BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, AT NEW DELHI
ORIGINAL APPLICATION No. 436 of 2023

IN THE MATTER OF:
ASSOCIATION OF FLY ASH PRODUCTS MANUFACTURERS **...PETITIONER**

VERSUS

MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE & ANR.

...RESPONDENT(S)

INDEX

Place: New Delhi
Date: 31.10.2023

Filed By:

Charu Singhal
Advocate
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MOEF&CC
Enrol. No. D/1224-E/1995
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162

BEFORE THE NATIONAL GREEN TRIBUNAL,PRINCIPAL BENCH

AT NEW DELHI

ORIGINAL APPLICATION No. 436 of 2023

IN THE MATTER OF:

ASSOCIATION OF FLY ASH PRODUCTS MANUFACTURER ....PETITIONER

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AFFIDAVIT ON BEHALF OF THE MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE, RESPONDENT NO. 1

I, Nallamolu Subrahmanyam of aged about 37 years, S/o Narasimha Rao, working as Scientist-D at Ministry of Environment, Forest and Climate Change having office at Jor bagh, New Delhi- 110003 do hereby solemnly affirm and state as under:

1. That I, in the capacity of Scientist D at Ministry of Environment, Forest and Climate Change, am fully conversant with the facts of the case and competent to swear this affidavit on behalf of Respondent No 1.

NOTARY R.V. SINGH Advocate Regn.No.2282 Commission Expire on 24-10-2027 Area-Delhi GOVT. OF INDIA

N. Subrahmanyam

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2. That the contents of the application under reply, unless specifically admitted, are denied to the extent that they are inconsistent with the submissions made hereinafter. The annexure accompanying this affidavit is true copy of its original.

3. That the Respondent craves liberty of this Hon'ble Court to file an additional affidavit, if need be, or if so, directed by this Hon'ble Court at any subsequent stage of the present proceedings.

4. That the Answering Respondent, has published the Notification on Utilization of ash from coal and lignite based Thermal Power Plants (hereinafter referred to as TPPs) *vide* S.O. 5481(E) dated 31.12.2021 to achieve 100% utilization by coal and lignite based TPPs. This notification supersedes the Fly ash notification, 1999 S.O. 763(E) dated 14.09.1999 and the subsequent amendments thereof. Copy of the Notification S.O. 5481 (E) is annexed herein as **ANNEXURE R1/I**. The Notification S.O. 5481 (E) dated 31.12.2021, has been further amended *vide* S.O. 6169 (E) dated 30.12.2022. Copy of the Notification S.O. 6169 (E) dated 30.12.2022 is annexed herein as **ANNEXURE R1/II.**

5. That it is respectfully submitted that the notification, have been finalized based on the consultative meetings with various stakeholders, viz, Ministry of Power, Ministry of Steel, Ministry of Mines, Ministry of Coal, TPPs, ash based brick manufacturers etc, before publication of

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Notification containing draft provisions of Ash Utilisation vide G.S.R.285(E) dated 22nd April, 2021 for seeking comments from persons likely to affected.

6. It is respectfully submitted that based on the comments and inputs received from Ministry of Power (Government of India), Ministry of Steel, Ministry of Mines, Ministry of Coal, TPPs, ash based product manufacturers, other stakeholders, and taking into consideration the necessity to protect the environment, the Draft Notification was finalized and was published on 31.12.2021.

7. That the Ash Utilization Notification, 2021 mandates primary responsibilities on every coal or lignite based thermal power plants to ensure 100% utilization of ash generated by it in an eco-friendly manner as given in sub-paragraph (2) of Paragraph A.

8. That the Para A (2) of the Notification prescribes the following eco-friendly purposes for utilization of ash by TPPs;

   i. *Fly ash based products viz. bricks, blocks, tiles, fibre cement sheets, pipes, boards, panels;*

   ii. *Cement manufacturing, ready mix concrete;*

NOTARY R.V. SINGH Advocate Regn.No.2282 Commission Expire on 24-10-2027 Area-Delhi GOVT. OF INDIA

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भारत सरकार, नई दिल्ली
Govt. of India, New Delhi

iii. *Construction of road and fly over embankment, Ash and Geo-polymer based construction material;*

iv. *Construction of dam;*

v. *Filling up of low lying area;*

vi. *Filling of mine voids;*

vii. *Manufacturing of sintered or cold bonded ash aggregate;*

viii. *Agriculture in a controlled manner based on soil testing;*

ix. *Construction of shoreline protection structures in coastal districts*

x. *Export of ash to other countries;*

xi. *Any other eco-friendly purpose as notified from time to time.*

It is respectfully submitted that, eco-friendly purposes are the uses in which TPPs are mandated to utilize the ash and if there is any specific eco-friendly purpose not listed in Para A(2) of the Ash Utilization Notification, 2021 it may be brought to the Committee constituted under Para A(3) of the notification for examination for inclusion in the list.

9. That Para A (3) of the Notification enables for addition of eco- friendly purposes to the existing list mentioned at Para A (2) of the Notification. Moreover, Para A (3) mandates the constitution of a Committee comprising of Chairman, Central Pollution Control Board (hereinafter referred to as CPCB) and having representatives from MoEF&CC, Ministry of Power, Ministry of

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Govt. of India, New Delhi

Mines, Ministry of Coal, Ministry of Road Transport and Highways, Department of Agricultural Research and Education, Institute of Road Congress, National Council for Cement and Building Materials, to examine, review and recommend the eco-friendly purposes of utilisation of ash and make inclusion or exclusion or modification in the list of such ways as mentioned in Subparagraph (2) based on technological developments and requests received from stakeholders.

10. It is respectfully submitted that Para B (1) of Ash Utilisation Notification, 2021 mandates all agencies engaged in construction activities such as road laying, road and flyover embankments, shoreline protection structures in coastal districts and dams within the radius of 300 kms from the lignite or coal based thermal power plants to utilize ash in their activities. The relevant paragraph has been reproduced herein below:

> *(1)All agencies (Government, Semi-government and Private) engaged in construction activities such as road laying, road and flyover embankments, shoreline protection structures in coastal districts and dams within 300 kms from the lignite or coal based thermal power plants shall mandatorily utilise ash in these activities:*
>
> *Provided that it is delivered at the project site free of cost and transportation cost is borne by such coal or lignite based thermal power plants.*

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NOTARY R.V. SINGH Advocate Regn.No.2282 Commission Expire on 24-10-2027 Area-Delhi GOVT. OF INDIA

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M/o Environment,Forest and Climate Change
भारत सरकार, नई दिल्ली
Govt. of India, New Delhi

Provided further that thermal power plant may charge for ash cost and transportation as per mutually agreed terms, in case thermal power plant is able to dispose the ash through other means and those agencies makes a request for it and the provisions of ash free of cost and free transportation shall be applicable, if thermal power plant serves a notice on the construction agency for the same.

12. It is respectfully submitted that Para B (3) of the notification mandates all mines located within 300 kms radius of TPPs to undertake back filling of ash in mine voids or mixing of ash with external overburden dumps, under Extended Producer Responsibility (EPR). The para has been reproduced hereinafter;

(3) It shall be obligatory on all mines located within 300 kilometres radius of thermal power plant, to undertake backfilling of ash in mine voids or mixing of ash with external Overburden dumps, under Extended Producer Responsibility, (EPR). All mine owners or operators (Government, Public and Private Sector) within three hundred kilometres (by road) from coal or lignite based thermal power plants, shall undertake measures to mix at least 25 per cent of ash on weight to weight basis of the materials used for external dump of overburden, backfilling or stowing of mine (running or abandoned as the case may be) as per the guidelines of the Director General of Mines Safety (DGMS):

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Govt. of India, New Delhi

NOTARY
R.V. Singh
Advocate
Regd. No. 2442
Commission
Expire on
24-10-2027
Area-Delhi
GOVT. OF INDIA

Provided that such thermal power stations shall facilitate the availability of required quantity of ash by delivering ash free of cost and bearing the cost of transportation or cost or transportation arrangement decided on mutually agreed terms and mixing of ash with overburden in mine voids and dumps shall be applicable for the overburden generated from the date of publication of this notification and the utilisation of ash in the said activities shall be carried out in accordance with guidelines laid down by the Central Pollution Control Board, Director General of Mines Safety and Indian Bureau of Mines.

Explanation. - For the purpose of this sub-paragraph, it is also clarified that the provisions of ash free of cost and free transportation shall be applicable, if thermal power plants serve a notice on the mine owner for the same and the mandate of using 25 per cent of ash for mixing with overburden dump and filling up of mine voids shall not be applicable unless a notice is served on the mine owner by thermal power plant.

13. It is respectfully submitted that Para B (8) of the notification mandates all building construction projects located within the area of 300 kms from coal or lignite based TPPs to use ash based products. The para reproduced as under,

(8) *All building construction projects (Central, State and Local authorities, Govt. undertakings, other Govt. agencies and all private agencies) located within a radius of three hundred*

NOTARY SINGH Advocate Regn.No.2282 Commission Expire on 24-10-2027 Area-Delhi GOVT. OF INDIA

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Govt. of India, New Delhi

kilometres from a coal or lignite based thermal power plant shall use ash bricks, tiles, sintered ash aggregate or other ash based products, provided these are made available at prices not more than the price mentioned in the Schedule of Rates as specified by Central Public Works Department (CPWD) or concerned Public Works Department (PWD) or price of alternative products, if not mentioned in the Schedule of Rates.

14. That it is respectfully submitted by the answering respondent that based on the directions passed by the Hon'ble Supreme Court in its judgement dated 10.05.2022 in Civil Appeal no. 1692-1693 of 2020 in M/s Aravali Power Co. Pvt. Ltd. Vs. Vedprakash and Anr., the provisions specified in the Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016 have been examined.

15. That it is respectfully submitted that impugned notification is not in contravention with the Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016. It is further submitted that, the Note in the 'Schedule I: The list of processes generating hazardous waste' identifies fly ash as high volume low effect wastes, and has excluded it from the category of hazardous substance. The Note in the Schedule I is reproduced as under:

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M/o Environment, Forest and Climate Change
भारत सरकार, नई दिल्ली
Govt. of India, New Delhi

NOTARY R.V. SINGH Advocate Regd.No.2282 Commission Expire on 24-10-2027 Area-Delhi GOVT. OF INDIA

Note: The high volume low effect wastes such as fly ash, Phosphogypsum, red mud, jarosite, Slags from pyrometallurgical operations, mine tailings and ore beneficiation rejects are excluded from the category of hazardous wastes. Separate guidelines on the management of these wastes shall be issued by Central Pollution Control Board.

The copy of the rules dated 04.01.2016 vide G.S.R no. 395 (E) has been annexed as **Annexure- R1/III.**

16. That is respectfully submitted that Ash Utilisation Notification 2021 has been notified to ensure 100% utilization of ash by coal or lignite based Thermal Power Plants, to protect the environment and prevent the dumping and disposal of fly ash discharged from the coal or lignite based thermal power plants on land and to bring out a comprehensive framework for ash utilization including system of environment compensation based on polluter pay principle.

17. It is respectfully submitted that AshUtilisation Notification, 2021 has stipulated obligations on every coal or lignite based thermal power plants for 100% of utilization of ash vide rules A(1), A(2), A(4) and A(5) as provided in the notification.

18. It is respectfully submitted that, in order to utilize the ash in various eco-friendly purposes, all agencies engaged in construction activities such as road laying, road and flyover embankments, shoreline protection structures in coastal

NOTARY R.V. SINGH Regd. No. 2282 Commission Expire on 24-10-2027 Area-Delhi GOVT. OF INDIA

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भारत सरकार, नई दिल्ली
Govt. of India, New Delhi

districts and dams within 300 kms from the lignite or coal based thermal power plants have been mandated to utilise ash in these activities as provided under B(1) of the notification. That as per B (3) of the Ash Utilisation Notification, it shall be obligatory on all mines located within 300 kilometres radius of thermal power plant, to undertake backfilling of ash in mine voids or mixing of ash with external Overburden dumps, under Extended Producer Responsibility (EPR).

19. It is respectfully submitted that, as per paragraph B(8) of the notification , all building construction projects located within a radius of three hundred kilometres from a coal or lignite based thermal power plant have been mandated to use ash bricks, tiles, sintered ash aggregate or other ash based products.

20. It is respectfully submitted that, paragraph A (7) of the Ash Utilisation Notification, 2021 mandates coal and lignite based TPPs to ensure loading, unloading, transport, storage, disposal of ash in the environment friendly manner and precautions to prevent air and water pollution are to be taken.

21. It is respectfully submitted that, paragraph C(4) Ash Utilisation Notification, 2021, puts the responsibility on the transporters or vehicle owner to deliver ash

NOTARY R.N. SINGH Advocate Regn.No.2282 Commission Expire on 24-10-2027 Area-Delhi GOVT. OF INDIA

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M/o Environment,Forest and Climate Change
भारत सरकार, नई दिल्ली
Govt. of India, New Delhi

to authorized purchaser or user agency and if it is not complied, then an environmental compensation will be imposed.

22. It is respectfully submitted that, paragraph C(4) of the Ash Utilisation Notification 2021 has mandated purchasers and user agencies to utilize ash in an eco-friendly manner as laid down at para B of the notification and if it is not complied, then an environmental compensation will be imposed.

23. It is respectfully submitted that, as per paragraph A(6) of the Ash Utilisation Notification, 2021, power plants have been permitted an emergency or temporary ash pond with an area of 0.1 hectare per Mega Watt (MW). The technical specification of ash ponds or dykes are to be prescribed by the Central Pollution Control Board made in consultation with Central Electricity Authority, which will lay down a procedure for annual certification of the ash pond or dyke on its safety, environmental pollution, available volume, mode of disposal, water consumption or conservation in disposal, ash water recycling and greenbelt, etc.

NOTARY ★ SINGH Regd.No.-2282 Advocate Commission Expire on 24-10-2027 Area-Delhi ★ GOVT. OF INDIA

24. It is further respectfully submitted that, Para C (7) of the Ash Utilisation Notification, 2021 mandates Central Pollution Control Board to utilize environment compensation collected by Central Pollution Control Board from the thermal power plants and other defaulters which shall be used towards the

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M/o Environment,Forest and Climate Change
भारत सरकार, नई दिल्ली
Govt. of India, New Delhi

safe disposal of the unutilised ash and for advancing research on use of ash including ash based products.

25. It is respectfully submitted that, Para E (2) of the Ash Utilisation Notification 2021, has mandated Thermal Power Plants to upload monthly information regarding ash generation and utilization of ash on monthly basis. Further all other user agencies shall submit consumption or utilisation or disposal of ash and use of ash based products as mandated in this notification in the compliance report of Environmental Clearance and Consent to operate as the case may be, issued under respective regulations.

26. It is respectfully submitted that, Para E (5) of the Ash Utilisation Notification, 2021 mandates Thermal Power Plants and user agencies to conduct audit of ash disposal annually and report should be submitted to Central Pollution Control Board and the concerned State Pollution Control Board or Pollution Control Committee.

27. It is respectfully submitted that, as per Para E (1) of Ash Utilisation Notification, 2021, the provisions of the notification shall be enforced and monitored by Central Pollution Control Board and the concerned State Pollution Control Board or Pollution Control Committee. The concerned

NOTARY R.V. SINGH Advocate Regn No.2282 Commission Expire on 24-10-2027 Area-Delhi GOVT. OF INDIA

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M/o Environment, Forest and Climate Change
भारत सरकार, नई दिल्ली
Govt. of India, New Delhi

District Magistrate shall have concurrent jurisdiction for enforcement and monitoring of the provisions of this notification.

28. In view of the above, it is humbly submitted that in view of the aforementioned facts and circumstances, the Hon'ble Tribunal may pass such orders as deemed fit by the Hon'ble Court and thus render justice.

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Govt. of India, New Delhi

Charu Singhal
I identified the deponent/executant who has signed in my presence.

VERIFICATION

27 OCT 2023

Verified at_____, on this ___day of October 2023 that the contents of the above affidavit are true and correct as per the official records maintained in my office and believed to be correct, no part of it is false and nothing material has been concealed therefrom.

NOTARY
R. V. SINGH
Advocate
Regn.No.2282
Commission
Expire on
24-10-2027
Area-Delhi
GOVT. OF INDIA

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27/10/23

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M/o Environment,Forest and Climate Change
भारत सरकार, नई दिल्ली
Govt. of India, New Delhi

Solemnly affirmed before me, read over & explained to the deponent.

Notary Public, Delhi

27 OCT 2023

रजिस्ट्री सं. डी.एल.- 33004/99 REGD. No. D. L.-33004/99

भारत का राजपत्र
The Gazette of India

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असाधारण
EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (ii)
PART II—Section 3—Sub-section (ii)

प्राधिकार से प्रकाशित
PUBLISHED BY AUTHORITY

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No. 5075] NEW DELHI, FRIDAY, DECEMBER 31, 2021/PAUSHA 10, 1943

पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय

अधिसूचना

नई दिल्ली, 31 दिसम्बर, 2021

का.आ. 5481(अ).—केन्द्रीय सरकार ने भारत सरकार के तत्कालीन पर्यावरण और वन मंत्रालय की अधिसूचना सं. का.आ. 763 (अ) तारीख 14 सितम्बर, 1999 द्वारा कोयला या लिग्नाइट आधारित ताप विद्युत संयंत्रों से तीन सौ किलोमीटर के विनिर्दिष्ट व्यास के भीतर ईंटों के विनिर्माण के लिए उपजाऊ मिट्टी के उत्खनन को प्रतिबंधित करने के लिए और भवन निर्माण सामग्री के विनिर्माण में और संनिर्माण क्रियाकलाप में फ्लाई-राख के उपयोग को बढ़ावा देने के लिए निदेश जारी किए हैं;

और, प्रदूषणकर्ता भुगतान सिद्धांत (पीपीपी) के आधार पर, ऐसा करके कोयला या लिग्नाइट आधारित ताप विद्युत संयंत्रों द्वारा फ्लाई-राख का 100 प्रतिशत उपयोग सुनिश्चित करते हुए और फ्लाई-राख प्रबंधन प्रणाली की संधारणीयता के लिए पूर्वोक्त अधिसूचना को और अधिक प्रभावकारी ढंग से कार्यान्वित करने हेतु, केंद्रीय सरकार ने मौजूदा अधिसूचना की समीक्षा की;

और प्रदूषणकर्ता भुगतान सिद्धांत के आधार पर पर्यावरणीय प्रतिकर निर्धारित किए जाने की आवश्यकता है;

और, विनिर्माण को बढ़ावा देकर तथा निर्माण कार्य के क्षेत्र में राख आधारित उत्पादों तथा भवन निर्माण सामग्रियों के प्रयोग को अनिवार्य करके उपजाऊ मिट्टी को संरक्षित करने की आवश्यकता है;

और, सड़क बनाने, सड़क एवं फ्लाई ओवर के रेलिंग बनाने, तटरेखा की सुरक्षा का उपाय करने, अनुमोदित परियोजनाओं के निचले क्षेत्रों को भरने, खनित स्थलों को फिर से भरने में मिट्टी की सामग्रियों से भरने के विकल्प के रूप में राख उपयोग को बढ़ावा देकर उपजाऊ मिट्टी और प्राकृतिक संसाधनों को संरक्षित करने की आवश्यकता है;

और, पर्यावरण को सुरक्षित करना तथा कोयला अथवा लिग्नाइट आधारित ताप विद्युत संयंत्रों से सृजित फ्लाई राख के निक्षेपण तथा निपटान की रोकथाम करना आवश्यक है;

और, उक्त अधिसूचना में जो 'राख' शब्द का प्रयोग किया गया है उसमें कोयला या लिग्नाइट आधारित ताप विद्युत संयंत्रों से सृजित फ्लाई-राख और बॉटम-राख दोनों शामिल हैं;

और, केंद्रीय सरकार प्रदूषणकर्ता भुगतान सिद्धांत के आधार पर, पर्यावरणीय प्रतिकर की प्रणाली सहित राख के उपयोग के लिए एक व्यापक ढांचा लाना चाहती है;

अत: पर्यावरण (संरक्षण) नियम, 1986 के नियम (5) के उप-नियम (3) के खंड (घ) के साथ पठित पर्यावरण (संरक्षण) अधिनियम, 1986 (1986 का 29) की धारा 3 की उप-धारा (1) और उप-धारा (2) के खंड (v) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, भारत सरकार के पर्यावरण एवं वन मंत्रालय की अधिसूचना जो का.आ. 763 (अ) तारीख 14 सितम्बर, 1999 द्वारा भारत के राजपत्र, असाधारण भाग ।।, खंड 3, उप खंड (i) में प्रकाशित का अधिक्रमण करते हुए, कोयला या लिग्नाईट आधारित ताप विद्युत संयंत्रों द्वारा राख के उपयोग के संबंध में प्रारूप अधिसूचना जो सा.का.नि. 285 (अ) तारीख 22 अप्रैल, 2021 द्वारा भारत के राजपत्र, असाधारण, भाग-2, धारा 3, उप धारा (i) में प्रकाशित की गई थी जिसमें उन सभी व्यक्तियों से जिनका इससे प्रभावित होना सामान्य है उस तारीख से, जिसको उक्त प्रारूप उपबंधों की शासकीय राजपत्र में अंतर्विष्ट प्रतियां जनता को उपलब्ध करा दी गई थी, साठ दिनों के अवसान से पूर्व आक्षेप और सुझाव आमंत्रित किए गए थे।

और उक्त प्रारूप अधिसूचना के संबंध में उससे संभावित तौर पर प्रभावित होने वाले सभी व्यक्तियों से प्राप्त आक्षेपों और सुझावों पर केंद्रीय सरकार द्वारा सम्यक रूप से विचार कर लिया गया है;

अत: पर्यावरण (संरक्षण) नियम, 1986 के नियम (5) के उप-नियम (3) के खंड (घ) के साथ पठित पर्यावरण (संरक्षण) अधिनियम, 1986 (1986 का 29) की धारा 3 की उप-धारा (1) और उप-धारा (2) के खंड (v) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और अधिसूचना का.आ. 763 (अ) तारीख 14 सितम्बर, 1999 का उन बातों के सिवाय अधिकांत करते हुए जिन्हें ऐसे अधिक्रमण से पूर्व किया गया है या करने का लोप किया गया है, केन्द्रीय सरकार कोयलों या लिग्नाईट आधारित ताप विद्युत संयंत्रों से राख के उपयोग के संबंध में निम्नलिखित अधिसूचना जारी करती है, जो इस अधिसूचना के प्रकाशन की तिथि से प्रवृत्त होगी, अर्थात्

