of 2 nos. of pumping stations and laying 11 km of remaining pipe line for CETP at Sanganer Industrial Area, Jaipur, in the matter of Hon'ble NGT O.A. no. 558/2022 Salman Qasmi vs. State of Rajasthan.

Resolution:

152.12: Board noted the action taken for long standing issue related to Sanganer and perused sanction of Rs. 11,75,50,000/- to Jaipur Development Authority (JDA) for Construction of 2 nos. of pumping stations and laying 11 km of remaining pipe line for CETP at Sanganer Industrial Area, Jaipur, in the matter of Hon'ble NGT O.A. no. 558/2022 Salman Qasmi vs. State of Rajasthan. Board appreciated the efforts made to resolve long standing issues of Sanganer.

13. Agenda Item No. 152.13: Perusal of sanction of Rs 4,45,77,382/- to Deputy Conservator of Forests, Alwar for plantation on both sides of State Highway (SH)-25 to increase in plantation cover and control of road dust suspension in Bhiwadi, Tijara Tehsil.

Resolution:

152.13: Board appreciated efforts being made for air pollution control in Bhiwadi, Tijara and noted sanctioning Rs. 4,45,77,382/- to Deputy Conservator of Forests, Alwar for plantation on both sides of State Highway (SH)-25 to increase in plantation cover and control of road dust suspension in Bhiwadi, Tijara, Tehsil.

Signature valid

Digitally signed by N. V. Jai
Designation: Member Secretary
Date: 2024.06.22 19:45:32 IST
Reason: Approved
RajKaj Res 82668



Rajasthan State Pollution Control Board

Headquarter, 4, Institutional Area, Jhalana Doongri, Jaipur-302004
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Help Line No. : 0141-2716877



- 14. Agenda Item No. 152.14: Perusal of financial assistance for study project titled “Design and Development of Eco-Friendly Material from Agro-Waste for water purification and Bio- Packaging Material preparation” to S.S. Jain Subodh P.G. College, Jaipur of duration 18 months (lab scale) and 12 months (industry scale) and project cost of Rs. 18,71,000/-.**

Resolution:

152.14: Board noted the financial assistance for study project titled "Design and Development of Eco-Friendly Material from Agro-Waste for water purification and Bio-Packaging Material preparation" to S.S. Jain Subodh P.G. College, Jaipur of duration 18 months (lab scale) and 12 months (industry scale) and project cost of Rs. 18,71,000/-.

- 15. Agenda Item No. 152.15: Perusal of Recruitment by RSPCB for vacant post of 59- Junior Scientific Officer, 53-Junior Environment Engineer and 02-Law Officer-II.**

Resolution:

152.15: Board appreciated the steps taken towards filling up these long standing vacancies and noted the action taken for recruitment of 59- Junior Scientific Officer, 53- Junior Environment Engineer and 02-Law Officer-II by engaging of IBPS.

Further, it was also directed that RSPCB shall initiate process of filling up of vacant posts of ministerial cadre and also engage skilled manpower in other streams viz. Information Assistants, Legal Consultants , Statistical officer, skilled computer operator etc. to improve overall performance of Board’s working.

- 16. Agenda Item No. 152.16: Perusal of recent important Orders related to Ease of Doing Business and strengthening of laboratories in the State.**

Resolution:

152.16: Board appreciated the steps taken towards Ease of Doing Business and strengthening of laboratories in the State and noted all such recent Orders.

- 17. Agenda Item No. 152.17: Approval for incentive scheme for informants in urban areas to encourage them to provide information about any storage/ sale / transportation of banned Single-Use Plastic (SUP) items & carry bags and perusal of incentive scheme of financial reward of Rs. 5000/- issued vide order dated 26.04.2023 with respect to information about manufacturing unit producing the banned items.**

Resolution:

Signature valid

Digitally signed by N. V. Jai
Designation: Member Secretary
Date: 2024.06.22 19:45:32 IST
Reason: Approved
RajKaj Res
826668



Rajasthan State Pollution Control Board

Headquarter, 4, Institutional Area, Jhalana Doongri, Jaipur-302004
Phone: 0141-2711263, 0141-2716802 e-mail: member-secretary@rpcb.nic.in
Help Line No. : 0141-2716877



152.17: Board appreciated efforts done to eliminate banned SUPs and carry bags and accorded approval for incentive scheme for informants in urban areas to encourage them to provide information about any storage/ sale / transportation of banned Single-Use Plastic (SUP) items & carry bags) and perused incentive scheme of financial reward of Rs. 5000/- issued vide office order no. F16(Gen-110)/RSPCB/Plastic/181-210 dated 26.04.2023 with respect to information about manufacturing unit producing the banned items.

18. Agenda Item No. 152.18: Strengthening the existing and proposed/approved new laboratories to ensure the quality in fulfilling the State Board Mandate.

Resolution:

152.18: The Board perused the content of the proposal considering the mandate of Hon'ble NGT and CPCB and resolved to accord the approval for purchase of advance and general laboratory instruments/equipment of the cost of approximately 13.82 Cr, for development of laboratories facilities including advanced/ specialized facility.

19. Agenda Item No. 152.19: Providing approval for procurement of Laboratory Consumables on Running Rate Contract Basis for Regional Laboratories & Central Laboratory of Rajasthan State Pollution Control Board having estimate cost of Tender – Two Crore Rupees (Rs. 2 Cr.) approximately.

Resolution:

152.19: The Board resolved to approve for Tendering of Rate Contract for laboratory consumables on Running Rate Contract Basis for Central Laboratory and thirteen Regional Laboratories having amount of approx. two crore rupees (Rs. 2.0 Cr.).

20. Agenda Item No. 152.20: Approval of Revised Budget Estimate for the financial year 2023-2024 and Budget Estimate for the year 2024-2025.

Resolution:

152.20: The Board resolved to approve Revised Budget Estimate for the financial year 2023-2024 and Budget Estimate for the financial year 2024-2025.

21. Agenda Item No. 152.21: Re-structuring and cadre strengthening of the State Board through proposals for creation of new Regional Offices, new laboratories, new posts etc.

Signature valid

Digitally signed by N. Vjai
Designation: Member Secretary
Date: 2024.06.22 19:45:32 IST
Reason: Approved
RajKaj R
82668



Rajasthan State Pollution Control Board

Headquarter, 4, Institutional Area, Jhalana Doongri, Jaipur-302004
Phone: 0141-2711263, 0141-2716802 e-mail: member-secretary@rpcb.nic.in
Help Line No. : 0141-2716877



Resolution:

152.21: The Board resolved to approve Restructuring and cadre strengthening mentioned at Point no. (i) to (v) of the agenda item in partial modification to resolution passed in 151st Board Meeting at 151.24.

After point-wise resolution of agendas, Shri Kewalchand Gulechha, Pali raised the issue related to Travelling and Dearness Allowance of non government Board Members invited to attend the Meetings by the State Board. It was directed to ensure necessary steps for reimbursement of Travelling and Dearness Allowance of non government Board Members during Board Meetings.

Further, Shri Kewalchand Gulechha, Pali also raised the issue of funds for managing the waste water generated from industries and suggested that Nagar Parishad shall also provide waste water to CETPs so that it may be treated and reutilized in large scale and it was deliberated that RSPCB shall initiate necessary action in this regard.

Board Members appreciated efforts made by the State Board in convening Board Meetings at regular intervals.

The meeting ended with vote of thanks to the chair.

(Vijai N.)

Member Secretary

No. F. 14 (152 BM)RPCB/Plg./108-124

Date:22/6/2024

Copy forwarded to following for kind information:-

1. Chairperson, RSPCB, Jaipur.
2. Shri Sankatha Prasad, Retd. IFS, Jaipur.
3. Shri Kewalchand Gulechha, Pali.
4. Shri Radheshyam Somani, Pipad (Sh. Pappu Somani)
5. Smt. Manju Mehra, Mayor, Kota North.
6. Shri Narendra Khodaniya, Chairman, Sagwara.
7. Shri Ram Singh Sanju, Parshad, Jodhpur.
8. Smt. Divya Singh, D/O Sh. Sanjay Gurjar, Parshad, Jaipur.
9. Shri Shankar Chandel, Parshad, Udaipur.
10. Principal Secretary, Dept. of UDH, Govt. of Rajasthan.
11. Commissioner, Industries & Commerce department, Govt. of Rajasthan.
12. Managing Director, Rajasthan State Mines & Minerals Ltd., Udaipur-313004.
13. Managing Director, RIICO, Udhog Bhawan, Tilak Marg, Jaipur.

Signature valid

Digitally signed by N. Vijai
Designation: Member Secretary
Date: 2024.06.22 19:45:32 IST
Reason: Approved



Rajasthan State Pollution Control Board

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Help Line No. : 0141-2716877



14. PS to Member Secretary, RSPCB, Jaipur.
15. Secretary, Department of Environment & Climate Change, Govt. of Rajasthan.
16. Joint Secretary, Finance (Expenditure-III) Department, Govt. of Rajasthan.
17. Chief Engineer (HQ), Public Health Engineering Department, Govt. of Rajasthan.

Member Secretary

Signature valid

Digitally signed by N. Vjai
Designation: Member Secretary
Date: 2024.06.22 19:45:32 IST
Reason: Approved