क. फ्लाई-राख और बॉटम-राख का निपटान करने हेतु ताप विद्युत संयंत्रों (टीपीपी) के उत्तरदायित्व.-

(1) प्रत्येक कोयला या लिग्नाइट आधारित ताप विद्युत संयंत्र (जिनमें कैप्टिव और/या सह-उत्पादन केंद्र शामिल हैं या दोनों) की यह प्राथमिक जिम्मेदारी होगी कि वह अपने द्वारा सृजित राख (फ्लाई-राख और बॉटम-राख) का उप पैरा (2) में दिए गए पारि-अनुकूल तरीके से 100 प्रतिशत उपयोग सुनिश्चित करे;

(2) कोयला या लिग्नाइट आधारित ताप विद्युत संयंत्रों से सृजित राख का उपयोग केवल निम्नलिखित पारि-अनुकूल प्रयोजनों के लिए किया जाएगा, अर्थात्:-

(i) फ्लाई राख पर आधारित उत्पाद अर्थात्: ईंट ब्लॉक टाइल, फाइबर सीमेंट शीट, पाइप, बोर्ड, पैनल का विनिर्माण;

(ii) सीमेंट विनिर्माण, रेडी-मिक्स कंक्रीट;

(iii) सड़क निर्माण और फ्लाई-ओवर के रेलिंग का निर्माण, राख और जिओ-पॉलीमर आधारित निर्माण सामग्री;

(iv) बांध का निर्माण;

(v) निचले क्षेत्र को भरना;

(vi) खनन कार्य से रिक्त हुए स्थान को भरना;

(vii) सिंटर्ड या शीत–बद्ध राख संचय का विनिर्माण;

(viii) मृदा परीक्षण के आधार पर नियंत्रित तरीके से कृषि;

(ix) तटीय जिलों में तटरेखा संरक्षण संरचनाओं का निर्माण;

(x) अन्य देशों को राख का निर्यात;

(xi) समय-समय पर यथाधिसूचित किसी अन्य पारि-अनुकूल प्रयोजन के लिए।

(3) अध्यक्ष, केंद्रीय प्रदूषण नियंत्रण बोर्ड (सीपीसीबी) की अध्यक्षता में एक समिति गठित की जाएगी जिसमें पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय (एमओईएफसीसी), विद्युत मंत्रालय, खान मंत्रालय, कोयला मंत्रालय, सड़क परिवहन और राजमार्ग मंत्रालय, कृषि अनुसंधान एवं शिक्षा विभाग, सड़क कांग्रेस संस्थान तथा राष्ट्रीय सीमेंट एवं भवन सामग्री परिषद के प्रतिनिधियों को सदस्यों के रूप में शामिल किया जाएगा, जिसका प्रयोजन राख के उपयोग के पारि-अनुकूल तौर-तरीकों की जांच करना, उनकी समीक्षा एवं अनुशंसा करना तथा प्रौद्योगिकीय विकासों तथा पणधारी से प्राप्त अनुरोधों के आधार पर उप-पैरा (2) में यथोल्लिखित ऐसे तौर-तरीकों की सूची में समिति द्वारा सुझाए गए तौर-तरीकों को शामिल करना या किसी तौर-तरीके को सूची से हटाना या उसमें संशोधन करना है। जब भी इस प्रयोजन के लिए अपेक्षित हो, यह समिति राज्य प्रदूषण नियंत्रण बोर्ड या प्रदूषण नियंत्रण समिति, ताप विद्युत संयंत्र और खानों के प्रचालकों को आमंत्रित कर सकती है। इस समिति सिफारिश के आधार पर, पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय ऐसे पारि-अनुकूल प्रयोजन प्रकाशित करेगा।

(4) प्रत्येक कोयला या लिग्नाइट आधारित ताप विद्युत संयंत्र उस वर्ष के दौरान सृजित राख (फ्लाई-राख और बॉटम-राख) का 100 प्रतिशत उपयोग करने हेतु उत्तरदायी होगा; तथापि, किसी भी स्थिति में, किसी वर्ष में राख का उपयोग 80 प्रतिशत से नीचे नहीं होगा और साथ ही, उस ताप विद्युत संयंत्र को तीन वर्ष की अवधि में 100 प्रतिशत औसत राख के उपयोग का लक्ष्य प्राप्त करना होगा :

परंतु, यह और कि पहली बार के लिए लागू तीन वर्ष के चक्र को ऐसे ताप विद्युत संयंत्रों, जहां राख का उपयोग 60-80 प्रतिशत के बीच होता है, एक वर्ष के लिए और ऐसे संयंत्रों, जहां राख का उपयोग 60 प्रतिशत से कम है, दो वर्ष के लिए बढ़ाया जा सकता है, और राख के उपयोग की प्रतिशतता की गणना के प्रयोजन के लिए वर्ष 2021-2022 में उपयोग की प्रतिशत प्रमात्रा को नीचे दी गई तालिका के अनुसार ध्यान में रखा जाएगा:

तापीय विद्युत संयंत्रों के उपयोग की प्रतिशतता	100 प्रतिशत उपयोगिता प्राप्त करने के लिए प्रथम अनुपालन चक्र	100 प्रतिशत उपयोगिता प्राप्त करने के लिए द्वितीय अनुपालन चक्र
>80 प्रतिशत	3 वर्ष	3 वर्ष
60-80 प्रतिशत	4 वर्ष	3 वर्ष
<60 प्रतिशत	5 वर्ष	3 वर्ष

परन्तु, ताप विद्युत संयंत्रों के लिए 80 प्रतिशत न्यूनतम उपयोग प्रतिशतता, क्रमश: 60-80 प्रतिशत और <60 प्रतिशत की उपयोगिता की श्रेणी के तहत आने वाले ताप विद्युत संयंत्रों के लिए प्रथम अनुपालन चक्र के पहले वर्ष और पहले दो वर्षों पर लागू नहीं होगी।

परन्तु, अनुपालन चक्र के अंतिम वर्ष में सृजित 20 प्रतिशत राख को अगले चक्र में भी ले जाया जाएगा जिसका उपयोग उस अनुपालन चक्र के दौरान सृजित राख के साथ अगले तीन वर्षों में किया जाएगा।

(5) अप्रयुक्त संचित राख अर्थात् लीगेसी राख, जिसका इस अधिसूचना के प्रकाशन से पहले भंडारण किया गया है, को ताप विद्युत संयंत्र (टीपीपी) द्वारा इस रीति से क्रमिक रूप से उपयोग में लाया जाएगा, कि लीगेसी राख को इस अधिसूचना के प्रकाशन की तिथि से दस वर्षों के भीतर पूरी तरह उपयोग कर लिया जाएगा और यह उस विशिष्ट वर्ष के चालू संचालनों के माध्यम से राख उत्सर्जन के लिए निर्धारित उपयोग लक्ष्यों से अतिरिक्त होगा।

परन्तु, निम्नलिखित प्रतिशतताओं में यथा उल्लिखित लीगेसी राख की न्यूनतम मात्रा का उपयोग तास्थानी वर्ष के दौरान कर लिया जाएगा और लीगेसी राख की न्यूनतम मात्रा की ताप विद्युत संयंत्र की संस्थापित क्षमता के अनुसार वार्षिक राख उत्सर्जन के आधार पर की जानी है।

प्रकाशन की तिथि से वर्ष	पहला	दूसरा	तीसरा-दसवां
लीगेसी राख का उपयोग (वार्षिक राख की प्रतिशतता)	कम से कम 20 प्रतिशत	कम से कम 35 प्रतिशत	कम से कम 50 प्रतिशत

परन्तु, यह और कि लीगेसी राख का उपयोग वहां अपेक्षित नहीं है, जहां राख के तालाब या डाइक स्थिर हो गए हैं और हरित पट्टी के निर्माण या पौध रोपण से पुनरूद्धार किया गया है और संबंधित राज्य प्रदूषण नियंत्रण बोर्ड इस संबंध में प्रमाणित करेगा। किसी राख तालाब या डाइक के स्थिरीकरण और भूमि-उद्धार का कार्य, जिसमें केन्द्रीय प्रदूषण नियंत्रण बोर्ड या राज्य प्रदूषण नियंत्रण बोर्ड द्वारा प्रमाणन शामिल है, इस अधिसूचना के प्रकाशन की तारीख से एक वर्ष के भीतर किया जाएगा। अन्य सभी राख के कुंड या डाइक में शेष बचे राख का उपयोग ऊपर उल्लिखित समय-सीमाओं के अनुसार क्रमिक रूप से किया जाएगा।

टिप्पण: राख के उपयोग के लक्ष्यों को हासिल करने के लिए उप पैरा (4) और (5) के अधीन दायित्व 01 अप्रैल, 2022 की तारीख से लागू होंगे।

(6) किसी भी नए तापीय विद्युत संयंत्र (टीपीपी) में 0.1 हेक्टेयर प्रति मेगावाट (एमडब्ल्यू) क्षेत्रफल के साथ आपातकालीन या अस्थायी राख कुंड की अनुमति दी जा सकती है। राख के तालाब या डाइकों का तकनीकी विर्निदेश, केन्द्रीय विद्युत प्राधिकरण (सीईए) के परामर्श से केन्द्रीय प्रदूषण नियंत्रण बोर्ड द्वारा बनाए गए दिशानिर्देशों के अनुसार होगा और ये दिशानिर्देश राख के कुंड या डाइक के संबंध में इसकी सुरक्षा, पर्यावरणीय प्रदूषण, उपलब्ध प्रमात्रा, निपटान का तरीका, निपटान में जल की खपत या संरक्षण, राख जल पुनर्चक्रण और ग्रीन बेल्ट आदि के वार्षिक प्रमाणन के लिए कार्यविधि भी निर्धारित करेंगे और इस अधिसूचना के प्रकाशन की तारीख से तीन महीनों के भीतर प्रस्तुत किए जाएंगे।

(7) प्रत्येक कोयला या लिग्नाईट आधारित ताप विद्युत संयंत्र यह सुनिश्चित करेगा कि राख की लदाई, उतराई, ढुलाई, भंडारण और निपटान पर्यावरणीय दृष्टि से अनुकूल रीति से किया गया है और वायु और जल प्रदूषण की रोकथाम के लिए सभी ऐहितयात किए गए हैं और इस संबंध में स्थिति की सूचना इस अधिसूचना में संलग्न अनुबंध में संबंधित राज्य प्रदूषण नियंत्रण बोर्ड (एसपीसीबी) या प्रदूषण नियंत्रण समिति (पीसीसी) को दी जाएगी।

(8) प्रत्येक कोयला या लिग्नाइट आधारित तापीय विद्युत संयंत्र, संस्थापित क्षमता पर आधारित राख के कम से कम 16 घंटों के भंडारण के लिए समर्पित शुष्क फ्लाई राख साइलोस प्रतिष्ठापित करेगा, जिनके पास पृथक पहुंच मार्ग होंगे, जिससे कि राख पहुंचाने के कार्य को सुगम बनाया जा सके। इसकी सूचना संबंधित राज्य प्रदूषण नियंत्रण बोर्ड (एसपीसीबी) या प्रदूषण नियंत्रण समिति (पीसीसी) को उपाबंध में दी जाएगी और केन्द्रीय प्रदूषण नियंत्रण

बोर्ड (सीपीसीबी) या राज्य केन्द्रीय प्रदूषण नियंत्रण बोर्ड (एसपीसीबी) या प्रदूषण नियंत्रण समिति द्वारा समय-समय पर निरीक्षण किया जाएगा।

(9) प्रत्येक कोयला या लिग्नाईट आधारित तापीय विद्युत संयंत्र (जिसके अंतर्गत कैप्टिव या सह उत्पादन केन्द्र भी है या दोनों), वास्तविक उपयोगकर्ता (उपयोगकर्ताओं) के हित के लिए केन्द्रीय प्रदूषण नियंत्रण बोर्ड के वेब पोर्टल या मोबाईल फोन एप्प का लिंक उपलब्ध करा कर ताप विद्युत संयंत्र के पास राख की उपलब्धता के वास्तविक आंकड़े प्रदान करेगा।

(10) राख के 100 प्रतिशत उपयोग का वैधानिक दायित्व, जहां भी लागू हो, विधि में बदलाव के रूप में माना जाएगा।

ख. राख के उपयोग के प्रयोजनार्थ, उत्तरवर्ती उप पैराग्राफ लागू होंगे .-

(1) ऐसे सभी अभिकरण (सरकारी, अर्द्धसरकारी और निजी), जो सड़क बिछाने, सड़क और फ्लाई ओवर के किनारों, तटीय जिलों में तटरेखा की सुरक्षा संरचनाओं और लिग्नाईट या कोयला आधारित ताप विद्युत संयंत्र से 300 किमी के भीतर बांधों जैसे निर्माण संबंधी कार्यकलापों में लगे हुए हैं, इन कार्यकलापों में अनिवार्य रूप से राख का उपयोग करेंगे :

परंतु इसको परियोजना स्थल पर निशुल्क पहुंचाया जाए और परिवहन लागत, ऐसे कोयला या लिग्नाईट आधारित ताप विद्युत संयंत्रों द्वारा वहन की जाए।

परंतु यह और कि ताप विद्युत संयंत्र पारस्परिक सहमत हुई शर्तों के अनुसार राख की लागत और परिवहन के लिए शुल्क ले सकता है उस मामले में जहां ताप विद्युत संयंत्र अन्य माध्यम से राख का निपटान करने में समर्थ है और ये अभिकरण इसके लिए प्रर्थाना कर सकते हैं और बिना लागत और बिना परिवहन शुल्क के राख उपलब्ध कराने के प्रावधान तभी लागू होंगे यदि उसके लिए ताप विद्युत संयंत्र उस निर्माण अभिकरण को नोटिस जारी करता है।

(2) उक्त कार्यकलापों में राख का उपयोग भारतीय मानक ब्यूरो, भारतीय रोड कांग्रेस, केन्द्रीय भवन अनुसंधान संस्थान, रूड़की, केन्द्रीय सड़क अनुसंधान संस्थान, दिल्ली, केन्द्रीय लोक निर्माण विभाग, राज्य लोक निर्माण विभागों और अन्य केन्द्रीय और राज्य सरकार के अभिकरणों द्वारा निर्धारित किए गए विनिर्देशों और दिशानिर्देशों के अनुसार किया जाएगा।

(3) तापीय विद्युत संयंत्र की 300 किलोमीटर की परिधि के भीतर अवस्थित सभी खानों के लिए विस्तारित उत्पादक उत्तरदायित्व (ईपीआर) के तहत खुली आवर्त खानों में राख का पृष्ठ भंडारण करना या अधिक भार के ढेरों के साथ राख का मिश्रण करना बाध्यकारी होगा। सभी खान के स्वामी या प्रचालक (चाहे सरकारी, सार्वजनिक और निजी क्षेत्र के हो) कोयला या लिग्नाईट आधारित तापीय विद्युत संयंत्रों से तीन सौ किलोमीटर (सड़क द्वारा) के भीतर, महानिदेशक, खान सुरक्षा (डीजीएमएस) के दिशानिर्देशों के अनुसार ओवर बर्डन के बाह्य निक्षेप खान की बैकफिलिंग अथवा स्टोविंग (प्रचालित या छोड़ी गई खानों, जैसा भी मामला हो) के लिए उपयोग की गई सामग्रियों के भार-दर-भार के आधार पर कम से कम 25 प्रतिशत राख को मिश्रित करने के लिए उपाय करेंगे :

परंतु ऐसे तापीय विद्युत केन्द्र नि:शुल्क राख प्रदान करके और परिवहन की लागत को वहन करके या पारस्परिक सहमत हुई शर्तों पर लिए गए निर्णय के अनुसार लागत या परिवहन व्यवस्था करके राख की अपेक्षित मात्रा की उपलब्धता को सुकर बनायेंगे और खानों के खाली स्थानों और ढेरो में अधिकभार के साथ राख को मिश्रित करना, सृजित अधिभार के लिए इस अधिसूचना के प्रकाशन की तिथि से लागू होगा और उक्त कार्यकलापों में राख का उपयोग, केंद्रीय प्रदूषण नियंत्रण बोर्ड, महानिदेशक खान सुरक्षा और भारतीय खदान ब्यूरो द्वारा निर्धारित दिशा-निर्देशों के अनुसार किया जाएगा।

स्पष्टीकरण .- इस उप-पैरा के प्रयोजन के लिए यह भी स्पष्ट किया जाता है कि लागत मुक्त राख और नि:शुल्क परिवहन के उपबंध केवल तभी लागू होंगे यदि ताप विद्युत संयंत्र इसके लिए खान मालिक को नोटिस देते हैं और अधिभार वाले ढेर के साथ मिश्रित करने और खान में खाली स्थान को भरने के लिए राख के 25 प्रतिशत हिस्से के उपयोग का अधिदेश तब तक लागू नहीं होगा जब तक कि ताप विद्युत संयंत्र द्वारा खान मालिक को नोटिस न दिया गया हो।

(5) (i) सभी खान मालिकों को खान में खाली स्थानों में राख को समायोजित करने के लिए खान बंद योजना (प्रगामी और अंतिम) तैयार करनी होगी और खान में खाली स्थान में राख के निपटान और अधिभार वाले ढेर के साथ राख को मिश्रित करने के लिए खान योजनाओं को संबंधित प्राधिकारी अनुमोदित करेगा। पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय द्वारा ताप विद्युत संयंत्रों और कोयला खदानों की पर्यावरणीय मंजूरी की अपेक्षा से छूट देने के साथ-साथ ऐसे निपटान के लिए अपनाए जाने वाले दिशानिर्देशों के संबंध में तारीख 28 अगस्त, 2019 को दिशानिर्देश जारी किए गए।

(ii) मंत्रालय, केन्द्रीय प्रदूषण नियंत्रण बोर्ड, महानिदेशक, खान सुरक्षा (डीजीएमएस) और भारतीय खान ब्यूरो (आईबीएम) के साथ परामर्श करके, खानों में खाली स्थानों में राख के निपटान करने तथा अधिभार वाले ढेरो में इसे मिश्रित करना सुगम बनाने के लिए समय-समय पर आगे भी दिशानिर्देश जारी कर सकता है और यह खान मालिकों की जिम्मेदारी होगी कि वे ऐसी खानों को अभिज्ञात करने की तिथि से एक वर्ष के भीतर विभिन्न विनियामक प्राधिकरणों द्वारा जारी की गई अनुमतियों में आवश्यक संशोधन या परिवर्तन प्राप्त करेंगे।

(6) (i) पर्यावरणीय प्रदूषण के संदर्भ में सुरक्षा, व्यवहार्यता (आर्थिक व्यवहार्यता नहीं) और पहलुओं की जांच सहित राख से खान में खाली स्थान को वापस भरने/अधिभार वाले ढेर के साथ राख को मिश्रित करने के लिए खानों की पहचान करने के लिए पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय, विद्युत मंत्रालय, खान मंत्रालय, कोयला मंत्रालय, महानिदेशक खान सुरक्षा और भारतीय खान ब्यूरो से प्रतिनिधियों को शामिल करते हुए अध्यक्ष, केन्द्रीय प्रदूषण नियंत्रण बोर्ड (सीपीसीबी) की अध्यक्षता में एक समिति का गठन किया जाएगा और यह समिति पणधारी मंत्रालयों या विभागों के लिए अभिज्ञात खानों (भूमिगत और खुली, दोनों) के संबंध में तैयार की गई तिमाही रिपोर्टों को अद्यतन करेगी और यह समिति, इस अधिसूचना के प्रकाशन के तुरंत पश्चात उपयुक्त खानों की पहचान करना आरंभ करेगी।

(ii) ताप विद्युत संयंत्र या खानें, उपरोक्त अनुसार अधिदेशित उपयोग लक्ष्यों को पूरा करने के लिए उपर्युक्त समिति द्वारा पहचान किए जाने तक राख के निपटान हेतु प्रतीक्षा नहीं करेंगी।

(7) राख से निचले क्षेत्र को भरने का कार्य, अनुमोदित परियोजनाओं के लिए राज्य प्रदूषण नियंत्रण बोर्ड की पूर्व अनुमति से और केन्द्रीय प्रदूषण नियंत्रण बोर्ड द्वारा निर्धारित दिशा-निर्देशों के अनुसार किया जाएगा और राज्य प्रदूषण नियंत्रण बोर्ड या प्रदूषण नियंत्रण समिति द्वारा अनुमोदित स्थलों, अवस्थान, क्षेत्र और अनुमत मात्रा को अपनी वेबसाइट पर प्रतिवर्ष प्रकाशित किया जाएगा।

(8) केन्द्रीय प्रदूषण नियंत्रण बोर्ड, संगत पणधारी के साथ मिलकर, राज्य प्रदूषण नियंत्रण बोर्ड (एसपीसीबी) या प्रदूषण नियंत्रण समिति (पीसीसी) द्वारा अनुमति प्रदान करने के लिए समयबद्ध ऑनलाइन आवेदन प्रक्रिया प्रस्तुत करने के साथ-साथ इस अधिसूचना के अधीन परिकल्पित सभी प्रकार के कार्यकलापों के लिए एक वर्ष के भीतर दिशानिर्देश प्रस्तुत करेगा।

(9) कोयला या लिग्नाइट आधारित तापीय ऊर्जा संयंत्र से तीन सौ किलोमीटर के दायरे में स्थित सभी भवन निर्माण परियोजनाएं (केंद्रीय, राज्य और स्थानीय प्राथिकरणों सरकारी उपक्रमों, अन्य सरकारी अभिकरणों तथा सभी निजी अभिकरणों) राख की ईटों, टाईल्स, धातुमल राख अथवा अन्य राख आधारित उत्पादों का उपयोग करेंगी बशर्ते कि वे वैकल्पिक उत्पादों की कीमत से अधिक कीमत पर उपलब्ध न हो।

(10) राख आधारित उत्पादों के विनिर्माण और ऐसे उत्पादों में राख के उपयोग में भारतीय मानक ब्यूरो, भारतीय सड़क कांग्रेस और केंद्रीय प्रदूषण नियंत्रण बोर्ड द्वारा निर्धारित विनिर्देशों और दिशानिर्देशों की अनुपालना होगी।

ग. गैर-अनुपालन के लिए पर्यावरणीय प्रतिकर .-

(1) तीन वर्ष के चक्र के प्रथम दो वर्षों में, यदि कोयला या लिग्नाइट आधारित तापीय ऊर्जा संयंत्र (कैप्टिव और/ या सह-उत्पादक स्टेशनों या दोनों सहित) ने कम-से-कम 80 प्रतिशत राख (फ्लाई-राख और बॉटम-राख) उपयोग नहीं की है तो ऐसे गैर-अनुपालन ताप विद्युत संयंत्रों पर प्रस्तुत की गई वार्षिक रिपोर्टों के आधार पर वित्तीय वर्ष के

अंत में अप्रयुक्त राख पर 1000 रुपए प्रति टन की दर से पर्यावरणीय प्रतिकर लगाया जाएगा और यदि यह तीन वर्ष के चक्र के तीसरे वर्ष में 100 प्रतिशत राख का उपयोग करने में असमर्थ रहता है, तो वह अप्रयुक्त मात्रा पर 1000 रुपए प्रति टन की दर से पर्यावरणीय प्रतिकर के भुगतान का पात्र होगा, जिस पर पहले पर्यावरणीय प्रतिकर नहीं लगायी गयी है।

परंतु पर्यावरणीय प्रतिकर को पैरा क के उप-पैरा (4) में उल्लिखित विभिन्न उपयोगी श्रेणियों के अनुसार प्रथम अनुपालन चक्र के अंतिम वर्ष के अंत में अनुमान लगाया जाएगा और अधिरोपित किया जाएगा।

(2) अधिकारियों द्वारा एकत्रित पर्यावरणीय प्रतिकर को केन्द्रीय प्रदूषण नियंत्रण बोर्ड के निर्दिष्ट खाते में जमा किया जाएगा।

(3) लैगेसी राख के मामले में, यदि कोयला या लिग्नाइट आधारित तापीय ऊर्जा संयंत्र (कैप्टिव या सह-उत्पादक स्टेशनों या दोनों सहित) ने स्थापित क्षमता पर आधारित उत्पन्न राख का कम-से-कम 20 प्रतिशत (प्रथम वर्ष के लिए), 35 प्रतिशत (द्वितीय वर्ष के लिए), 50 प्रतिशत (तीसरे से दसवें वर्ष तक) उपयोग के बराबर लक्ष्य प्राप्त नहीं किया है तो उस वित्तीय वर्ष के दौरान अप्रयुक्त लैगेसी राख पर 1000 रुपए प्रति टन की दर से पर्यावरणीय प्रतिकर लगाया जाएगा और यदि 10 वर्ष के अंत में लैगेसी राख का उपयोग नहीं किया जाता है तो 1000 रुपए प्रति टन की दर से शेष अप्रयुक्त मात्रा पर पर्यावरणीय प्रतिकर लगाया जाएगा जिस पर पहले पर्यावरणीय प्रतिकर नहीं लगाया गया है।

(4) अधिकृत खरीददारों या उपभोक्ता अभिकरणों तक राख भेजने की जिम्मेदारी परिवाहकों या वाहन मालिक की जिम्मेदारी है और यदि इसका अनुपालन नहीं किया जाता है, तो अनधिकृत उपयोगकर्ताओं अथवा गैर-अधिकृत उपयोगर्ताओं को ऐसी मात्रा गलत तरीके से वितरित करने पर 1500 रूपए प्रति टन की दर से पर्यावरणीय प्रतिकर लगायी, इसके अतिरिक्त राज्य प्रदूषण नियंत्रण बोर्ड (एसपीसीबी) या प्रदूषण नियंत्रण समिति (पीसीसी) द्वारा गैर अनुपालनकर्ता परिवाहकों पर अभियोजन लागू होगा।

(5) इस अधिसूचना के पैरा ख में विहित पर्यावरण अनुकूल तरीके में राख के उपयोग की जिम्मेदारी खरीददार या उपभोगकर्ता एजेंसियों की है और ऐसा नहीं करने पर केन्द्रीय प्रदूषण नियंत्रण बोर्ड (एसपीसीबी) या प्रदूषण नियंत्रण समिति (पीसीसी) द्वारा 1500 रूपए प्रति टन की दर से पर्यावरणीय प्रतिकर लगाया जाएगा।

(6) यदि उपयोगकर्ता अधिकरण पैरा ख के अधीन निर्धारित सीमा तक अथवा पैरा घ के उप-पैरा (1) के अधीन, दिए गए नोटिस के माध्यम से सूचित की गई सीमा, इनमें से जो भी कम हो, तक राख का उपयोग नहीं करती है, वे अतिरिक्त राख की मात्रा का 1500 रूपए प्रति टन की दर से भुगतान करने के लिए उत्तरदायी होंगी।

परंतु भवन निर्माण के संबंध में पर्यावरणीय प्रतिकर निर्मित क्षेत्र के 75 रूपये प्रति वर्ग फीट की दर से वसूल किया जाएगा।

(7) (i) ताप विद्युत संयंत्रों अन्य बकायादारों से केन्द्रीय प्रदूषण नियंत्रण बोर्ड द्वारा लगायी गई का पर्यावरणीय प्रतिकर उपयोग अप्रयुक्त राख के सुरक्षित निपटान हेतु किया जाएगा और राख आधारित उत्पादों सहित राख के उपयोग के संबंध में और अधिक अनुसंधान करने के लिए भी निधि का उपयोग किया जा सकता है।

(ii) अप्रयुक्त मात्रा पर लगाए गए पर्यावरणीय प्रतिकर के पश्चात भी राख के उपयोग का उत्तरदायित्व ताप विद्युत संयंत्रों की होगी और यदि पश्चातवती चक्रों में पर्यावरणीय प्रतिकर लगाने के पश्चात ताप विद्युत संयंत्र, किसी विशेष चक्र की राख के उपयोग के लक्ष्य को प्राप्त करता है तो अगले चक्र के दौरान अप्रयुक्त मात्रा पर एकत्र की गई पर्यावरणीय प्रतिकर में 10 प्रतिशत कटौती के पश्चात उक्त रकम ताप विद्युत संयंत्र को वापस कर दी जाएगी और पश्चातवती चक्रों में राख के उपयोग के मामले में एकत्र की गई पर्यावरणीय प्रतिकर की 20 प्रतिशत, 30 प्रतिशत और उसी क्रम में कटौती की जानी है।

घ. राख या राख आधारित उत्पादों की आपूर्ति हेतु प्रक्रिया .–

(1) ताप विद्युत संयंत्रों के स्वामी अथवा राख की ईटों या टाईल्स या धातुमल आधारित राख के विनिर्माता उन व्यक्तियों या अभिकरणों को लिखित सूचना देंगे जो बिक्री या परिवहन या दोनों के लिए प्रस्तुत राख या राख आधारित उत्पादों के उपयोग के लिए उत्तरदायी हैं।

(2) ऐसे व्यक्ति या उपयोगकर्ता अभिकरणों जिन्हें ताप विद्युत संयंत्रों के स्वामी द्वारा या राख की ईंटों या टाईल्स या धातुमल आधारित राख के उत्पादकों द्वारा सूचना दी गई है, यदि वे पहले ही राख या राख उत्पादों के उपयोग के प्रयोजन से अन्य अभिकरणों के साथ जुड़े हुए हैं, यदि वे किसी भी राख/राख उत्पादों का उपयोग नहीं कर सकते हैं अथवा कम मात्रा का उपयोग कर सकते हैं, तदनुसार ताप विद्युत संयंत्र को सूचित करेंगे।

ड. प्रवर्तन, निगरानी, लेखा परीक्षा और प्रतिवेदन करना

(1) केंद्रीय प्रदूषण नियंत्रण बोर्ड (सीपीसीबी) और संबंधित राज्य प्रदूषण नियंत्रण बोर्ड (एसपीसीबी) या प्रदूषण नियंत्रण समिति (पीसीसी), उपबंधों के अनुपालना सुनिश्चित करने के लिए प्रवर्तन और निगरानी प्राधिकरण होंगे। सीपीसीबी या एसपीसीबी या पीसीसी तिमाही आधार पर राख के उपयोग की निगरानी करेंगे और सीपीसीबी इस प्रयोजन के लिए अधिसूचना की प्रकाशन की तारीख से छ: माह के भीतर एक पोर्टल विकसित करेगा। संबंधित जिला अधिकारी के पास इस अधिसूचना के उपबंधों को लागू करने और निगरानी करने के लिए समवर्ती अधिकारिता होगी।

(2) (i) ताप विद्युत संयंत्र, राख उत्सर्जन और उपयोग से संबंधित मासिक सूचना वेब पोर्टल पर अगले महीने की 5 तारीख तक अपलोड करेगा। कोयला या लिग्नाइट आधारित ताप ऊर्जा संयंत्रों द्वारा केंद्रीय प्रदूषण नियंत्रण बोर्ड, संबंधित राज्य प्रदूषण नियंत्रण बोर्ड या प्रदूषण नियंत्रण समिति (पीसीसी), केंद्रीय विद्युत प्राधिकरण (सीईए) और पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय के संबंधित एकीकृत क्षेत्रीय कार्यालयों को इस अधिसूचना के उपबंधों के अनुपालन संबंधी सूचना उपलब्ध कराते हुए वार्षिक कार्यान्वयन रिपोर्ट प्रत्येक वर्ष (1 अप्रैल से 31 मार्च तक की अवधि के लिए) अप्रैल माह के 30वें दिन तक प्रस्तुत की जाएगी। सीपीसीबी और सीईए द्वारा सभी ताप विद्युत संयंत्रों द्वारा प्रस्तुत वार्षिक रिपोर्टों का समेकन किया जाएगा और उसे पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय को 31 मई तक प्रस्तुत किया जाएगा।

(ii) सभी अन्य उपयोगकर्ता अधिकरण पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय या राज्य स्तरीय पर्यावरण प्रभाव आकलन प्राधिकरण (एसईआईएए) द्वारा जारी पर्यावरणीय मंजूरी (ईसी) अथवा राज्य प्रदूषण नियंत्रण बोर्ड (एसपीसीबी) या प्रदूषण नियंत्रण समिति (पीसीसी) द्वारा जारी संचालन की सहमति (सीटीओ), जो भी लागू हो, की अनुपालना रिपोर्ट में इस अधिसूचना में आज्ञापकता के अनुसार राख के उपभोग या उपयोग या निस्तारण तथा राख आधारित उत्पादों के उपयोग संबंधी सूचना प्रस्तुत करेंगे। केन्द्रीय प्रदूषण नियंत्रण बोर्ड (सीपीसीबी) या राज्य प्रदूषण नियंत्रण बोर्ड (एसपीसीबी) या प्रदूषण नियंत्रण समिति (पीसीसी) अधिसूचना के उपबंधों के प्रभावी कार्यान्वयन की समीक्षा करने हेतु ताप विद्युत संयंत्रों के अतिरिक्त अन्य सभी अधिकरणों की राख उपयोग की वार्षिक रिपोर्ट प्रकाशित करेंगे।

(3) इस अधिसूचना के उपबंधों की निगरानी और कार्यान्वयन के प्रयोजन के लिए केन्द्रीय प्रदूषण नियंत्रण बोर्ड (सीपीसीबी) की अध्यक्षता में एक समिति का गठन किया जाएगा जिसके सदस्य विद्युत मंत्रालय, कोयला मंत्रालय, खनन मंत्रालय, पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय, सड़क परिवहन और राजमार्ग मंत्रालय और भारी उद्यम विभाग से होने के साथ-साथ समिति के अध्यक्ष द्वारा नामित किए जाने वाले कोई संबंधित पणधारी होंगे। यह समिति संगत पणधारी को आमंत्रित कर सकती है। यह समिति इस अधिसूचना के उपबंधों के प्रभावी और दक्ष कार्यान्वयन के लिए सिफारिशें कर सकती है। यह समिति छ: माह में कम से कम एक बार एक बैठक करेगी और वार्षिक कार्यान्वयन रिपोर्टों की समीक्षा करेगी और यह समिति, इस अधिसूचना द्वारा आजापक किए गए अनुसार छ: महीनों में कम से कम एक बार संगत पणधारी (को) को आमंत्रित करके राख के उपयोग की निगरानी करने के लिए पणधारी से साथ परामर्शदात्री बैठकें आयोजित करेगी। यह समिति पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय (एमओईएफसीसी) को छ: मासिक रिपोर्ट प्रस्तुत करेगी।

(4) ताप विद्युत संयंत्रों और राख के उपयोगकर्ताओं या राख आधारित उत्पादों के विनिर्माताओं के बीच के विवाद का समाधान करने के प्रयोजन से राज्य सरकारें या संघ राज्यक्षेत्र की सरकारें इस अधिसूचना के प्रकाशन की तारीख से तीन माह के भीतर राज्य प्रदूषण नियंत्रण बोर्ड (एसपीसीबी) या प्रदूषण नियंत्रण समिति (पीसीसी) की अध्यक्षता में एक समिति का गठन करेंगी जिसमें विद्युत विभाग के प्रतिनिधि और एक प्रतिनिधि उस विभाग का होगा, जो विवाद वाले संबंधित अभिकरण का कार्य देख रहे हैं।

(5) केन्द्रीय प्रदूषण नियंत्रण बोर्ड (सीपीसीबी) द्वारा प्राधिकृत लेखा परीक्षकों द्वारा ताप विद्युत संयंत्रों और उपयोगकर्ता अभिकरणों द्वारा किए गए राख के निपटान की अनुपालन लेखा परीक्षा संचालित की जाएगी और लेखा परीक्षा की रिपोर्ट प्रत्येक वर्ष 30 नवम्बर तक केन्द्रीय प्रदूषण नियंत्रण बोर्ड (सीपीसीबी) और संबंधित राज्य प्रदूषण नियंत्रण बोर्ड (एसपीसीबी) या प्रदूषण नियंत्रण समिति (पीसीसी) को प्रस्तुत की जाएगी। केन्द्रीय प्रदूषण नियंत्रण बोर्ड (सीपीसीबी) और संबंधित राज्य प्रदूषण नियंत्रण बोर्ड (एसपीसीबी) या प्रदूषण नियंत्रण समिति (पीसीसी) लेखा परीक्षा की रिपोर्ट प्राप्त होने के पंद्रह दिनों के भीतर अनुपालन न करने वाले ताप विद्युत संयंत्रों के विरूद्ध कार्रवाई प्रारंभ करेगें।

[फा. सं. एचएसएम-9/1/2019-एचएसएम]

नरेश पाल गंगवार, संयुक्त सचिव

उपाबंध

31 मई तक अथवा उससे पहले प्रस्तुत की जाने वाली राख संबंधी उपबंधों की अनुपालन रिपोर्ट (01 अप्रैल से 31 मार्च की अवधि के लिए)।

क्र.सं.	**ब्यौरा**	
1.	विद्युत संयंत्र का नाम	
2.	कंपनी का नाम	
3.	जिला	
4.	राज्य	
5.	पत्राचार के लिए डाक का पता :	
6.	ई-मेल :	
7.	विद्युत संयंत्र की संस्थापित क्षमता (मेगा वॉट) :	
8.	संयंत्र लोड फैक्टर (पीएलएफ) :	
9.	उत्पादित यूनिटों की संख्या (एमडब्ल्यूएच) :	
10.	विद्युत संयंत्र के अंतर्गत कुल क्षेत्र (हेक्टेयर) (राख कुंडों के अधीन क्षेत्र सहित) :	
11.	रिपोर्टिंग की अवधि के दौरान कोयला खपत की मात्रा (प्रति वर्ष मीट्रिक टन) :	
12.	औसत राख सामग्री प्रतिशतता में (%) :	
13.	रिपोर्टिंग की अवधि के दौरान वर्तमान में उत्पादित राख की मात्रा (प्रति वर्ष मीट्रिक टन) : फ्लाई राख (प्रति वर्ष मीट्रिक टन) : बॉटम राख (प्रति वर्ष मीट्रिक टन) :	
14.	ड्राई फ्लाई राख भंडारण गड्ढा (गड्ढों) की क्षमता (मीट्रिक टन) :	
15.	**रिपोर्टिंग की अवधि के दौरान वर्तमान में उत्पादित राख के उपयोग का ब्यौरा:** (क) रिपोर्टिंग की अवधि के दौरान वर्तमान में उपयोग की गई राख की	

	कुल मात्रा (एमटीपीए) : (ख) उपयोग की गई फ्लाई राख की मात्रा (एमटीपीए) : i. फ्लाई-एश आधारित उत्पाद (ईंट या ब्लॉक या टाइल्स या फाइबर सीमेंट शीट या पाइप या बोर्ड/पैनल) : ii. सीमेंट विनिर्माण : iii. रेडी मिक्स कंक्रीट : iv. राख और जीओ-पॉलिमर आधारित निर्माण सामग्री : v. सिंटर्ड या कोल्ड बॉन्डेड राख एग्रीगेट का निर्माण : vi. सड़कों, सड़क और फ्लाई ओवर के पुश्तों का निर्माण : vii. बांधों का निर्माण : viii. निम्न भू-क्षेत्र का भराव : ix. खनिज क्षेत्रों का भराव : x. अधिभार वाले डम्पों में उपयोग : xi. कृषि : xii. तटीय जिलों में तटरेखा सुरक्षा संरचनाओं का निर्माण : xiii. अन्य देशों को राख का निर्यात : xiv. अन्य (कृपया विनिर्दिष्ट करें) : (ग) उपयोग किए गए तल के राख की मात्रा (एमटीपीए) : i. फ्लाई-एश आधारित उत्पाद (ईंट या ब्लॉक या टाइल्स या फाइबर सीमेंट शीट या पाइप या बोर्ड या पैनल) : ii. सीमेंट विनिर्माण : iii. रेडी मिक्स कंक्रीट : iv. राख और जीओ-पॉलिमर आधारित निर्माण सामग्री : v. सिंटर्ड या कोल्ड बॉन्डेड राख एग्रीगेट का निर्माण : vi. सड़कों, सड़क और फ्लाईओवर के पुश्तों का निर्माण : vii. बांधों का निर्माण : viii. निम्न भू-क्षेत्र का भराव : ix. खनिज क्षेत्रों का भराव : x. अधिभार वाले डम्पों में उपयोग : xi. कृषि : xii. तटीय जिलों में तटरेखा सुरक्षा संरचनाओं का निर्माण : xiii. अन्य देशों को राख का निर्यात : xiv. अन्य (कृपया विनिर्दिष्ट करें) : रिपोर्टिंग की अवधि के दौरान वर्तमान में अप्रयुक्त राख की कुल मात्रा (एमटीपीए :	
16.	रिपोर्टिंग की अवधि के दौरान वर्तमान में उत्पादित राख का प्रतिशतता उपयोग (%) :	
17.	**राख कुंडों में राख के निपटान का ब्यौरा** क) तारीख 31 मार्च तक (रिपोर्टिंग की अवधि को छोड़कर) राख कुण्ड (कुण्डों) में निपटान किए गए राख की कुल मात्रा (मीट्रिक टन):	

	ख) रिपोर्टिंग की अवधि के दौरान राख कुण्ड (कुण्डों) में निपटान किए गए राख की मात्रा (मीट्रिक टन): ग) रिपोर्टिंग की अवधि के दौरान राख कुण्डों में गारा निस्सरण हेतु खपत हुए जल की कुल मात्रा (मी^{3}): घ) राख कुण्डों की कुल संख्या: (i) सक्रिय: (ii) खाली किए गए (पुन: भरा जाना है) (iii) पुन: भरे गए: ड.) राख कुण्डों के अधीन कुल क्षेत्र (हेक्टेयर):	
18.	**अलग-अलग राख कुण्ड का ब्यौरा** *राख कुण्ड 1,2 आदि (यदि राख कुण्डों की संख्या एक से अधिक हो, तो कृपया निम्नलिखित ब्यौरा अलग से उपलब्ध कराएं)* क) स्थिति: निर्माणाधीन या सक्रिय या खाली किया गया या पुन: भरा गया ख) राख कुण्ड में राख का निपटान शुरू करने की तारीख/महीना/वर्ष या महीना/वर्ष): ग) राख कुण्ड की क्षमता पूर्ण किए जाने के पश्चात् उसमें राख निपटान रोकने की तारीख (तारीख/महीना/वर्ष या महीना/वर्ष): (सक्रिय राख कुण्डों के लिए लागू नहीं) ग) क्षेत्र (हेक्टेयर): घ) डाइक की ऊंचाई (मी.): घ) आयतन (मी^{3}): ड.) तारीख 31 मार्च तक निपटान किए गए राख की मात्रा (मीट्रिक टन): च) उपलब्ध आयतन का प्रतिशत (%) और आगे निपटान किए जा सकने वाले राख की मात्रा (मीट्रिक टन): छ) राख कुण्ड के भरे जाने की अनुमानित अवधि (वर्षों और महीनों की संख्या): ड.) निर्देशांक (अक्षांश और देशान्तर): (कृपया न्यूनतम 4 निर्देशांकों को विनिर्दिष्ट करें) ज) राख कुण्ड में की गई लाइनिंग का प्रकार: एचडीपीई लाइनिंग या एलडीपीई लाइनिंग या क्ले लाइनिंग या कोई लाइनिंग नहीं छ) निपटान की विधि: शुष्क निपटान या नम गारा (नम गारा के मामले में कृपया विनिर्टिष्ट करें कि क्या एचसीएसडी या एमसीएसडी या एलसीएसडी है) ज) राख का अनुपात: गारा मिश्रण में जल (1:____): झ) संस्थापित और कार्यशील राख जल पुनर्चक्रण प्रणाली (एडब्ल्यूआरएस): हां या नहीं ञ) जमीन के अंदर या जल निकाय में राख कुण्ड से निस्सरित अपशिष्ट जल की मात्रा (मी^{3}): ट) डाइक की स्थिरता का अध्ययन कराए जाने की पिछली तारीख और उस संगठन का नाम जिसने अध्ययन किया: ठ) लेखा-परीक्षा किए जाने की पिछली तारीख और उस संगठन का नाम जिसने लेखा-परीक्षा की:	
19.	उपयोग किए गए पुराने राख की मात्रा (एमटीपीए): i. फ्लाई-एश आधारित उत्पाद (ईंट या ब्लॉक या टाइल्स या फाइबर	

	सीमेंट शीट या पाइप या बोर्ड या पैनल): ii. सीमेंट विनिर्माण: iii. रेडी मिक्स कंक्रीट: iv. राख और जीओ-पॉलिमर आधारित निर्माण सामग्री: v. सिंटर्ड या कोल्ड बॉन्डेड राख एग्रीगेट का निर्माण: vi. सड़कों, सड़क और फ्लाई ओवर के पुश्तों का निर्माण: vii. बांधों का निर्माण: viii. निम्न भू-क्षेत्र का भराव: ix. खनिज क्षेत्रों का भराव: x. अधिभार वाले डम्पों में उपयोग: xi. कृषि: xii. तटीय जिलों में तटरेखा सुरक्षा संरचनाओं का निर्माण: xiii. अन्य देशों को राख का निर्यात xiv. अन्य (कृपया विनिर्दिष्ट करें):	

20.	**सार :**			
	ब्यौरा	सृजित मात्रा (एमटीपी)	उपयोग की गई मात्रा (एमटीपी) और (%)	शेष मात्रा (एमटीपी)
	रिपोर्टिंग की अवधि के दौरान राख			
	पुरानी राख			
	कुल			
21.	कोई अन्य सूचना : वार्षिक अनुपालन रिपोर्ट, और विद्युत संयंत्रों और राख कुण्डों की शेष फाइलों की सॉफ्ट कॉपी ई-मेल:- moefcc-coalash@gov.in पर भेजी जाए।			
22.	प्राधिकृत हस्ताक्षरकर्ता के हस्ताक्षर			

MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE

NOTIFICATION

New Delhi, the 31st December, 2021

S.O. 5481(E).—Whereas by notification of the Government of India in the erstwhile Ministry of Environment and Forests *vide* S.O.763 (E), dated the 14th September, 1999, as amended from time to time, the Central Government, issued directions for restricting the excavation of top soil for manufacturing of bricks and promoting the utilisation of fly ash in the manufacturing of building materials and in construction activity within a specified radius of three hundred kilometres from the coal or lignite based thermal power plants;

And whereas, to implement the aforesaid notification more effectively based on the polluter pays principle (PPP) thereby ensuring 100 per cent utilisation of fly ash by the coal or lignite based thermal power plants and for the sustainability of the fly ash management system, the Central Government reviewed the existing notification; and whereas environmental compensation needs to be introduced based on the polluter pays principle;

And whereas, there is a need to conserve top soil by promoting manufacture and mandating use of ash based products and building materials in the construction sector;

And whereas, there is a need to conserve top soil and natural resources by promoting utilisation of ash in road laying, road and flyover embankments, shoreline protection measures, low lying areas of approved projects, backfilling of mines, as an alternative for filling of earthen materials;

And whereas, it is necessary to protect the environment and prevent the dumping and disposal of fly ash discharged from coal or lignite based thermal power plants on land;

And whereas, in the said notification the phrase 'ash', has been used which includes both fly ash as well as bottom ash generated from the Coal or Lignite based thermal power plants;

And whereas, the Central Government intends to bring out a comprehensive framework for ash utilisation including system of environmental compensation based on polluter pays principle;

And whereas, a draft notification on ash utilisation by coal or lignite thermal power plants in supersession of the notification of the Government of India, Ministry of Environment and Forests published in the Gazette of India, Extra Ordinary part II, section 3, sub-section (i) *vide* S.O.763 (E), dated the 14th September, 1999, by notification in exercise of the powers conferred under sub-section (1) and clause (v) of sub-section (2) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986) read with clause (d) of sub-rule (3) of rule (5) of the Environment (Protection) Rules, 1986, was published in the Gazette of India, Extraordinary, Part II, section 3, sub-section (i), *vide* G.S.R. 285(E), dated the 22nd April, 2021 inviting objections and suggestions from all persons likely to be affected thereby before the expiry of sixty days from the date on which copies of the Gazette containing the said draft provisions were made available to the public;

And, whereas all the objections and suggestions received from all persons likely to be affected thereby in respect of the said draft notification have been duly considered by the Central Government;

Now, therefore, in exercise of the powers conferred by sub-section (1) and clause (v) of sub-section (2) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986) read with clause (d) of sub-rule (3) of rule (5) of the Environment (Protection) Rules, 1986, and in supersession of the Notification S.O.763 (E), dated the 14th September, 1999 except as respect things done or omitted to be done before such supersession, the Central Government hereby issues the following notification on ash utilisation from coal or lignite thermal power plants which shall come into force on the date of the publication of this notification, namely:-

A. Responsibilities of thermal power plants to dispose fly ash and bottom ash.—

(1) Every coal or lignite based thermal power plant (including captive or co-generating stations or both) shall be primarily responsible to ensure 100 per cent utilisation of ash (fly ash, and bottom ash) generated by it in an eco-friendly manner as given in sub-paragraph (2);

(2) The ash generated from coal or lignite based thermal power plants shall be utilised only for the following eco-friendly purposes, namely:-

(i) Fly ash based products viz. bricks, blocks, tiles, fibre cement sheets, pipes, boards, panels;

(ii) Cement manufacturing, ready mix concrete;

(iii) Construction of road and fly over embankment, Ash and Geo-polymer based construction material;

(iv) Construction of dam;

(v) Filling up of low lying area;

(vi) Filling of mine voids;

(vii) Manufacturing of sintered or cold bonded ash aggregate;

(viii) Agriculture in a controlled manner based on soil testing;

(ix) Construction of shoreline protection structures in coastal districts;

(x) Export of ash to other countries;

(xi) Any other eco-friendly purpose as notified from time to time.

(3) A committee shall be constituted under the chairmanship of Chairman, Central Pollution Control Board (CPCB) and having representatives from Ministry of Environment, Forest and Climate Change (MoEFCC), Ministry of Power, Ministry of Mines, Ministry of Coal, Ministry of Road Transport and Highways, Department of Agricultural Research and Education, Institute of Road Congress, National Council for Cement and Building Materials, to examine and review and recommend the eco-friendly ways of utilisation of ash and make inclusion or exclusion or modification in the list of such ways as mentioned in Sub-paragraph (2) based on technological developments and requests received from stakeholders. The committee may invite State Pollution Control Board or Pollution Control Committee, operators of thermal power plants and mines, cement plants and other stakeholders as and when required for this purpose. Based on the recommendations of the Committee, Ministry of Environment, Forest and Climate Change (MoEFCC) may publish such eco-friendly purpose.

(4) Every coal or lignite based thermal power plant shall be responsible to utilise 100 per cent ash (fly ash and bottom ash) generated during that year, however, in no case shall utilisation fall below 80 per cent in any year, and the thermal power plant shall achieve average ash utilisation of 100 per cent in a three years cycle:

Provided that the three years cycle applicable for the first time is extendable by one year for the thermal power plants where ash utilisation is in the range of 60-80 per cent, and two years where ash utilisation is below 60 per cent and for the purpose of calculation of percentage of ash utilisation, the percentage quantity of utilisation in the year 2021- 2022 shall be taken into account as per the table below:

Utilisation percentages of thermal power plants	First compliance Cycle to meet 100 per cent utilisation	Second compliance cycle onwards, to meet 100 per cent utilisation
>80 per cent	3 years	3 years
60-80 per cent	4 years	3 years
<60 per cent	5 years	3 years

Provided further that the minimum utilisation percentage of 80 per cent shall not be applicable to the first year and first two years of the first compliance cycle for the thermal power plants under the utilisation category of 60-80 per cent and <60 per cent, respectively.

Provided also that 20per cent of ash generated in the final year of compliance cycle may be carried forward to the next cycle which shall be utilised in the next three years cycle along with the ash generated during that cycle.

(5) The unutilised accumulated ash i.e. legacy ash, which is stored before the publication of this notification, shall be utilised progressively by the thermal power plants in such a manner that the utilization of legacy ash shall be completed fully within ten years from the date of publication of this notification and this will be over and above the utilisation targets prescribed for ash generation through current operations of that particular year:

Provided that the minimum quantity of legacy ash in percentages as mentioned below shall be utilised during the corresponding year and the minimum quantity of legacy ash is to be calculated based on the annual ash generation as per installed capacity of thermal power plant.

Year from date of publication	1st	2nd	3rd -10th
Utilisation of legacy ash (in percentage of Annual ash)	At least 20 per cent	At least 35 per cent	At least 50 per cent

Provided further that the legacy ash utilisation shall not be required where ash pond or dyke has stabilised and the reclamation has taken place with greenbelt or plantation and the concerned State Pollution Control Board shall certify in this regard. Stabilisation and reclamation of an ash pond or dyke including certification by the Central Pollution Control Board (CPCB) or State Pollution Control Board (SPCB) or Pollution Control Committee (PCC) shall be carried out within a year from the date of publication of this notification. The ash remaining in all other ash ponds or dykes shall be utilised in progressive manner as per the above mentioned timelines.

Note: The obligations under sub-paragraph (4) and (5) above for achieving the ash utilisation targets shall be applicable from 1st April, 2022.

(6) Any new as well as operational thermal power plant may be permitted an emergency or temporary ash pond with an area of 0.1 hectare per Mega Watt (MW). Technical specifications of ash ponds or dykes shall be as per the guidelines of Central Pollution Control Board (CPCB) made in consultation with Central Electricity Authority (CEA) and these guidelines shall also lay down a procedure for annual certification of the ash pond or dyke on its safety, environmental pollution, available volume, mode of disposal, water consumption or conservation in disposal, ash water recycling and greenbelt, etc., and shall be put in place within three months from the date of publication of this notification.

(7) Every coal or lignite based thermal power plant shall ensure that loading, unloading, transport, storage and disposal of ash is done in an environmentally sound manner and that all precautions to prevent air and water pollution are taken and status in this regard shall be reported to the concerned State Pollution Control Board (SPCB) or Pollution Control Committee (PCC) in Annexure attached to this notification.

(8) Every coal or lignite based thermal power plant shall install dedicated silos for storage of dry fly ash silos for at least sixteen hours of ash based on installed capacity and it shall be reported upon to the concerned State Pollution Control Board (SPCB) or Pollution Control Committee (PCC) in the Annexure and shall be inspected by Central Pollution Control Board (CPCB) or State Pollution Control Board (SPCB) or Pollution Control Committee (PCC) from time to time.

(9) Every coal or lignite based thermal power plant (including captive or co-generating stations or both) shall provide real time data on daily basis of availability of ash with Thermal Power Plant (TPP), by providing link to Central Pollution Control Board's web portal or mobile phone App for the benefit of actual user(s).

(10) Statutory obligation of 100 per cent utilisation of ash shall be treated as a change in law, wherever applicable.

B. **For the purpose of utilisation of ash, the subsequent sub-paras shall apply**.—

(1) All agencies (Government, Semi-government and Private) engaged in construction activities such as road laying, road and flyover embankments, shoreline protection structures in coastal districts and dams within 300 kms from the lignite or coal based thermal power plants shall mandatorily utilise ash in these activities:

Provided that it is delivered at the project site free of cost and transportation cost is borne by such coal or lignite based thermal power plants.

Provided further that thermal power plant may charge for ash cost and transportation as per mutually agreed terms, in case thermal power plant is able to dispose the ash through other means and those agencies makes a request for it and the provisions of ash free of cost and free transportation shall be applicable, if thermal power plant serves a notice on the construction agency for the same.

(2) The utilisation of ash in the said activities shall be carried out in accordance with specifications and guidelines laid down by the Bureau of Indian Standards, Indian Road Congress, Central Building Research Institute, Roorkee, Central Road Research Institute, Delhi, Central Public Works Department, State Public Works Departments and other Central and State Government Agencies.

(3) It shall be obligatory on all mines located within 300 kilometres radius of thermal power plant, to undertake backfilling of ash in mine voids or mixing of ash with external Overburden dumps, under Extended Producer Responsibility (EPR). All mine owners or operators (Government, Public and Private Sector) within three hundred kilometres (by road) from coal or lignite based thermal power plants, shall undertake measures to mix at least 25 per cent of ash on weight to weight basis of the materials used for external dump of overburden, backfilling or stowing of mine (running or abandoned as the case may be) as per the guidelines of the Director General of Mines Safety (DGMS):

Provided that such thermal power stations shall facilitate the availability of required quantity of ash by delivering ash free of cost and bearing the cost of transportation or cost or transportation arrangement decided on mutually agreed terms and mixing of ash with overburden in mine voids and dumps shall be applicable for the overburden generated from the date of publication of this notification and the utilisation of ash in the said activities shall be carried out in accordance with guidelines laid down by the Central Pollution Control Board, Director General of Mines Safety and Indian Bureau of Mines.

Explanation.- For the purpose of this sub-paragraph, it is also clarified that the provisions of ash free of cost and free transportation shall be applicable, if thermal power plants serve a notice on the mine owner for the same and the mandate of using 25 per cent of ash for mixing with overburden dump and filling up of mine voids shall not be applicable unless a notice is served on the mine owner by thermal power plant.

(4) (i) All mine owners shall get mine closure plans (progressive and final) to accommodate ash in the mine voids and the concerned authority shall approve mine plans for disposal of ash in mine voids and mixing of ash with overburden dumps. The Ministry of Environment, Forest and Climate Change (MoEFCC) has issued guidelines on 28th August, 2019 regarding exemption of requirement of Environmental Clearance of thermal power plants and coal mines along with the guidelines to be followed for such disposal.

(ii) The Ministry in consultation with Central Pollution Control Board (CPCB), Director General of Mine Safety (DGMS) and Indian Bureau of Mines (IBM) may issue further guidelines time to time to facilitate ash disposal in mine voids and mixing with overburden dumps and it shall be the responsibility of mine owners to get the necessary amendments or modifications in the permissions issued by various regulatory authorities within one year from the date of identification of such mines.

(5) (i) There shall be a committee headed by Chairperson, Central Pollution Control Board (CPCB) with representatives from Ministry of Environment, Forest and Climate Change, Ministry of Power, Ministry of Mines, Ministry of Coal, Director General of Mine Safety and Indian Bureau of Mines for identification of mines for backfilling of mine voids with ash or mixing of ash with overburden dump including examination of safety, feasibility (not economic feasibility) and aspects of environmental contamination and the committee shall get updated quarterly reports prepared regarding identified mines (both underground and opencast) for the stakeholder Ministries or Departments and the committee shall start identifying the suitable mines immediately after the publication of this notification.

(ii) Thermal power plants or mines shall not wait for disposal of ash till the identification is done by the above mentioned committee, to meet the utilisation targets mandated as above.

(6) Filling of low lying areas with ash shall be carried out with prior permission of the State Pollution Control Board or Pollution Control Committee for approved projects, and in accordance with guidelines laid down by Central Pollution Control Board (CPCB) and the State Pollution Control Board or Pollution Control Committee (PCC) shall publish approved sites, location, area and permitted quantity annually on its website.

(7) Central Pollution Control Board after engaging relevant stakeholders, shall put in place the guidelines within one year for all types of activities envisaged under this notification including putting in place time bound online application process for the grant permission by State Pollution Control Boards (SPCBs) or Pollution Control Committees (PCCs).

(8) All building construction projects (Central, State and Local authorities, Govt. undertakings, other Govt. agencies and all private agencies) located within a radius of three hundred kilometres from a coal or lignite based thermal power plant shall use ash bricks, tiles, sintered ash aggregate or other ash based products, provided these are made available at prices not higher than the price of alternative products.

(9) Manufacturing of ash based products and use of ash in such products shall be in accordance with specifications and guidelines laid down by the Bureau of Indian Standards, Indian Road Congress, and Central Pollution Control Board.

C. Environmental compensation for non-compliance.—

(1) In the first two years of a three years cycle, if the coal or lignite based thermal power plant (including captive or co-generating stations or both) has not achieved at least 80 per cent ash (fly ash and bottom ash) utilisation, then such non-compliant thermal power plants shall be imposed with an environmental compensation of Rs. 1000 per ton on unutilised ash during the end of financial year based on the annual reports submitted and if it is unable to utilise 100 per cent of ash in the third year of the three years cycle, it shall be liable to pay an environmental compensation of Rs. 1000 per ton on the unutilised quantity on which environmental compensation has not been imposed earlier:

Provided that the environmental compensation shall be estimated and imposed at the end of last year of the first compliance cycle as per the various utilisation categories as mentioned in sub-paragraph (4) of Para A.

(2) Environmental compensation collected by the authorities shall be deposited in the designated account of Central Pollution Control Board.

(3) In case of legacy ash, if the coal or lignite based thermal power plant (including captive or co-generating stations or both) has not achieved utilisation equivalent to at least 20 per cent (for the first year), 35 per cent (for the second year), 50 per cent (for third to tenth year) of ash generated based on installed capacity, an environmental compensation of Rs. 1000 per ton of unutilised legacy ash during that financial year shall be imposed and if the utilization of legacy ash is not completed at the end of 10 years, an environmental compensation of Rs.1000 per ton shall be imposed on the remaining unutilised quantity which has not been imposed earlier.

(4) It shall be the responsibility of the transporters or vehicle owner to deliver ash to authorised purchaser or user agency and if it is not complied, then an environmental compensation of Rs. 1500 per ton on such quantity as mis-delivered to unauthorised users or non- delivered to authorised users will be imposed besides prosecution of such non-compliant transporters by State Pollution Control Board (SPCB) or Pollution Control Committee (PCC).

(5) It is the responsibility of the purchasers or user agencies to utilise ash in an eco-friendly manner as laid down at para B of this notification and if it is not complied, then an environmental compensation of Rs. 1500 or per ton shall be imposed by State Pollution Control Board (SPCB) or Pollution Control Committee (PCC).

(6) If the user agencies do not utilise ash to the extent obligated under para B or the extent to which they have been intimated through Notice(s) served under sub-paragraph (1) of para D, whichever is lower, they shall be liable to pay Rs. 1500 per ton of ash for the quantity they fall short off:

Provided that the environmental compensation on building constructions shall be levied at Rs.75/- per square feet of built up area of construction.

(7) (i) The environmental compensation collected by Central Pollution Control Board from the thermal power plants and other defaulters shall be used towards the safe disposal of the unutilised ash and the fund may also be utilised for advancing research on use of ash including ash based products.

(ii) The liability of ash utilisation shall be with thermal power plants even after imposition of environmental compensation on unutilised quantities and in case thermal power plant achieves the ash utilisation of any

particular cycle after imposition of environmental compensation in subsequent cycles, the said amount shall be returned to thermal power plant after deducting 10 per cent of the environmental compensation collected on the unutilised quantity during the next cycle and deduction of 20 per cent, 30 per cent, and so on, of the environmental compensation collected is to be made in case of utilisation of ash in subsequent cycles.

D. Procedure for supply of ash or ash based products.—

(1) The owner of thermal power plants or manufacturers of ash bricks or tiles or sintered ash aggregate shall serve written notice to persons or agencies who are liable to utilise ash or ash based products, offering for sale, or transport or both.

(2) Persons or user agencies who have been served notices by owner of thermal power plants or manufacturers of ash bricks or tiles or sintered ash aggregate, if they have already tied up with other agencies for the purpose of utilisation of ash or ash products, shall inform the thermal power plant accordingly, if they cannot use any ash or ash products or use reduced quantity.

E. Enforcement, Monitoring, Audit and Reporting.—

(1) The Central Pollution Control Board (CPCB) and the concerned State Pollution Control Board (SPCB) or Pollution Control Committee (PCC) shall be the enforcing and monitoring authority for ensuring compliance of the provisions and shall monitor the utilisation of ash on quarterly basis. Central Pollution Control Board shall develop a portal for the purpose within six months of date of publication of the notification. The concerned District Magistrate shall have concurrent jurisdiction for enforcement and monitoring of the provisions of this notification.

(2) (i) Thermal power plants shall upload monthly information regarding ash generation and utilisation by 5th of the next month on the web portal. Annual implementation report (for the period 1st April to 31st March) providing information about the compliance of provisions in this notification shall be submitted by the 30th day of April, every year to the Central Pollution Control Board, concerned State Pollution Control Board or Pollution Control Committee (PCC), Central Electricity Authority (CEA), and concerned Integrated Regional Office of Ministry of Environment, Forest and Climate Change by the coal or lignite based thermal power plants. Central Pollution Control Board and Central Electricity Authority shall compile the annual reports submitted by all the thermal power plants and submit to Ministry of Environment, Forest and Climate Change by 31st May.

(ii) All other user agencies shall submit consumption or utilisation or disposal of ash and use of ash based products as mandated in this notification in the compliance report of Environmental Clearance (EC) issued by Ministry of Environment, Forest and Climate Change or State Level Environment Impact Assessment Authority (SEIAA) or Consent to Operate (CTO) issued by State Pollution Control Board (SPCB) or Pollution Control Committee (PCC), whichever is applicable. The Central Pollution Control Board (CPCB) or State Pollution Control Board (SPCB) or Pollution Control Committee (PCC) shall publish annual report of ash utilisation of all other agencies except thermal power plants to review the effective implementation of the provisions of the notification.

(3) For the purpose of monitoring the implementation of the provisions of this notification, a committee shall be constituted under the Chairperson, Central Pollution Control Board (CPCB), with members from Ministry of Power, Ministry of Coal, Ministry of Mines, Ministry of Environment, Forest and Climate Change, Ministry Road Transportation and Highways, Department of Heavy Industry as well as any concerned stakeholder(s), to be nominated by the Chairman of the committee. The committee may make recommendations for effective and efficient implementation of the provisions of the notification. The committee shall meet at least once in six months and review annual implementation reports and the committee shall also hold stakeholder consultations for monitoring of ash utilisation as mandated by this notification by inviting relevant stakeholder(s) at least once in six months. The committee shall submit the six monthly report to Ministry of Environment, Forest and Climate Change (MoEFCC).

(4) For the purpose of resolving disputes between thermal power plants and users of ash or manufacturer of ash based products, the State Governments or Union territory administration constitute a Committee within three months from the date of publication of this notification under the Chairman, State Pollution Control Board (SPCB) or Pollution Control Committee (PCC) with representatives from Department of Power, and one representative from the Department which deals with the subject of concerned agency with which dispute is made.

(5) The compliance audit for ash disposal by the thermal power plants and the user agency shall be conducted by auditors, authorised by Central Pollution Control Board (CPCB) and audit report shall be submitted to Central Pollution Control Board (CPCB) and concerned State Pollution Control Board (SPCB) or Pollution Control Committee (PCC) by 30th November every year. Central Pollution Control Board (CPCB) and concerned State Pollution Control Board (SPCB) or Pollution Control Committee (PCC) shall initiate action against non-compliant thermal power plants within fifteen days of receipt of audit report.

[F. No. HSM-9/1/2019-HSM]

NARESH PAL GANGWAR, Jt. Secy.

Annexure

Ash Compliance Report (for the period 1st April-31st March) to be submitted on or before 31st May.

Sl. No.	Details	
1.	Name of Power Plant	
2.	Name of the company	
3.	District	
4.	State	
5.	Postal address for communication:	
6.	E-mail:	
7.	Power Plant installed capacity (MW):	
8.	Plant Load Factor (PLF):	
9.	No. of units generated (MWh):	
10.	Total area under power plant (ha): (including area under ash ponds)	
11.	Quantity of coal consumption during reporting period (Metric Tons per Annum):	
12	Average ash content in percentage (per cent):	
13.	Quantity of current ash generation during reporting period (Metric Tons per Annum): Fly ash (Metric Tons per Annum): Bottom ash (Metric Tons per Annum):	
14.	Capacity of dry fly ash storage silo(s) (Metric Tons) :	
15	Details of utilisation of current ash generated during reporting period (a) Total quantity of current ash utilised (MTPA) during reporting period: (b) Quantity of fly ash utilised (MTPA): (i) Fly ash based products (bricks or blocks or tiles or fibre cement sheets or pipes or boards or panels) (ii) Cement manufacturing:	

	(iii) Ready mix concrete: (iv) Ash and Geo-polymer based construction material: (v) Manufacturing of sintered or cold bonded ash aggregate: (vi) Construction of roads, road and fly over embankment: (vii) Construction of dams: (viii) Filling up of low lying area: (ix) Filling of mine voids: (x) Use in overburden dumps: (xi) Agriculture: (xii) Construction of shoreline protection structures in coastal districts; (xiii) Export of ash to other countries: (xiv) Others (please specify): (c) Quantity of bottom ash utilised (MTPA): (i) Fly ash based products (bricks or blocks or tiles or fibre cement sheets or pipes or boards or panels): (ii) Cement manufacturing: (iii) Ready mix concrete: (iv) Ash and Geo-polymer based construction material: (v) Manufacturing of sintered or cold bonded ash aggregate: (vi) Construction of roads, road and flyover embankment: (vii) Construction of dams: (viii) Filling up of low lying area: (ix) Filling of mine voids: (x) Use in overburden dumps: (xi) Agriculture: (xii) Construction of shoreline protection structures in coastal districts: (xiii) Export of ash to other countries: (xiv) Others (please specify): Total quantity of current ash unutilised (MTPA) during reporting period:	
16.	Percentage utilisation of current ash generated during reporting period (per cent):	
17.	Details of disposal of ash in ash ponds (a) Total quantity of ash disposed in ash pond(s) (Metric Tons) as on 31st March (excluding reporting period): (b) Quantity of ash disposed in ash pond(s) during reporting period (Metric Tons): (c) Total quantity of water consumption for slurry discharge into ash ponds during reporting period (m^3): (d) Total number of ash ponds: (i) Active: (ii) Exhausted (yet to be reclaimed): (iii) Reclaimed: (e) total area under ash ponds (ha):	
18.	Individual ash pond details *Ash pond-1,2, etc (please provide below mentioned details separately, if number of ash ponds is more than one)* (a) Status: Under construction or Active or Exhausted or	

	Reclaimed (b) Date of start of ash disposal in ash pond (DD/MM/YYYY or MMYYYY): (c) Date of stoppage of ash disposal in ash pond after completing its capacity (DD/MM/YYYY or MM/YYYY): (Not applicable for active ash ponds) (c) area (hectares): (d) dyke height (m): (d) volume (m^3): (e) quantity of ash disposed as on 31st March (Metric Tons): (f) available volume in percentage (per cent) and quantity of ash can be further disposed (Metric Tons): (g) expected life of ash pond (number of years and months): (e) co-ordinates (Lat and Long): (please specify minimum 4 co-ordinates) (f) type of lining carried in ash pond: HDPE lining or LDPE lining or clay lining or No lining g) mode of disposal: Dry disposal or wet slurry (in case of wet slurry please specify whether HCSD or MCSD or LCSD) (h) Ratio of ash: water in slurry mix (1:___): (i) Ash water recycling system (AWRS) installed and functioning: Yes or No (j) Quantity of wastewater from ash pond discharged into land or water body (m3): (k) Last date when the dyke stability study was conducted and name of the organisation who conducted the study: (l) Last date when the audit was conducted and name of the organisation who conducted the audit:	
19.	Quantity of legacy ash utilised (MTPA): i. Fly ash based products (bricks or blocks or tiles or fibre cement sheets or pipes or boards or panels): ii. Cement manufacturing: iii. Ready mix concrete: iv. Ash and Geo-polymer based construction material: v. Manufacturing of sintered or cold bonded ash aggregate: vi. Construction of roads, road and flyover embankment: vii. Construction of dams: viii. Filling up of low lying area: ix. Filling of mine voids: x. Use in overburden dumps: xi. Agriculture: xii. Construction of shoreline protection structures in coastal districts; xiii. Export of ash to other countries: xiv. Others (please specify):	
20.	Summary:	

Details	Quantity generated (MTP)	Quantity utilised (MTP) and (per cent)	Balance quantity (MTP)

	Current ash during reporting period			
	Legacy ash			
	Total			
21.	Any other information: Soft copy of the annual compliance report, and shape files of power plant and ash ponds may be e-mailed to:- moefcc-coalash@gov.in			
22.	Signature of Authorised Signatory			

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असाधारण
EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (ii)
PART II—Section 3—Sub-section (ii)

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पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय

अधिसूचना

नई दिल्ली, 30 दिसम्बर, 2022

का.आ. 6169(अ).—पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय में भारत सरकार ने पर्यावरण (संरक्षण) नियम, 1986 के नियम (5) के उप-नियम (3) के खंड (घ) के साथ पठित पर्यावरण (संरक्षण) अधिनियम, 1986 (1986 का 29) की धारा 3 की उप-धारा (1) और उप-धारा (2) के खंड (v) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए भारत के राजपत्र, असाधारण, भाग II, खंड 3 उप खंड (ii) का.आ. 5481(अ), तारीख 31 दिसंबर, 2021 द्वारा एक अधिसूचना जारी की थी (जिन्हें इसमें इसके पश्चात इसे राख के उपयोग से संबंधित अधिसूचना कहा गया है);

और, राख के उपयोग से संबंधित अधिसूचना के उपबंधों के कार्यान्वयन के संबंध में विद्युत मंत्रालय, ताप विद्युत संयंत्रों और विभिन्न हितधारकों से अनुरोध प्राप्त हुए हैं;

और, राख के उपयोग से संबंधित अधिसूचना के कार्यान्वयन में सुचारू परिवर्तन लाने हेतु उक्त अधिसूचना के कतिपय उपबंधों में संशोधन लाना उचित है;

अत: अब, केन्द्रीय सरकार पर्यावरण (संरक्षण) नियम, 1986 के नियम (5) के उप-नियम (1), (2) और (4) के साथ पठित पर्यावरण (संरक्षण) अधिनियम, 1986 (1986 का 29) की धारा 3 की उप-धारा (1) और उप-धारा (2) के खंड (v) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, जारी राख के उपयोग संबंधी अधिसूचना में निम्नलिखित संशोधन करती है, अर्थात्:-

जारी राख के उपयोग से संबंधित अधिसूचना में संशोधन –

1. पैरा क में, -

(i) उप पैरा क (4) में, तीसरे परंतुक के पश्चात निम्नलिखित परन्तुक अंतर्विष्ट किया जाएगा, अर्थात् :

''परन्तु, यह भी कि इस अधिसूचना के प्रकाशन की तारीख को अथवा उसके पश्चात् स्थापित नए ताप विद्युत संयंत्र सारणी में यथा विनिर्दिष्ट 60 प्रतिशत से कम ताप विद्युत संयंत्रों के लिए विनिर्दिष्ट अनुपालन चक्र के समान प्रथम अनुपालन चक्र का अनुसरण करेंगे।

टिप्पण : लागू अनुपालन चक्र के अनुसार उपयोग के लक्ष्य 1 अप्रैल, 2022 से प्रभावी होंगे।''

(ii) उप पैरा 5 में, -

(क) आरंभिक पैरा में, "इस अधिसूचना के प्रकाशन की तारीख" शब्दों के स्थान पर "1 अप्रैल, 2022" उक्त अक्षर और शब्द रखे जाएंगे;

(ख) दूसरे परंतुक में, -

(i) ''हरित पट्टी या पौधरोपण'' के पश्चात, "या उप पैरा (6) में यथा विनिर्दिष्ट केन्द्रीय प्रदूषण नियंत्रण बोर्ड (सीपीसीबी) द्वारा जारी मार्गदर्शी सिद्धांतों के अनुसार सौर ऊर्जा संभव या पवन ऊर्जा संयंत्र" शब्द कोष्ठकों और अक्षरों को अंत:स्थापित किए जाएंगे;

(ii) ''केन्द्रीय प्रदूषण नियंत्रण बोर्ड (सीपीसीब) या" शब्द कोष्ठक और अक्षर हटा दिया जाएंगे।

(iii) "एक वर्ष" शब्दों के स्थान पर "तीन वर्ष" शब्दों को रखा जाएगा।

(iv) "इस अधिसूचना के प्रकाशन की तारीख" शब्दों के स्थान पर "1 अप्रैल, 2022" उक्त अक्षर और शब्द रखे जाएंगे;

(ग) दूसरे परंतुक के पश्चात निम्नलिखित उपलब्ध अंत:स्थापित किया जाएगा, अर्थात् :

"परंतु कि पैरा क (6) में यथाविनिर्दिष्ट राख के अस्थायी भंडारण हेतु अभिहीत किए गए संचालित राख कुंड या डाइक के सिवाय सभी राख कुंडों या डाइक में संग्रहीत राख में पुरानी राख एकत्रित होगी और या तो इसे पुन:प्राप्त या स्थिर या उपयोग करना होगा।"

(iii) उप पैरा (6) के स्थान, उप पैरा रखा जाएगा, अर्थात्:

"(6) किसी भी नए और साथ ही चालू थर्मल पावर प्लांट को 0.1 हेक्टेयर प्रति मेगा वाट (मेगावाट) के क्षेत्र में राख के अस्थायी भंडारण के लिए परिचालन राख तालाब या डाइक की अनुमति दी जा सकती है। केन्द्रीय विद्युत प्राधिकरण के परामर्श से बनाए गए केन्द्रीय प्रदूषण नियंत्रण बोर्ड (सीपीसीबी) के दिशा-निर्देशों के अनुसार परिचालन के साथ-साथ स्थिर और पुन: दावा किए गए राख तालाबों या बांधों की तकनीकी विशिष्टताओं के अनुसार होंगे और ये दिशानिर्देश वार्षिक प्रमाणन के लिए एक प्रक्रिया भी निर्धारित करेंगे। परिचालन के साथ-साथ राख तालाब या डाइक को उसकी सुरक्षा, पर्यावरण प्रदूषण, उपलब्ध मात्रा, निपटान के तरीके, पानी की खपत या निपटान में संरक्षण, राख जल पुनर्चक्रण और हरित पट्टी, आदि पर परिचालन के साथ-साथ स्थिर और पुन: प्राप्त किया जाएगा और इस अधिसूचना के प्रकाशन की तारीख से तीन महीने भीतर रखा जाएगा :

परंतु कि 31 दिसंबर, 2021 से पहले चालू किए गए ताप विद्युत संयंत्रों के लिए 1600 मेगावाट से कम या उसके बराबर स्थापित क्षमता वाले दो परिचालन राख तालाबों या डाइकों तक और 1600 से अधिक स्थापित क्षमता वाले ताप विद्युत संयंत्रों के लिए चार परिचालन राख तालाबों या बांधों तक MW, मौजूदा राख तालाबों या बांधों से निर्दिष्ट क्षेत्र के भीतर कई लैगून होने पर, निर्देशांक के साथ स्पष्ट सीमांकन के साथ नामित किया जा सकता है, और केन्द्रीय प्रदूषण नियंत्रण बोर्ड (सीपीसीबी) और संबंधित राज्य प्रदूषण नियंत्रण बोर्ड (एसपीसीबी)/प्रदूषण को सूचित करेगा। नियंत्रण समिति (पीसीसी) 31 मार्च, 2023 तक :

परंतु आगे कि नए थर्मल पावर प्लांट या मौजूदा थर्मल पावर प्लांट के विस्तार के मामले में केवल एक ऐश पोंड या डाइक की अनुमति दी जाएगी 31 दिसंबर, 2021 को या उसके बाद, जो केन्द्रीय प्रदूषण नियंत्रण बोर्ड (सीपीसीबी) और संबंधित राज्य प्रदूषण नियंत्रण बोर्ड (एसपीसीबी)/प्रदूषण नियंत्रण समिति (पीसीसी) को कमीशन की तारीख से 3 महीने के भीतर निर्देशांक के साथ सीमांकन के विवरण की सूचना देगा। थर्मल पावर प्लांट या 31 मार्च, 2023 तक, जो भी बाद में हो :

परंतु यह और कि कोयला और लिग्नाइट आधारित तापीय विद्युत संयंत्रों को आगे किसी भी नए कार्यशील राख कुंड या डाइक को स्थापित करने या नाम निर्दिष्ट करने की अनुमति नहीं दी जाएगी।

परंतु यह और कि कार्यशील राख कुंड या डाइक की 0.1 हे./मेगावॉट (एमडब्ल्यू) का विनिर्देशन तारीख 3 नवम्बर, 2009 से पूर्व चालू तापीय विद्ययुत संयंत्रों पर लागू नहीं होंगे।"

2. पैरा ख में, -

(i) उप पैरा (1) में, "300 कि.मी. के भीतर" शब्दों कोष्ठकों और आंकड़ों के स्थान पर "300 कि.मी. के रेडियस के भीतर" शब्द कोष्ठक और आंकड़े रखें जाएंगे।

(ii) उप पैरा (8) में, उच्चतर "वैकल्पिक उत्पादों के मूल्य से अधिक" शब्दों के स्थान पर "केन्द्रीय लोक कार्य विभाग (सीपीडब्ल्यूडी) या संबंधित लोक कार्य विभाग (पीडब्ल्यूडी) द्वारा विनिर्दिष्ट दरों की अनुसूची में उल्लिखित मूल्य या दरों की अनुसूची के अधीन निर्धारित न होने परल वैकल्पिक उत्पादों का मूल्य" शब्द रखे जाएंगे।

3. पैरा घ में, -

(i) उप पैरा (2) के स्थान, उप पैरा रखा जाएगा, अर्थात्:

''(2) जिन व्यक्तियों या उपयोगकर्ता या एजेंसियों को थर्मल पावर प्लांट के मालिक द्वारा नोटिस दिया गया है, अगर वे राख के उपयोग के उद्देश्य से पहले से ही अन्य एजेंसियों के साथ करार कर चुके हैं तो थर्मल पावर प्लांट को तदनुसार सूचित करेंगे और यदि वे उपयोग नहीं कर सकते हैं कोई राख या कम मात्रा का उपयोग कर सकता है।''

(ii) उप-पैरा (2) के पश्चात्, निम्नलिखित उप-पैरा अंत:स्थापित किया जाएगा, अर्थात्:

"(3) जिन व्यक्तियों या उपभोकता अभिकरणों को, यदि वे राख आधारित उत्पादों के उपयोग के उद्देश्य से अन्य अभिकरणों के साथ पहले से जुड़े हुए हैं, ऐश ब्रिक्स या टाइल्स या सिंटर्ड ऐश ऐग्रीगेट या अन्य राख आधारित उत्पादों के विनिर्माताओं के द्वारा नोटिस दिया गया है तो उन्हें ऐश ब्रिक्स या आइल्स या सिंटर्ड ऐश ऐग्रीगेट या अन्य राख आधारित उतपादों के विनिर्माताओं को सूचित करना होगा, तद्नुसार, यदि वे राख आधारित उत्पादों का उपयोग नहीं कर सकते या कम प्रमात्रा में उपयोग कर सकते हैं।"

2. यह अधिसूचना राजपत्र में प्रकाशन की तारीख से प्रवृत होगी।

[फा. सं. एचएसएम - 9/1/2019- एचएसएम]

नरेश पाल गंगवार, अपर सचिव

टिप्पण : मूल अधिसूचना भारत के राजपत्र, असाधारण, भाग-II, खंड 3, उप-खंड (ii) सं. एस 5481(अ) तारीख 31 दिसम्बर, 2021 के द्वारा में प्रकाशित की गई।

MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE

NOTIFICATION

New Delhi, the 30th December, 2022

S.O. 6169(E).—Whereas, the Government of India, Ministry of Environment, Forest and Climate Change, in exercise of the powers conferred by sub-section (1) and clause (v) of sub-section (2) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986) read with clause (d) of sub-rule (3) of rule (5) of the Environment (Protection) Rules, 1986, issued a notification published in the Gazette of India, Extraordinary, Part II, Section 3, sub-section (ii) *vide* S.O.5481(E), dated the 31st December, 2021 (herein after referred to as the ash utilisation notification);

And whereas, requests have been received from Ministry of Power, thermal power plants and various stakeholders regarding implementation of provisions of the ash utilisation notification;

And whereas, it is expedient to make amendments to certain provisions of the said notification to have smooth transitioning in implementation of the ash utilisation notification;

Now, therefore, in exercise of the powers conferred by sub-section (1) and clause (v) of sub-section (2) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986) read with of sub-rule (1), (2) and (4) of rule (5) of the Environment (Protection) Rules, 1986, the Central Government hereby makes the following amendments in the ash utilisation notification namely:-

In the ash utilisation notification,-

(1) in paragraph A,-

(i) in sub-paragraph (4), after the third proviso, the following shall be inserted, namely,-

"Provided also that new thermal power plants commissioned on or after the date of publication of this notification shall follow the first compliance cycle similar to the compliance cycle specified for thermal power plants having utilisation per cent. less than 60 per cent. as specified in the table.

Note: The utilisation targets as per the applicable compliance cycle shall commence from 1st April, 2022.".

(ii) in sub- paragraph (5),-

(a) in the opening paragraph, for the words "the date of publication of this notification", the figures, letters and word "1st April, 2022" shall be substituted;

(b) in the second proviso, -

(i) after the words "green belt or plantation", the words, brackets, letters and figure "or solar power plant or wind power plant as per the guidelines issued by the Central Pollution Control Board (CPCB) as specified in sub-para (6)" shall be inserted,

(ii) the words, brackets and letters "Central Pollution Control Board (CPCB) or" shall be deleted,

(iii) for the words "a year", the words "three years" shall be substituted,

(iv) for the words "the date of publication of this notification", the figures, letters and word "1st April, 2022" shall be substituted.

(c) after the second proviso, the following proviso shall be inserted, namely:

"Provided that ash stored in all ash ponds or dykes other than operational ash pond or dyke designated for temporary storage of ash as specified in sub-para (6) shall constitute the legacy ash and either to be reclaimed or stabilised or utilised.".

(iii) for sub- paragraph (6), the following sub-para shall be substituted, namely,-

"(6) Any new as well as operational thermal power plant may be permitted operational ash pond or dyke for temporary storage of ash within an area of 0.1 hectare per Mega Watt (MW). Technical specifications of operational as well as stabilised and reclaimed ash ponds or dykes shall be as per the guidelines of the Central Pollution Control Board (CPCB) made in consultation with the Central Electricity Authority (CEA) and these guidelines shall also lay down a procedure for annual certification of the operational as well as stabilised and reclaimed ash pond or dyke on its safety, environment pollution, available volume, mode of disposal, water consumption or conservation in disposal, ash water recycling and green belt, etc. and shall be put in place within three months from the date of publication of this notification:

Provided that up to two operational ash ponds or dykes for thermal power plants commissioned before 31st December, 2021, having installed capacity less than or equal to 1600 MW, and up to four operational ash ponds or dykes for thermal power plants having installed capacity more than 1600 MW, having multiple lagoons, within the specified area from the existing ash ponds or dykes, may be designated with clear demarcation along with coordinates, and shall inform to Central Pollution Control Board (CPCB) and concerned State Pollution Control Board (SPCB) or Pollution Control Committee (PCC) by 31st March, 2023:

Provided further that one ash pond or dyke shall be permitted in case of new thermal power plants or expansion of existing thermal power plants commissioned on or after 31st December, 2021, which shall inform the details of demarcation along with coordinates to Central Pollution Control Board (CPCB) and concerned State Pollution Control Board (SPCB) or Pollution Control Committee (PCC) within 3 months from the date of commissioning of thermal power plant or by 31st March, 2023, whichever is later:

Provided also that coal and lignite based thermal power plants shall not be allowed to further establish or designate any new operational ash pond or dyke:

Provided also that specification of 0.1 hectare per Mega Watt (MW) of an operational ash pond or dyke shall not be applicable for the thermal power plants commissioned before 03rd November, 2009.".

(2) in paragraph B,-

(i) in sub- paragraph (1), for the words, figures and letters "within 300 kms", the words, figures and letters "within a radius of 300 kms" shall be substituted,

(ii) in sub- paragraph (8), for the words "higher than the price of alternative products", the words, brackets and letters "more than the price mentioned in the Schedule of Rates as specified by Central Public Works Department (CPWD) or concerned Public Works Department (PWD) or price of alternative products, if not mentioned in the Schedule of Rates." shall be substituted.

(3) in paragraph -D, -

(i) for sub- paragraph (2), the following sub- paragraph shall be substituted, namely,-

"(2) Persons or user agencies who have been served notice by owner of thermal power plants, if they have already tied up with other agencies for the purpose of utilisation of ash, shall inform the thermal power plant accordingly, and if they cannot use any ash or may use reduced quantity.".

(ii) after sub- paragraph (2), the following sub-para shall be inserted, namely,-

"(3) Persons or user agencies who have been served notice by manufacturers of ash bricks or tiles or sintered ash aggregate or other ash based products, if they have already tied up with other agencies for the purpose of utilisation of ash based products, shall inform the manufacturer of ash bricks or tiles or sintered ash aggregate or other ash based products, accordingly, and if they cannot use ash based products, or may use reduced quantity.".

2. This notification shall come into force on the date of its publication in the Official Gazette.

[F. No. HSM-9/1/2019-HSM]

NARESH PAL GANGWAR, Addl. Secy.

Note : The principal notification was published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (ii), dated the 31st December, 2021, *vide* number S.O.5481 (E), dated the 31st December, 2021.

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3. अपील करने का आधार :

4. मांगी गई राहत :

5. पैरा 2 में संदर्भित आदेश, जिसके विरुद्ध अपील दायर की जा रही है, के अतिरिक्त अनुलग्नकों की सूची :

हस्ताक्षर.....

तारीख :

नाम और पता .....

X X

[23-16/2009-एचएसएमडी]

विश्वनाथ सिन्हा, संयुक्त सचिव

MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE

NOTIFICATION

New Delhi, the 4th April, 2016

G.S.R. 395(E).—Whereas the draft rules, namely the Hazardous And Other Wastes (Management and Transboundary Movement) Rules, 2015, were published by the Government of India in the Ministry of Environment, Forest and Climate Change *vide* number G.S.R. 582(E), dated the 24th July, 2015 in the Gazette of India, Extraordinary Part II, section 3, sub-section (ii) inviting objections and suggestions from all persons likely to be affected thereby, before the expiry of the period of sixty days from the date on which copies of the Gazette containing the said notification were made available to the public;

AND WHEREAS the copies of the said Gazette containing the said notification were made available to the public on the 24th day of July, 2015;

AND WHEREAS the objections and suggestions received within the specified period from the public in respect of the said draft rules have been duly considered by the Central Government;

NOW, THEREFORE, in exercise of the powers conferred by sections 6, 8 and 25 of the Environment (Protection) Act, 1986 (29 of 1986), and in supersession of the Hazardous Wastes (Management, Handling and Transboundary Movement) Rules, 2008, except as respects things done or omitted to be done before such supersession, the Central Government hereby makes the following rules, namely:-

CHAPTER I

PRELIMINARY

1. Short title and commencement. - (1) These rules may be called the Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. Application. - These rules shall apply to the management of hazardous and other wastes as specified in the Schedules to these rules but shall not apply to -

(a) waste-water and exhaust gases as covered under the provisions of the Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974) and the Air (Prevention and Control of Pollution) Act, 1981 (14 of 1981) and the rules made thereunder and as amended from time to time;

(b) wastes arising out of the operation from ships beyond five kilometres of the relevant baseline as covered under the provisions of the Merchant Shipping Act, 1958 (44 of 1958) and the rules made thereunder and as amended from time to time;

(c) radio-active wastes as covered under the provisions of the Atomic Energy Act, 1962 (33 of 1962) and the rules made thereunder and as amended from time to time;

(d) bio-medical wastes covered under the Bio-Medical Wastes (Management and Handling) Rules, 1998 made under the Act and as amended from time to time; and

(e) wastes covered under the Municipal Solid Wastes (Management and Handling) Rules, 2000 made under the Act and as amended from time to time.

3. Definitions. - (1) In these rules, unless the context otherwise requires,-

1. "Act" means the Environment (Protection) Act, 1986 (29 of 1986);

2. "actual user" means an occupier who procures and processes hazardous and other waste for reuse, recycling, recovery, pre-processing, utilisation including co-processing;

3. "authorisation" means permission for generation, handling, collection, reception, treatment, transport, storage, reuse, recycling, recovery, pre-processing, utilisation including co-processing and disposal of hazardous wastes granted under sub-rule (2) of rule 6;

4. "Basel Convention" means the United Nations Environment Programme Convention on the Control of Transboundary Movement of Hazardous Wastes and their Disposal;

5. "captive treatment, storage and disposal facility" means a facility developed within the premises of an occupier for treatment, storage and disposal of wastes generated during manufacture, processing, treatment, package, storage, transportation, use, collection, destruction, conversion, offering for sale, transfer or the like of hazardous and other wastes;

6. "Central Pollution Control Board" means the Central Pollution Control Board constituted under sub-section (1) of section 3 of the Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974);

7. "common treatment, storage and disposal facility" means a common facility identified and established individually or jointly or severally by the State Government, occupier, operator of a facility or any association of occupiers that shall be used as common facility by multiple occupiers or actual users for treatment, storage and disposal of the hazardous and other wastes;

8. "co-processing" means the use of waste materials in manufacturing processes for the purpose of energy or resource recovery or both and resultant reduction in the use of conventional fuels or raw materials or both through substitution;

9. "critical care medical equipment" means life saving equipment and includes such equipment as specified by the Ministry of Health and Family Welfare from time to time;

10. "disposal" means any operation which does not lead to reuse, recycling, recovery, utilisation including co-processing and includes physico-chemical treatment, biological treatment, incineration and disposal in secured landfill;

11. "export", with its grammatical variations and cognate expressions, means taking out of India to a place outside India;

12. "exporter" means any person or occupier under the jurisdiction of the exporting country who exports hazardous or other wastes, including the country which exports hazardous or other waste;

13. "environmentally sound management of hazardous and other wastes" means taking all steps required to ensure that the hazardous and other wastes are managed in a manner which shall protect health and the environment against the adverse effects which may result from such waste;

14. "environmentally sound technologies" means any technology approved by the Central Government from time to time;

15. "facility" means any establishment wherein the processes incidental to the generation, handling, collection, reception, treatment, storage, reuse, recycling, recovery, pre-processing, co-processing, utilisation and disposal of hazardous and, or, other wastes are carried out;

16. "Form" means a form appended to these rules;

17. "hazardous waste" means any waste which by reason of characteristics such as physical, chemical, biological, reactive, toxic, flammable, explosive or corrosive, causes danger or is likely to cause danger to health or environment, whether alone or in contact with other wastes or substances, and shall include -
    (i) waste specified under column (3) of Schedule I;
    (ii) waste having equal to or more than the concentration limits specified for the constituents in class A and class B of Schedule II or any of the characteristics as specified in class C of Schedule II; and
    (iii) wastes specified in Part A of Schedule III in respect of import or export of such wastes or the wastes not specified in Part A but exhibit hazardous characteristics specified in Part C of Schedule III;

18. "import", with its grammatical variations and cognate expressions, means bringing into India from a place outside India;

19. "importer" mean any person or occupier who imports hazardous or other waste;

20. "manifest" means transporting document prepared and signed by the sender authorised in accordance with the provisions of these rules;

21. "occupier" in relation to any factory or premises, means a person who has, control over the affairs of the factory or the premises and includes in relation to any hazardous and other wastes, the person in possession of the hazardous or other waste;

22. "operator of disposal facility" means a person who owns or operates a facility for collection, reception, treatment, storage and disposal of hazardous and other wastes;

23. "other wastes**"** means wastes specified in Part B and Part D of Schedule III for import or export and includes all such waste generated indigenously within the country;

24. "pre-processing" means the treatment of waste to make it suitable for co-processing or recycling or for any further processing;

25. "recycling" means reclamation and processing of hazardous or other wastes in an environmentally sound manner for the originally intended purpose or for other purposes;

26. "reuse" means use of hazardous or other waste for the purpose of its original use or other use;

27. "recovery" means any operation or activity wherein specific materials are recovered;

28. "Schedule" means a Schedule appended to these rules;

29. "State Government" in relation to a Union territory means, the Administrator thereof appointed under article 239 of the Constitution;

30. "State Pollution Control Board" means the State Pollution Control Board constituted under section 4 of the Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974) and includes, in relation to a Union territory, the Pollution Control Committee;

31. "storage" mean storing any hazardous or other waste for a temporary period, at the end of which such waste is processed or disposed of;

32. "transboundary movement" means any movement of hazardous or other wastes from an area under the jurisdiction of one country to or through an area under the jurisdiction of another country or to or through an area not under the jurisdiction of any country, provided that at least two countries are involved in the movement;

33. "transport" means off-site movement of hazardous or other wastes by air, rail, road or water;

34. "transporter" means a person engaged in the off-site transportation of hazardous or other waste by air, rail, road or water;

35. "treatment" means a method, technique or process, designed to modify the physical, chemical or biological characteristics or composition of any hazardous or other waste so as to reduce its potential to cause harm;

36. "used oil" means any oil-

(i) derived from crude oil or mixtures containing synthetic oil including spent oil, used engine oil, gear oil, hydraulic oil, turbine oil, compressor oil, industrial gear oil, heat transfer oil, transformer oil and their tank bottom sludges; and
(ii) suitable for reprocessing, if it meets the specification laid down in Part A of Schedule V but does not include waste oil;

37. "utilisation" means use of hazardous or other waste as a resource;

38. "waste" means materials that are not products or by-products, for which the generator has no further use for the purposes of production, transformation or consumption.

Explanation.- for the purposes of this clause,
(i) waste includes the materials that may be generated during, the extraction of raw materials, the processing of raw materials into intermediates and final products, the consumption of final products, and through other human activities and excludes residuals recycled or reused at the place of generation; and
(ii) by-product means a material that is not intended to be produced but gets produced in the production process of intended product and is used as such;

39. "waste oil" means any oil which includes spills of crude oil, emulsions, tank bottom sludge and slop oil generated from petroleum refineries, installations or ships and can be used as fuel in furnaces for energy recovery, if it meets the specifications laid down in Part-B of Schedule V either as such or after reprocessing.

(2) Words and expressions used in these rules and not defined but defined in the Act shall have the meanings respectively assigned to them in the Act.

CHAPTER II

PROCEDURE FOR MANAGEMENT OF HAZARDOUS AND OTHER WASTES

4. Responsibilities of the occupier for management of hazardous and other wastes.-

(1) For the management of hazardous and other wastes, an occupier shall follow the following steps, namely:-
(a) prevention;
(b) minimization;
(c) reuse,
(d) recycling;
(e) recovery, utilisation including co-processing;
(f) safe disposal.

(2) The occupier shall be responsible for safe and environmentally sound management of hazardous and other wastes.

(3) The hazardous and other wastes generated in the establishment of an occupier shall be sent or sold to an authorised actual user or shall be disposed of in an authorised disposal facility.

(4) The hazardous and other wastes shall be transported from an occupier's establishment to an authorised actual user or to an authorised disposal facility in accordance with the provisions of these rules.

(5) The occupier who intends to get its hazardous and other wastes treated and disposed of by the operator of a treatment, storage and disposal facility shall give to the operator of that facility, such specific information as may be needed for safe storage and disposal.

(6) The occupier shall take all the steps while managing hazardous and other wastes to-
(a) contain contaminants and prevent accidents and limit their consequences on human beings and the environment; and

(b) provide persons working in the site with appropriate training, equipment and the information necessary to ensure their safety.

5. Responsibilities of State Government for environmentally sound management of hazardous and other wastes. – (1) Department of Industry in the State or any other government agency authorised in this regard by the State Government, to ensure earmarking or allocation of industrial space or shed for recycling, pre-processing and other utilisation of hazardous or other waste in the existing and upcoming industrial park, estate and industrial clusters;

(2) Department of Labour in the State or any other government agency authorised in this regard by the State Government shall,-

(a) ensure recognition and registration of workers involved in recycling, pre-processing and other utilisation activities;
(b) assist formation of groups of such workers to facilitate setting up such facilities;
(c) undertake industrial skill development activities for the workers involved in recycling, pre-processing and other utilisation;
(d) undertake annual monitoring and to ensure safety and health of workers involved in recycling, pre-processing and other utilisation.

(3) Every State Government may prepare integrated plan for effective implementation of these provisions and to submit annual report to the Ministry of Environment, Forest and Climate Change, in the Central Government.

6. Grant of authorisation for managing hazardous and other wastes.- (1) Every occupier of the facility who is engaged in handling, generation, collection, storage, packaging, transportation, use, treatment, processing, recycling, recovery, pre-processing, co-processing, utilisation, offering for sale, transfer or disposal of the hazardous and other wastes shall be required to make an application in **Form 1** to the State Pollution Control Board and obtain an authorisation from the State Pollution Control Board within a period of sixty days from the date of publication of these rules. Such application for authorisation shall be accompanied with a copy each of the following documents, namely:-

(a) consent to establish granted by the State Pollution Control Board under the Water (Prevention and Control of Pollution) Act, 1974 (25 of 1974) and the Air (Prevention and Control of Pollution) Act, 1981 (21 of 1981);
(b) Consent to operate granted by the State Pollution Control Board under the Water (Prevention and Control of Pollution) Act, 1974 (25 of 1974) and/or Air (Prevention and Control of Pollution) Act, 1981, (21 of 1981);
(c) in case of renewal of authorisation, a self-certified compliance report in respect of effluent, emission standards and the conditions specified in the authorisation for hazardous and other wastes:

Provided that an application for renewal of authorisation may be made three months before the expiry of such authorisation:

Provided further that-

(i) any person authorised under the provisions of the Hazardous Waste (Management, Handling and Transboundary Movement) Rules, 2008, prior to the date of commencement of these rules, shall not be required to make an application for authorisation till the period of expiry of such authorisation;
(ii) any person engaged in recycling or reprocessing of the hazardous waste specified in Schedule IV and having registration under the provisions of the Hazardous Waste (Management, Handling and Transboundary Movement) Rules, 2008, shall not be required to make an application for authorisation till the period of expiry of such registration.

(2) On receipt of an application complete in all respects for the authorisation, the State Pollution Control Board may, after such inquiry as it considers necessary, and on being satisfied that the applicant possesses appropriate facilities for collection, storage, packaging, transportation, treatment, processing, use, destruction, recycling, recovery, pre-processing, co-processing, utilisation, offering for sale, transfer or disposal of the hazardous and other waste, as the case may be, and after ensuring technical capabilities and equipment complying with the standard operating procedure or other guidelines specified by the Central Pollution Control Board from time to time and through site inspection, grant within a period of one hundred and twenty days, an authorisation in **Form 2** to the applicant, which shall be valid for a period of five years subject to such conditions as may be laid down therein. For commonly recyclable hazardous waste as given in Schedule IV, the guidelines already prepared by the Central Pollution Control Board shall be followed:

Provided that in the case of an application for renewal of authorisation, the State Pollution Control Board may, before granting such authorisation, satisfy itself that there has been no violation of the conditions specified in the authorisation earlier granted by it and same shall be recorded in the inspection report.

(3) The authorisation granted by the State Pollution Control Board under sub-rule (2) shall be accompanied by a copy of the field inspection report signed by that Board indicating the adequacy of facilities for collection, storage, packaging, transportation, treatment, processing, use, destruction, recycling, recovery, pre-processing, co-processing, utilisation, offering for sale, transfer or disposal of the hazardous and other wastes and compliance to the guidelines or standard operating procedures specified by the Central Pollution Control Board from time to time.

(4) The State Pollution Control Board may, for the reasons to be recorded in writing and after giving reasonable opportunity of being heard to the applicant, refuse to grant any authorisation under these rules.

(5) Every occupier authorised under these rules, shall maintain a record of hazardous and other wastes managed by him in **Form 3** and prepare and submit to the State Pollution Control Board, an annual return containing the details specified in **Form 4** on or before the 30th day of June following the financial year to which that return relates.

(6) The State Pollution Control Board shall maintain a register containing particulars of the conditions imposed under these rules for management of hazardous and other wastes and it shall be open for inspection during office hours to any interested or affected person.

(7) The authorised actual user of hazardous and other wastes shall maintain records of hazardous and other wastes purchased in a passbook issued by the State Pollution Control Board along with the authorisation.

(8) Handing over of the hazardous and other wastes to the authorised actual user shall be only after making the entry into the passbook of the actual user.

7. Power to suspend or cancel an authorisation.- (1) The State Pollution Control Board, may, if in its opinion the holder of the authorisation has failed to comply with any of the conditions of the authorisation or with any provisions of the Act or these rules and after giving him a reasonable opportunity of being heard and after recording reasons thereof in writing cancel or suspend the authorisation issued under rule 6 for such period as it considers necessary in the public interest.

(2) Upon suspension or cancellation of the authorisation, the State Pollution Control Board may give directions to the person whose authorisation has been suspended or cancelled for the safe storage and management of the hazardous and other wastes, and such occupier shall comply with such directions.

8. Storage of hazardous and other wastes.- (1) The occupiers of facilities may store the hazardous and other wastes for a period not exceeding ninety days and shall maintain a record of sale, transfer, storage, recycling, recovery, pre-processing, co-processing and utilisation of such wastes and make these records available for inspection:

Provided that the State Pollution Control Board may extend the said period of ninety days in following cases, namely:-

(i) small generators (up to ten tonnes per annum) up to one hundred and eighty days of their annual capacity;
(ii) actual users and disposal facility operators up to one hundred and eighty days of their annual capacity,
(iii) occupiers who do not have access to any treatment, storage, disposal facility in the concerned State; or
(iv) the waste which needs to be specifically stored for development of a process for its recycling, recovery, pre-processing, co-processing or utilisation;
(v) in any other case, on justifiable grounds up to one hundred and eighty days.

9. Utilisation of hazardous and other wastes.- (1) The utilisation of hazardous and other wastes as a resource or after pre-processing either for co-processing or for any other use, including within the premises of the generator (if it is not part of process), shall be carried out only after obtaining authorisation from the State Pollution Control Board in respect of waste on the basis of standard operating procedures or guidelines provided by the Central Pollution Control Board.

(2) Where standard operating procedures or guidelines are not available for specific utilisation, the approval has to be sought from Central Pollution Control Board which shall be granting approval on the basis of trial runs and thereafter, standard operating procedures or guidelines shall be prepared by Central Pollution Control Board:

Provided, if trial run has been conducted for particular waste with respect to particular utilisation and compliance to the environmental standards has been demonstrated, authorisation may be granted by the State Pollution Control Board with respect to the same waste and utilisation, without need of separate trial run by Central Pollution Control Board and such cases of successful trial run, Central Pollution Control Board shall intimate all the State Pollution Control Board regarding the same.

(3) No trial runs shall be required for co-processing of waste in cement plants for which guidelines by the Central Pollution Control Board are already available; however, the actual users shall ensure compliance to the standards notified under the Environment (Protection) Act,1986 (29 of 1986), for cement plant with respect to co-processing of waste:

Provided that till the time the standards are notified, the procedure as applicable to other kind of utilisation of hazardous and other waste, as enumerated above shall be followed.

10. Standard Operating Procedure or guidelines for actual users.- The Ministry of Environment, Forest and Climate Change or the Central Pollution Control Board may issue guidelines or standard operating procedures for environmentally sound management of hazardous and other wastes from time to time.

CHAPTER III

IMPORT AND EXPORT OF HAZARDOUS AND OTHER WASTES

11. Import and export (transboundary movement) of hazardous and other wastes.- The Ministry of Environment, Forest and Climate Change shall be the nodal Ministry to deal with the transboundary movement of the hazardous and other wastes in accordance with the provisions of these rules.

12. Strategy for Import and export of hazardous and other wastes.- (1) No import of the hazardous and other wastes from any country to India for disposal shall be permitted.

(2) The import of hazardous and other wastes from any country shall be permitted only for recycling, recovery, reuse and utilisation including co-processing.

(3) The import of hazardous waste in Part A of Schedule III may be allowed to actual users with the prior informed consent of the exporting country and shall require the permission of the Ministry of Environment, Forest and Climate Change.

(4) The import of other wastes in Part B of Schedule III may be allowed to actual users with the permission of the Ministry of Environment, Forest and Climate Change.

(5) The import of other wastes in Part D of Schedule III will be allowed as per procedure given in rule 13 and as per the note below the said Schedule.

(6) No import of the hazardous and other wastes specified in Schedule VI shall be permitted.

(7) The export of hazardous and other wastes from India listed in Part A and Part B of Schedule III and Schedule VI shall be with the permission of Ministry of Environment, Forest and Climate Change. In case of applications for export of hazardous and other waste listed in Part A of Schedule III and Schedule VI, they shall be considered on the basis of prior informed consent of the importing country.

(8) The import and export of hazardous and other wastes not specified in Schedule III, but exhibiting the hazardous characteristics outlined in Part C of Schedule III shall require prior written permission of the Ministry of Environment, Forest and Climate Change before it is imported to or exported from India, as the case may be.

13. Procedure for import of hazardous and other wastes.- (1) Actual users intending to import or transit for transboundary movement of hazardous and other wastes specified in Part A and Part B of Schedule III shall apply in **Form 5** along with the documents listed therein, to the Ministry of Environment, Forest and Climate Change for the proposed import together with the prior informed consent of the exporting country in respect of Part A of Schedule III waste, and shall send a copy of the application, simultaneously, to the concerned State Pollution Control Board for information and the acknowledgement in this respect from the concerned State Pollution Control Board shall be submitted to the Ministry of Environment, Forest and Climate Change along with the application.

(2) For the import of other wastes listed in Part D of Schedule III, the importer shall not require the permission of the Ministry of Environment, Forest and Climate Change. However, the importer shall furnish the required information as per **Form 6** to the Customs authorities, accompanied with the following documents in addition to those listed in Schedule VIII, wherever applicable. For used electrical and electronic assemblies listed at serial numbers 4 (e) to 4(i) of Schedule VIII (Basel No. B1110), there is no specific requirement of documentation under these rules:

(a) the import license from Directorate General of Foreign Trade, if applicable;

(b) the valid consents under the Water (Prevention and Control of Pollution) Act, 1974 (25 of 1974) and the Air (Prevention and Control of Pollution) Act, 1981 (21 of 1981) and the authorisation under these rules as well as the authorisation under the E-Waste (Management and Handling) Rules, 2011, as amended from time to time, whichever applicable;

(c) importer who is a trader, importing waste on behalf of actual users, shall obtain one time authorisation in **Form 7** and copy of this authorisation shall be appended to **Form 6**.

(3) For Part B of Schedule III, in case of import of any used electrical and electronic assemblies or spares or part or component or consumables as listed under Schedule I of the E-Waste (Management and Handling) Rules, 2011, as amended from time to time, the importer need to obtain extended producer responsibility-authorisation as producer under the said E-Waste (Management and Handling) Rules, 2011.

(4) Prior to clearing of consignment of wastes listed in Part D of Schedule III, the Custom authorities shall verify the documents as given in column (3) of Schedule VIII.

(5) On receipt of the complete application with respect to Part A and Part B of Schedule III, the Ministry of Environment, Forest and Climate Change shall examine the application considering the comments and observations, if any, received from the State Pollution Control Boards, and may grant the permission for import within a period of sixty days subject to the condition that the importer has -

(i) the environmentally sound facilities;
(ii) adequate arrangements for treatment and disposal of wastes generated;
(iii) a valid authorisation and consents from the State Pollution Control Board;
(iv) prior informed consent from the exporting country in case of Part A of Schedule III wastes.

(6) The Ministry of Environment, Forest and Climate Change shall forward a copy of the permission to the concerned Port and Customs authorities, Central Pollution Control Board and the concerned State Pollution Control Board for ensuring compliance with respect to their respective functions given in Schedule VII.

(7) The importer of the hazardous and other wastes shall maintain records of the hazardous and other waste imported by him in **Form 3** and the record so maintained shall be made available for inspection.

(8) The importer of the hazardous and other wastes shall file an annual return in **Form 4** to the State Pollution Control Board on or before the 30th day of June following the financial year to which that return relates.

(9) Samples of hazardous and other wastes being imported for testing or research and development purposes up to 1000 gm or 1000 ml shall be exempted from need of taking permission for import under these rules.

(10) The Port and Customs authorities shall ensure that shipment is accompanied with the movement document as given in **Form 6** and the test report of analysis of the waste, consignment, wherever applicable, from a laboratory accredited or recognised by the exporting country. In case of any doubt, the customs may verify the analysis.

14. Procedure for Export of hazardous and other wastes from India.- (1) Any occupier intending to export waste specified in Part A of Schedule III, Part B of Schedule III and Schedule VI, shall make an application in **Form 5** along with insurance cover to the Ministry of Environment, Forest and Climate Change for the proposed transboundary movement of the hazardous and other wastes together with the prior informed consent in writing from the importing country in respect of wastes specified in Part A of Schedule III and Schedule VI.

(2) On receipt of an application under sub-rule (1), the Ministry of Environment, Forest and Climate Change may give permission for the proposed export within a period of sixty days from the date of submission of complete application and may impose such conditions as it may consider necessary.

(3) The Ministry of Environment, Forest and Climate Change shall forward a copy of the permission granted under sub-rule (2) to the State Pollution Control Board of the State where the waste is generated and the Pollution Control Board of the State where the port of export is located and the concerned Port and Customs authorities for ensuring compliance of the conditions of the export permission.

(4) The exporter shall ensure that no consignment is shipped before the prior informed consent is received from the importing country, wherever applicable.

(5) The exporter shall also ensure that the shipment is accompanied with movement document in **Form 6.**

(6) The exporter of the hazardous and other wastes shall maintain the records of the hazardous or other waste exported by him in **Form 3** and the record so maintained shall be available for inspection.

15. Illegal traffic.- (1) The export and import of hazardous or other wastes from and into India, respectively shall be deemed illegal, if,-

(i) it is without permission of the Central Government in accordance with these rules; or
(ii) the permission has been obtained through falsification, mis-representation or fraud; or
(iii) it does not conform to the shipping details provided in the movement documents; or
(iv) it results in deliberate disposal (i.e., dumping) of hazardous or other waste in contravention of the Basel Convention and of general principles of international or domestic law.

(2) In case of illegal import of the hazardous or other waste, the importer shall re-export the waste in question at his cost within a period of ninety days from the date of its arrival into India and its implementation will be ensured by the concerned Port and the Custom authority. In case of disposal of such waste by the Port and Custom authorities, they shall do so in accordance with these rules with the permission of the Pollution Control Board of the State where the Port exists.

(3) In case of illegal import of hazardous or other waste, where the importer is not traceable then the waste either can be sold by the Customs authority to any user having authorisation under these rules from the concerned State Pollution Control Board or can be sent to authorised treatment, storage and disposal facility.

CHAPTER - IV
TREATMENT, STORAGE AND DISPOSAL FACILITY FOR HAZARDOUS AND OTHER WASTES

16. Treatment, storage and disposal facility for hazardous and other wastes.- (1) The State Government, occupier, operator of a facility or any association of occupiers shall individually or jointly or severally be responsible for identification of sites for establishing the facility for treatment, storage and disposal of the hazardous and other waste in the State.

(2) The operator of common facility or occupier of a captive facility, shall design and set up the treatment, storage and disposal facility as per technical guidelines issued by the Central Pollution Control Board in this regard from time to time and shall obtain approval from the State Pollution Control Board for design and layout in this regard.

(3) The State Pollution Control Board shall monitor the setting up and operation of the common or captive treatment, storage and disposal facility, regularly.

(4) The operator of common facility or occupier of a captive facility shall be responsible for safe and environmentally sound operation of the facility and its closure and post closure phase, as per guidelines or standard operating procedures issued by the Central Pollution Control Board from time to time.

(5) The operator of common facility or occupier of a captive facility shall maintain records of hazardous and other wastes handled by him in **Form 3.**

(6) The operator of common facility or occupier of a captive facility shall file an annual return in **Form 4** to the State Pollution Control Board on or before the 30th day of June following the financial year to which that return relates.

CHAPTER - V
PACKAGING, LABELLING, AND TRANSPORT OF HAZARDOUS AND OTHER WASTES.

17. Packaging and Labelling.- (1) Any occupier handling hazardous or other wastes and operator of the treatment, storage and disposal facility shall ensure that the hazardous and other wastes are packaged in a manner suitable for safe handling, storage and transport as per the guidelines issued by the Central Pollution Control Board from time to time. The labelling shall be done as per **Form 8.**

(2) The label shall be of non-washable material, weather proof and easily visible.

18. Transportation of hazardous and other wastes.- (1) The transport of the hazardous and other waste shall be in accordance with the provisions of these rules and the rules made by the Central Government under the Motor Vehicles Act, 1988 and the guidelines issued by the Central Pollution Control Board from time to time in this regard.

(2) The occupier shall provide the transporter with the relevant information in **Form 9,** regarding the hazardous nature of the wastes and measures to be taken in case of an emergency and shall label the hazardous and other wastes containers as per **Form 8**.

(3) In case of transportation of hazardous and other waste for final disposal to a facility existing in a State other than the State where the waste is generated, the sender shall obtain 'No Objection Certificate' from the State Pollution Control Board of both the States.

(4) In case of transportation of hazardous and other waste for recycling or utilisation including co-processing, the sender shall intimate both the State Pollution Control Boards before handing over the waste to the transporter.

(5) In case of transit of hazardous and other waste for recycling, utilisation including co-processing or disposal through a State other than the States of origin and destination, the sender shall give prior intimation to the concerned State Pollution Control Board of the States of transit before handing over the wastes to the transporter.

(6) In case of transportation of hazardous and other waste, the responsibility of safe transport shall be either of the sender or the receiver whosoever arranges the transport and has the necessary authorisation for transport from the concerned State Pollution Control Board. This responsibility should be clearly indicated in the manifest.

(7) The authorisation for transport shall be obtained either by the sender or the receiver on whose behalf the transport is being arranged.

19. Manifest system (Movement Document) for hazardous and other waste to be used within the country only.- (1) The sender of the waste shall prepare seven copies of the manifest in **Form 10** comprising of colour code indicated below and all seven copies shall be signed by the sender:

Copy number with colour code	**Purpose**
(1)	**(2)**
Copy 1 (White)	To be forwarded by the sender to the State Pollution Control Board after signing all the seven copies.
Copy 2 (Yellow)	To be retained by the sender after taking signature on it from the transporter and the rest of the five signed copies to be carried by the transporter.
Copy 3 (Pink)	To be retained by the receiver (actual user or treatment storage and disposal facility operator) after receiving the waste and the remaining four copies are to be duly signed by the receiver.
Copy 4 (Orange)	To be handed over to the transporter by the receiver after accepting waste.
Copy 5 (Green)	To be sent by the receiver to the State Pollution Control Board.
Copy 6 (Blue)	To be sent by the receiver to the sender.
Copy 7 (Grey)	To be sent by the receiver to the State Pollution Control Board of the sender in case the sender is in another State.

(2) The sender shall forward copy 1 (white) to the State Pollution Control Board, and in case the hazardous or other wastes is likely to be transported through any transit State, the sender shall intimate State Pollution Control Boards of transit States about the movement of the waste.

(3) No transporter shall accept waste from the sender for transport unless it is accompanied by signed copies 3 to 7 of the manifest.

(4) The transporter shall submit copies 3 to 7 of the manifest duly signed with date to the receiver along with the waste consignment.

(5) The receiver after acceptance of the waste shall hand over copy 4 (orange) to the transporter and send copy 5 (green) to his State Pollution Control Board and send copy 6 (blue) to the sender and the copy 3 (pink) shall be retained by the reciever.

(6) The copy 7 (grey) shall only be sent to the State Pollution Control Board of the sender, if the sender is in another State.

CHAPTER VI
MISCELLANEOUS

20. Records and returns.- (1) The occupier handling hazardous or other wastes and operator of disposal facility shall maintain records of such operations in **Form 3.**

(2) The occupier handling hazardous and other wastes and operator of disposal facility shall send annual returns to the State Pollution Control Board in **Form 4.**

(3) The State Pollution Control Board based on the annual returns received from the occupiers and the operators of the facilities for disposal of hazardous and other wastes shall prepare an annual inventory of the waste generated; waste recycled, recovered, utilised including co-processed; waste re-exported and waste disposed and submit to the Central Pollution Control Board by the 30th day of September every year. The State Pollution Control Board shall also prepare the inventory of hazardous waste generators, actual users, and common and captive disposal facilities and shall submit the information to Central Pollution Control Board every two years.

(4) The Central Pollution Control Board shall prepare the consolidated review report on management of hazardous and other wastes and forward it to the Ministry of Environment, Forest and Climate Change, along with its recommendations before the 30th day of December once in every year.

21. Responsibility of authorities. - The authority specified in column (2) of Schedule VII shall perform the duties as specified in column (3) of the said Schedule subject to the provisions of these rules.

22. Accident reporting. - Where an accident occurs at the facility of the occupier handling hazardous or other wastes and operator of the disposal facility or during transportation, the occupier or the operator or the transporter shall immediately intimate the State Pollution Control Board through telephone, e-mail about the accident and subsequently send a report in **Form 11.**

23. Liability of occupier, importer or exporter and operator of a disposal facility.-
(1) The occupier, importer or exporter and operator of the disposal facility shall be liable for all damages caused to the environment or third party due to improper handling and management of the hazardous and other waste.
(2) The occupier and the operator of the disposal facility shall be liable to pay financial penalties as levied for any violation of the provisions under these rules by the State Pollution Control Board with the prior approval of the Central Pollution Control Board.

24. Appeal.- (1) Any person aggrieved by an order of suspension or cancellation or refusal of authorisation or its renewal passed by the State Pollution Control Board may, within a period of thirty days from the date on which the order is communicated to him, prefer an appeal in **Form 12** to the Appellate Authority, namely, the Environment Secretary of the State.

(2) The Appellate Authority may entertain the appeal after expiry of the said period of thirty days, if it is satisfied that the appellant was prevented by sufficient cause from filing the appeal in time.
(3) Every appeal filed under this rule shall be disposed of within a period of sixty days from the date of its filing.

SCHEDULE I
[See rule 3 (1) (17) (i)]
List of processes generating hazardous wastes

S.No.	Processes	Hazardous Waste*
(1)	(2)	(3)
1.	Petrochemical processes and pyrolytic operations	1.1 Furnace or reactor residue and debris 1.2 Tarry residues and still bottoms from distillation 1.3 Oily sludge emulsion 1.4 Organic residues 1.5 Residues from alkali wash of fuels 1.6 Spent catalyst and molecular sieves 1.7 Oil from wastewater treatment
2.	Crude oil and natural gas production	2.1 Drill cuttings excluding those from water based mud 2.2 Sludge containing oil 2.3 Drilling mud containing oil
3.	Cleaning, emptying and maintenance of petroleum oil storage tanks including ships	3.1 cargo residue, washing water and sludge containing oil 3.2 cargo residue and sludge containing chemicals 3.3 Sludge and filters contaminated with oil 3.4 Ballast water containing oil from ships

4.	Petroleum refining or re-processing of used oil or recycling of waste oil	4.1 Oil sludge or emulsion 4.2 Spent catalyst 4.3 Slop oil 4.4 Organic residue from processes 4.5 Spent clay containing oil
5.	Industrial operations using mineral or synthetic oil as lubricant in hydraulic systems or other applications	5.1 Used or spent oil 5.2 Wastes or residues containing oil 5.3 Waste cutting oils
6.	Secondary production and / or industrial use of zinc	6.1 Sludge and filter press cake arising out of production of Zinc Sulphate and other Zinc Compounds. 6.2 Zinc fines or dust or ash or skimmings in dispersible form 6.3 Other residues from processing of zinc ash or skimmings 6.4 Flue gas dust and other particulates
7.	Primary production of zinc or lead or copper and other non-ferrous metals except aluminium	7.1 Flue gas dust from roasting 7.2 Process residues 7.3 Arsenic-bearing sludge 7.4 Non-ferrous metal bearing sludge and residue. 7.5 Sludge from scrubbers
8.	Secondary production of copper	8.1 Spent electrolytic solutions 8.2 Sludge and filter cakes 8.3 Flue gas dust and other particulates
9.	Secondary production of lead	9.1 Lead bearing residues 9.2 Lead ash or particulate from flue gas 9.3 Acid from used batteries
10.	Production and/or industrial use of cadmium and arsenic and their compounds	10.1 Residues containing cadmium and arsenic
11.	Production of primary and secondary aluminum	11.1 Sludges from off-gas treatment 11.2 Cathode residues including pot lining wastes 11.3 Tar containing wastes 11.4 Flue gas dust and other particulates 11.5 Drosses and waste from treatment of salt sludge 11.6 Used anode butts 11.7 Vanadium sludge from alumina refineries
12.	Metal surface treatment, such as etching, staining, polishing, galvanizing, cleaning, degreasing, plating, etc.	12.1 Acidic and alkaline residues 12.2 Spent acid and alkali 12.3 Spent bath and sludge containing sulphide, cyanide and toxic metals 12.4 Sludge from bath containing organic solvents 12.5 Phosphate sludge 12.6 Sludge from staining bath 12.7 Copper etching residues 12.8 Plating metal sludge
13.	Production of iron and steel including other ferrous alloys (electric furnace; steel rolling and finishing mills; Coke oven and by products plant)	13.1 Spent pickling liquor 13.2 Sludge from acid recovery unit 13.3 Benzol acid sludge 13.4 Decanter tank tar sludge 13.5 Tar storage tank residue 13.6 Residues from coke oven by product plant.
14.	Hardening of steel	14.1 Cyanide-, nitrate-, or nitrite -containing sludge 14.2 Spent hardening salt
15.	Production of asbestos or asbestos-containing materials	15.1 Asbestos-containing residues 15.2 Discarded asbestos 15.3 Dust or particulates from exhaust gas treatment.
16.	Production of caustic soda and chlorine	16.1 Mercury bearing sludge generated from mercury cell process 16.2 Residue or sludges and filter cakes 16.3 Brine sludge
17.	Production of mineral acids	17.1 Process acidic residue, filter cake, dust 17.2 Spent catalyst
18.	Production of nitrogenous and complex fertilizers	18.1 Spent catalyst 18.2 Carbon residue

		18.3 Sludge or residue containing arsenic 18.4 Chromium sludge from water cooling tower
19.	Production of phenol	19.1 Residue or sludge containing phenol 19.2 Spent catalyst
20.	Production and/or industrial use of solvents	20.1 Contaminated aromatic, aliphatic or napthenic solvents may or may not be fit for reuse. 20.2 Spent solvents 20.3 Distillation residues 20.4 Process Sludge
21.	Production and/or industrial use of paints, pigments, lacquers, varnishes and inks	21.1 Process wastes, residues and sludges 21.2 Spent solvent
22.	Production of plastics	22.1 Spent catalysts 22.2 Process residues
23.	Production and /or industrial use of glues, organic cements, adhesive and resins	23.1 Wastes or residues (not made with vegetable or animal materials) 23.2 Spent solvents
24.	Production of canvas and textiles	24.1 Chemical residues
25.	Industrial production and formulation of wood preservatives	25.1 Chemical residues 25.2 Residues from wood alkali bath
26.	Production or industrial use of synthetic dyes, dye-intermediates and pigments	26.1 Process waste sludge/residues containing acid, toxic metals, organic compounds 26.2 Dust from air filtration system 26.3 Spent acid 26.4 Spent solvent 26.5 Spent catalyst
27.	Production of organic-silicone compound	27.1 Process residues
28.	Production/formulation of drugs/pharmaceutical and health care product	28.1 Process Residue and wastes 28.2 Spent catalyst 28.3 Spent carbon 28.4 Off specification products 28.5 Date-expired products 28.6 Spent solvents
29.	Production, and formulation of pesticides including stock-piles	29.1 Process wastes or residues 29.2 Sludge containing residual pesticides 29.3 Date-expired and off-specification pesticides 29.4 Spent solvents 29.5 Spent catalysts 29.6 Spent acids
30.	Leather tanneries	30.1 Chromium bearing residue and sludge
31.	Electronic Industry	31.1 Process residue and wastes 31.2 Spent etching chemicals and solvents
32.	Pulp and Paper Industry	32.1 Spent chemicals 32.2 Corrosive wastes arising from use of strong acid and bases 32.3 Process sludge containing adsorbable organic halides(AO_X)
33.	Handling of hazardous chemicals and wastes	33.1 Empty barrels/containers/liners contaminated with hazardous chemicals /wastes 33.2 Contaminated cotton rags or other cleaning materials
34.	De-contamination of barrels / containers used for handling of hazardous wastes/chemicals	34.1 Chemical-containing residue arising from decontamination. 34.2 Sludge from treatment of waste water arising out of cleaning / disposal of barrels / containers
35.	Purification and treatment of exhaust air/gases, water and waste water from the processes in this schedule and common industrial effluent treatment plants (CETP's)	35.1 Exhaust Air or Gas cleaning residue 35.2 Spent ion exchange resin containing toxic metals 35.3 Chemical sludge from waste water treatment 35.4 Oil and grease skimming 35.5 Chromium sludge from cooling water
36.	Purification process for organic compounds/solvents	36.1 Any process or distillation residue 36.2 Spent carbon or filter medium

37.	Hazardous waste treatment processes, e.g. pre-processing, incineration and concentration	37.1 37.2 37.3	Sludge from wet scrubbers Ash from incinerator and flue gas cleaning residue Concentration or evaporation residues
38.	Chemical processing of Ores containing heavy metals such as Chromium, Manganese, Nickel, Cadmium etc.	38.1 38.2	Process residues Spent acid

*** The inclusion of wastes contained in this Schedule does not preclude the use of Schedule II to demonstrate that the waste is not hazardous. In case of dispute, the matter would be referred to the Technical Review Committee constituted by Ministry of Environment, Forest and Climate Change.**

Note: *The high volume low effect wastes such as fly ash, Phosphogypsum, red mud, jarosite, Slags from pyrometallurgical operations, mine tailings and ore beneficiation rejects are excluded from the category of hazardous wastes. Separate guidelines on the management of these wastes shall be issued by Central Pollution Control Board.*

SCHEDULE II

[See rule 3 (1) (17) (ii)]

List of waste constituents with concentration limits

Class A: Based on leachable concentration limits [Toxicity Characteristic Leaching Procedure (TCLP) or Soluble Threshold Limit Concentration (STLC)]

Class	Constituents	Concentration in mg/l
(1)	**(2)**	**(3)**
A1	Arsenic	5.0
A2	Barium	100.0
A3	Cadmium	1.0
A4	Chromium and/or Chromium (III) compounds	5.0
A5	Lead	5.0
A6	Manganese	10.0
A7	Mercury	0.2
A8	Selenium	1.0
A9	Silver	5.0
A10	Ammonia	50*
A11	Cyanide	20*
A12	Nitrate (as nitrate-nitrogen)	1000.0
A13	Sulphide (as H_2S)	5.0
A14	1,1-Dichloroethylene	0.7
A15	1,2-Dichloroethane	0.5
A16	1,4-Dichlorobenzene	7.5
A17	2,4,5-Trichlorophenol	400.0
A18	2,4,6-Trichlorophenol	2.0
A19	2,4-Dinitrotoluene	0.13
A20	Benzene	0.5
A21	Benzo (a) Pyrene	0.001
A22	Bromodicholromethane	6.0
A23	Bromoform	10.0
A24	Carbon tetrachloride	0.5
A25	Chlorobenzene	100.0
A26	Chloroform	6.0
A27	Cresol (ortho+ meta+ para)	200.0
A28	Dibromochloromethane	10.0
A29	Hexachlorobenzene	0.13
A30	Hexachlorobutadiene	0.5
A31	Hexachloroethane	3.0
A32	Methyl ethyl ketone	200.0

A33	Naphthalene	5.0
A34	Nitrobenzene	2.0
A35	Pentachlorophenol	100.0
A36	Pyridine	5.0
A37	Tetrachloroethylene	0.7
A38	Trichloroethylene	0.5
A39	Vinyl chloride	0.2
A40	2,4,5-TP (Silvex)	1.0
A41	2,4-Dichlorophenoxyacetic acid	10.0
A42	Alachlor	2.0
A43	Alpha HCH	0.001
A44	Atrazine	0.2
A45	Beta HCH	0.004
A46	Butachlor	12.5
A47	Chlordane	0.03
A48	Chlorpyriphos	9.0
A49	Delta HCH	0.004
A50	Endosulfan (alpha+ beta+ sulphate)	0.04
A51	Endrin	0.02
A52	Ethion	0.3
A53	Heptachlor (& its Epoxide)	0.008
A54	Isoproturon	0.9
A55	Lindane	0.4
A56	Malathion	19
A57	Methoxychlor	10
A58	Methyl parathion	0.7
A59	Monocrotophos	0.1
A60	Phorate	0.2
A61	Toxaphene	0.5
A62	Antimony	15
A63	Beryllium	0.75
A64	Chromium (VI)	5.0
A65	Cobalt	80.0
A66	Copper	25.0
A67	Molybdenum	350
A68	Nickel	20.0
A69	Thallium	7.0
A70	Vanadium	24.0
A71	Zinc	250
A72	Fluoride	180.0
A73	Aldrin	0.14
A74	Dichlorodiphenyltrichloroethane (DDT), Dichlorodiphenyldichloroethylene (DDE), Dichlorodiphenyldichloroethane (DDD)	0.1
A75	Dieldrin	0.8
A76	Kepone	2.1
A77	Mirex	2.1
A78	Polychlorinated biphenyls	5.0
A79	Dioxin (2,3,7,8-TCDD)	0.001

Class B: Based on Total Threshold Limit Concentration (TTLC)

Class	Constituent	Concentration in mg/kg
(1)	**(2)**	**(3)**
B1	Asbestos	10000
B2	Total Petroleum Hydrocarbons (TPH) (C5 - C36)	5,000

Note:

(1) The testing method for list of constituents at A1 to A61 in Class-A, shall be based on Toxicity Characteristic Leaching Procedure (TCLP) and for extraction of leachable constituents, USEPA Test Method 1311 shall be used.

(2) The testing method for list of constituents at A62 to A79 in Class- A, shall be based on Soluble Threshold Limit Concentration (STLC) and Waste Extraction Test (WET) Procedure given in Appendix II of section 66261 of Title 22 of California Code regulation (CCR) shall be used.

(3) In case of ammonia (A10), cyanide (A11) and chromium VI (A64), extractions shall be conducted using distilled water in place of the leaching media specified in the TCLP/STLC procedures.

(4) A summary of above specified leaching/extraction procedures is included in manual for characterization and analysis of hazardous waste published by Central Pollution Control Board and in case the method is not covered in the said manual, suitable reference method may be adopted for the measurement.

(5) In case of asbestos, the specified concentration limits apply only if the substances are in a friable, powdered or finely divided state.

(6) The hazardous constituents to be analyzed in the waste shall be relevant to the nature of the industry and the materials used in the process.

Wastes which contain any of the constituents listed below shall be considered as hazardous, provided they exhibit the characteristics listed in Class-C of this Schedule :

1.	Acid Amides
2.	Acid anhydrides
3.	Amines
4.	Anthracene
5.	Aromatic compounds other than those listed in Class A
6.	Bromates, (hypo-bromites)
7.	Chlorates (hypo-chlorites)
8.	Carbonyls
9.	Ferro-silicate and alloys
10.	Halogen- containing compounds which produce acidic vapours on contact with humid air or water e.g. silicon tetrachloride, aluminum chloride, titanium tetrachloride
11.	Halogen- silanes
12.	Halogenated Aliphatic Compounds
13.	Hydrazine (s)
14.	Hydrides
15.	Inorganic Acids
16.	Inorganic Peroxides
17.	Inorganic Tin Compounds
18.	Iodates
19.	(Iso- and thio-) Cyanates
20.	Manganese-silicate
21.	Mercaptans
22.	Metal Carbonyls
23.	Metal hydrogen sulphates
24.	Nitrides
25.	Nitriles
26.	Organic azo and azooxy Compounds
27.	Organic Peroxides
28.	Organic Oxygen Compounds
29.	Organic Sulphur Compounds
30.	Organo- Tin Compounds
31.	Organo nitro- and nitroso compounds

32.	Oxides and hydroxides except those of hydrogen, carbon, silicon, iron, aluminum, titanium, manganese, magnesium, calcium
33.	Phenanthrene
34.	Phenolic Compounds
35.	Phosphate compounds except phosphates of aluminum, calcium and iron
36.	Salts of pre-acids
37.	Total Sulphur
38.	Tungsten Compounds
39.	Tellurium and tellurium compounds
40.	White and Red Phosphorus
41.	2-Acetylaminofluorene
42.	4-Aminodiphenyl
43.	Benzidine and its salts
44.	Bis (Chloromethyl) ether
45.	Methyl chloromethyl ether
46.	1,2-Dibromo-3-chloropropane
47.	3,3'-Dichlorobenzidine and its salts
48.	4-Dimethylaminoazobenzene
49.	4-Nitrobiphenyl
50.	Beta-Propiolactone

CLASS C : Based on hazardous Characteristics

Apart from the concentration limit given above, the substances or wastes shall be classified as hazardous waste if it exhibits any of the following characteristics due to the presence of any hazardous constituents:

Class C1: Flammable- A waste exhibits the characteristic of flammability or ignitability if a representative sample of the waste has any of the following properties, namely:-

(i) flammable liquids, or mixture of liquids, or liquids containing solids in solution or suspension (for example, paints, varnishes, lacquers, etc; but not including substances or wastes otherwise classified on account of their dangerous characteristics), which give off a flammable vapour at temperature less than 60°C. This flash point shall be measured as per ASTM D 93-79 closed-cup test method or as determined by an equivalent test method published by Central Pollution Control Board;

(ii) it is not a liquid and is capable, under standard temperature and pressure, of causing fire through friction, absorption of moisture or spontaneous chemical changes and, when ignited, burns vigorously and persistently creating a hazard;

(iii) it is an ignitable compressed gas;

(iv) It is an oxidizer and for the purposes of characterisation is a substance such as a chlorate, permanganate, inorganic peroxide, or a nitrate, that yields oxygen readily to stimulate the combustion of organic matter.

Class C2: Corrosive- A waste exhibits the characteristic of corrosivity if a representative sample of the waste has either of the following properties, namely:-

(i) it is aqueous and has a pH less than or equal to 2 or greater than or equal to 12.5;

(ii) it is a liquid and corrodes steel (SAE 1020) at a rate greater than 6.35 mm per year at a test temperature of 55 °C;

(iii) it is not aqueous and, when mixed with an equivalent weight of water, produces a solution having a pH less than or equal to 2 or greater than or equal to 12.5;

(iv) it is not a liquid and, when mixed with an equivalent weight of water, produces a liquid that corrodes steel (SAE1020) at a rate greater than 6.35 mm per year at a test temperature of 55 °C.

Note:

For the purpose of determining the corrosivity, the Bureau of Indian Standard 9040 C method for pH determination, NACE TM 01 69 : Laboratory Corrosion Testing of Metals and EPA 1110A method for corrosivity towards steel (SAE1020) to establish the corrosivity characteristics shall be adopted.

Class C3: Reactive or explosive- A waste exhibits the characteristic of reactivity if a representative sample of the waste it has any of the following properties, namely:-

(i) it is normally unstable and readily undergoes violent change without detonating;

(ii) it reacts violently with water or forms potentially explosive mixtures with water;

(iii) when mixed with water, it generates toxic gases, vapours or fumes in a quantity sufficient to present a danger to human health or the environment;

(iv) it is a cyanide or sulphide bearing waste which, when exposed to pH conditions between 2 and 12.5, can generate toxic gases, vapours or fumes in a quantity sufficient to present a danger to human health or the environmental;

(v) it is capable of detonation or explosive reaction if it is subjected to a strong initiating source or if heated under confinement;

(vi) it is readily capable of detonation or explosive decomposition or reaction at standard temperature and pressure;

(vii) it is a forbidden explosive.

Class C4: Toxic- A waste exhibits the characteristic of toxicity, if, :-

(i) the concentration of the waste constituents listed in Class A and B (of this schedule) are equal to or more than the permissible limits prescribed therein;

(ii) it has an acute oral LD50 less than 2,500 milligrams per kilogram;

(iii) it has an acute dermal LD50 less than 4,300 milligrams per kilogram;

(iv) it has an acute inhalation LC50 less than 10,000 parts per million as a gas or vapour;

(v) it has acute aquatic toxicity with 50% mortality within 96 hours for zebra fish (*Brachidanio rerio*) at a concentration of 500 milligrams per litre in dilution water and test conditions as specified in BIS test method 6582 – 2001.

(vi) it has been shown through experience or by any standard reference test- method to pose a hazard to human health or environment because of its carcinogenicity, mutagenecity, endocrine disruptivity, acute toxicity, chronic toxicity, bio-accumulative properties or persistence in the environment.

Class C5: Substances or Wastes liable to spontaneous combustion - Substances or Wastes which are liable to spontaneous heating under normal conditions encountered in transport, or to heating up on contact with air, and being then liable to catch fire.

Class C6: Substances or Wastes which, in contact with water emit flammable gases- Substances or Wastes which, by interaction with water, are liable to become spontaneously flammable or to give off flammable gases in dangerous quantities.

Class C7: Oxidizing - Substances or Wastes which, while in themselves not necessarily combustible, may, generally by yielding oxygen cause, or contribute to, the combustion of other materials.

Class C8: Organic Peroxides - Organic substances or Wastes which contain the bivalent O–O structure, which may undergo exothermic self-accelerating decomposition.

Class C9: Poisons (acute) - Substances or Wastes liable either to cause death or serious injury or to harm human health if swallowed or inhaled or by skin contact.

Class C10: Infectious ~~substances~~ - Substances or Wastes containing viable micro-organisms or their toxins which are known or suspected to cause disease in animals or humans.

Class C11: Liberation of toxic gases in contact with air or water - Substances or Wastes which, by interaction with air or water, are liable to give off toxic gases in dangerous quantities.

Class C12: Eco-toxic- Substances or Wastes which if released, present or may present immediate or delayed adverse impacts to the environment by means of bioaccumulation or toxic effects upon biotic systems or both.

Class C13: Capable, by any means, after disposal, of yielding another material, e.g., leachate, which possesses any of the characteristics listed above.

SCHEDULE III

[See rules 3 (1) (17) (iii), 3 (23), 12, 13 and 14]

Part A

List of hazardous wastes applicable for import and export with Prior Informed Consent [Annexure VIII of the Basel Convention*]

Basel No.	Description of Hazardous Wastes
(1)	**(2)**
A1	**Metal and Metal bearing wastes**
A1010	Metal wastes and waste consisting of alloys of any of the following but excluding such wastes specifically listed in Part B and Part D
	- Antimony
	- Cadmium
	- Lead
	- Tellurium
A1020	Waste having as constituents or contaminants, excluding metal wastes in massive form, any or the following:
	- Antimony, antimony compounds
	- Cadmium, cadmium compounds
	- Lead, lead compounds
	- Tellurium, tellurium compounds
A1040	Waste having metal carbonyls as constituents
A1050	Galvanic sludges
A1070	Leaching residues from zinc processing, dust and sludges such as jarosite, hematite, etc.
A1080	Waste zinc residues not included in Part B, containing lead and cadmium in concentrations sufficient to exhibit hazard characteristics indicated in Part C
A1090	Ashes from the incineration of insulated copper wire
A1100	Dusts and residues from gas cleaning systems of copper smelters
A1120	Waste sludges, excluding anode slimes, from electrolyte purification systems in copper electrorefining and electrowinning operations
A1140	Waste cupric chloride and copper cyanide catalysts not in liquid form note the related entry in Schedule VI
A1150	Precious metal ash from incineration of printed circuit boards not included in Part B
A1160	Waste lead acid batteries, whole or crushed
A1170	Unsorted waste batteries excluding mixtures of only Part B batteries. Waste batteries not specified in Part B containing constituents mentioned in Schedule II to an extent to render them hazardous
A2	**Wastes containing principally inorganic constituents, which may contain metals and organic materials**
A2010	Glass waste from cathode-ray tubes and other activated glasses
A2030	Waste catalysts but excluding such wastes specified in Part B
A3	**Wastes containing principally organic constituents, which may contain metals and inorganic materials**
A3010	Waste from the production or processing of petroleum coke and bitumen
A3020	Waste mineral oils unfit for their originally intended use
A3050	Wastes from production, formulation and use of resins, latex, plasticizers, glues or adhesives excluding such wastes specified in Part B (B4020)
A3120	Fluff-light fraction from shredding
A3130	Waste organic phosphorus compounds
A4	**Wastes which may contain either inorganic or organic constituents**
A4010	Wastes from the production, preparation and use of pharmaceutical products but excluding such waste specified in Part B
A4040	Wastes from the manufacture, formulation and use of wood-preserving chemicals (does not include wood treated with wood preserving chemicals)
A4070	Waste from the production, formulation and use of inks, dyes, pigments, paints, lacquers, varnish excluding those specified in Part B (B4010)
A4100	Wastes from industrial pollution control devices for cleaning of industrial off-gases but excluding such wastes specified in Part B
A4120	Wastes that contain, consist of or are contaminated with peroxides.
A4130	Wastes packages and containers containing Schedule II constituents in concentration sufficient to exhibit Part C of Schedule III hazard characteristics.

A4140	Waste consisting of or containing off specification or outdated chemicals (unused within the period recommended by the manufacturer) corresponding to constituents mentioned in Schedule II and exhibiting Part C of Schedule III hazard characteristics.
A4160	Spent activated carbon not included in Part B, B2060

*This List is based on Annexure VIII of the Basel Convention on Transboundary Movement of Hazardous Wastes and comprises of wastes characterized as hazardous under Article I, paragraph 1(a) of the Convention. Inclusion of wastes on this list does not preclude the use of hazard.
Characteristics given in Annexure VIII of the Basel Convention (Part C of this Schedule) to demonstrate that the wastes are not hazardous. **Hazardous wastes in Part-A are restricted and cannot be allowed to be imported without permission from the Ministry of Environment, Forest and Climate Change and the Directorate General of Foreign Trade license, if applicable.**

Part B

List of other wastes applicable for import and export and not requiring Prior Informed Consent [Annex IX of the Basel Convention*]

Basel No.	Description of wastes
(1)	(2)
B1	**Metal and metal-bearing wastes**
B1010	Metal and metal-alloy wastes in metallic, non-dispersible form:
	- Thorium scrap
	- Rare earths scrap
B1020	Clean, uncontaminated metal scrap, including alloys, in bulk finished form (sheet, plates, beams, rods, etc.), of:
	- Antimony scrap
	- Beryllium scrap
	- Cadmium scrap
	- -
	- Lead scrap (excluding lead acid batteries)
	- Selenium scrap
	- Tellurium scrap
B1030	Refractory metals containing residues
B1031	Molybdenum, tungsten, titanium, tantalum, niobium and rhenium metal and metal alloy wastes in metallic dispersible form (metal powder), excluding such wastes as specified in Part A under entry A1050, Galvanic sludges
B1040	Scrap assemblies from electrical power generation not contaminated with lubricating oil, PCB or PCT to an extent to render them hazardous
B1050	Mixed non-ferrous metal, heavy fraction scrap, containing cadmium, antimony, lead & tellurium mentioned in Schedule II in concentrations sufficient to exhibit Part C characteristics
B1060	Waste selenium and tellurium in metallic elemental form including powder
B1070	Waste of copper and copper alloys in dispersible form, unless they contain any of the constituents mentioned in Schedule II to an extent that they exhibit Part C characteristics
B1080	Zinc ash and residues including zinc alloys residues in dispersible form unless they contain any of the constituents mentioned in Schedule II in concentration such as to exhibit Part C characteristics
B1090	Waste batteries conforming to a standard battery specification, excluding those made with lead, cadmium or mercury
B1100	Metal bearing wastes arising from melting, smelting and refining of metals:
	- Slags from copper processing for further processing or refining containing arsenic, lead or cadmium
	- Slags from precious metals processing for further refining
	- Wastes of refractory linings, including crucibles, originating from copper smelting
	- Tantalum-bearing tin slags with less than 0.5% tin
B1110	Used Electrical and electronic assemblies other than those listed in Part D of Schedule III
	Electronic assemblies consisting only of metals or alloys Waste electrical and electronic assemblies or scrap (including printed circuit boards) not containing components such as accumulators and other batteries included in Part A of Schedule III, mercury-switches, glass from cathode-ray tubes and other activated glass and PCB-capacitors, or not

	contaminated with Schedule II constituents such as cadmium, mercury, lead, polychlorinated biphenyl) or from which these have been removed, to an extent that they do not possess any of the characteristics contained in Part C of Schedule III (note the related entry in Schedule VI, A1180)
B1120	Spent catalysts excluding liquids used as catalysts, containing any of: Transition metals, excluding waste catalysts (spent catalysts, liquid used catalysts or other catalysts) in Part A and Schedule VI: - Scandium - Titanium - Vanadium - Chromium - Manganese - Iron - Cobalt - Nickel - Copper - Zinc - Yttrium - Zirconium - Niobium - Molybdenum - Hafnium - Tantalum - Tungsten - Rhenium Lanthanides (rare earth metals): - Lanthanum - Cerium
	- Praseodymium - Neodymium - Samarium - Europium - Gadolinium - Terbium - Dysprosium - Holmium - Erbium - Thulium - Ytterbium - Lutetium
B1130	Cleaned spent precious metal bearing catalysts
B1140	Precious metal bearing residues in solid form which contain traces of inorganic cyanides
B1150	Precious metals and alloy wastes (gold , silver, the platinum group but not mercury) in a dispersible form, non-liquid form with appropriate packaging and labelling
B1160	Precious metal ash from the incineration of printed circuit boards (note the related entry in Part A A1150)
B1170	Precious metal ash from the incineration of photographic film
B1180	Waste photographic film containing silver halides and metallic silver
B1190	Waste photographic paper containing silver halides and metallic silver
B1200	Granulated slag arising from the manufacture of iron and steel
B1210	Slag arising from the manufacture of iron and steel including slags as a source of Titanium dioxide and Vanadium
B1220	Slag from zinc production, chemically stabilised, having a high iron content (above 20%) and processed according to industrial specifications mainly for construction
B1230	Mill scale arising from the manufacture of iron and steel
B1240	Copper Oxide mill-scale
B2	**Wastes containing principally inorganic constituents, which may contain metals and organic materials**
B2010	Wastes from mining operations in non-dispersible form:
	- Natural graphite waste
	- Slate wastes
	- Mica wastes
	- Leucite, nepheline and nepheline syenite waste
	- Feldspar waste
	- Fluorspar waste
	- Silica wastes in solid form excluding those used in foundry operations
B2020	Glass wastes in non-dispersible form: - Cullet and other waste and scrap of glass except for glass from cathode-ray tubes and other activated glasses
B2030	Ceramic wastes in non-dispersible form: - Cermet wastes and scrap (metal ceramic composites) - Ceramic based fibres
B2040	Other wastes containing principally inorganic constituents: - Partially refined calcium sulphate produced from flue gas desulphurization (FGD) - Waste gypsum wallboard or plasterboard arising from the demolition of buildings - Slag from copper production, chemically stabilized, having a high iron content (above

	20%) and processed according to industrial specifications mainly for construction and abrasive applications - Sulphur in solid form - Limestone from production of calcium cyanamide (pH<9) - Sodium, potassium, calcium chlorides - Carborundum (silicon carbide) - Broken concrete - Lithium-tantalum and lithium-niobium containing glass scraps
B2060	Spent activated carbon not containing any of Schedule II constituents to the extent they exhibit Part C characteristics, for example, carbon resulting from the treatment of potable water and processes of the food industry and vitamin production (note the related entry in Part A A4160)
B2070	Calcium fluoride sludge
B2080	Waste gypsum arising from chemical industry processes not included in Schedule VI (note the related entry in A2040)
B2090	Waste anode butts from steel or aluminium production made of petroleum coke or bitumen and cleaned to normal industry specifications (excluding anode butts from chlor alkali electrolyses and from metallurgical industry)
B2100	Waste hydrates of aluminium and waste alumina and residues from alumina production, excluding such materials used for gas cleaning, flocculation or filtration processes
B2130	Bituminous material (asphalt waste) from road construction and maintenance, not containing tar (note the related entry in Schedule VI, A3200)
B3	**Wastes containing principally organic constituents, which may contain metals and inorganic materials**
B3027	Self-adhesive label laminate waste containing raw materials used in label material production
B3030	Textile wastes The following materials, provided they are not mixed with other wastes and are prepared to a specification: - Silk waste (including cocoons unsuitable for reeling, yarn waste and garnetted stock) • not carded or combed • other - Waste of wool or of fine or coarse animal hair, including yarn waste but excluding garnetted stock • noils of wool or of fine animal hair • other waste of wool or of fine animal hair • waste of coarse animal hair - Cotton waste (including yarn waste and garnetted stock) • yarn waste (including thread waste) • garnetted stock • other - Flax tow and waste - Tow and waste (including yarn waste and garnetted stock) of true hemp (Cannabis sativa L.) - Tow and waste (including yarn waste and garnetted stock) of jute and other textile bast fibres (excluding flax, true hemp and ramie) - Tow and waste (including yarn waste and garnetted stock) of sisal and other textile fibres of the genus Agave - Tow, noils and waste (including yarn waste and garneted stock) of coconut - Tow, noils and waste (including yarn waste and garneted stock) of abaca (Manila hemp or Musa textilis Nee) - Tow, noils and waste (including yarn waste and garneted stock) of ramie and other vegetable textile fibres, not elsewhere specified or included - Waste (including noils, yarn waste and garnetted stock) of man-made fibres • of synthetic fibres • of artificial fibres - Worn clothing and other worn textile articles - Used rags, scrap twine, cordage, rope and cables and worn out articles of twine, cordage, rope or cables of textile materials • sorted • other
B3035	Waste textile floor coverings, carpets
B3040	Rubber Wastes

	The following materials, provided they are not mixed with other wastes: - Waste and scrap of hard rubber (e.g., ebonite) - Other rubber wastes (excluding such wastes specified elsewhere)
B3050	Untreated cork and wood waste: - Wood waste and scrap, whether or not agglomerated in logs, briquettes, pellets or similar forms - Cork waste: crushed, granulated or ground cork
B3060	Wastes arising from agro-food industries provided it is not infectious: - Wine lees - Dried and sterilized vegetable waste, residues and by-products, whether or not in the form of pellets, of a kind used in animal feeding, not elsewhere specified or included - Degras: residues resulting from the treatment of fatty substances or animal or vegetable waxes - Waste of bones and horn-cores, unworked, defatted, simply prepared (but not cut to shape), treated with acid or degelatinised - Fish waste - Cocoa shells, husks, skins and other cocoa waste - Other wastes from the agro-food industry excluding by-products which meet national and international requirements and standards for human or animal consumption
B3070	The following wastes: - Waste of human hair - Waste straw - Deactivated fungus mycelium from penicillin production to be used as animal feed
B3080	Waste parings and scrap of rubber
B3090	Paring and other wastes of leather or of composition leather not suitable for the manufacture of leather articles, excluding leather sludges, not containing hexavalent chromium compounds and biocides (note the related entry in Schedule VI, A3100)
B3100	Leather dust, ash, sludges or flours not containing hexavalent chromium compounds or biocides (note the related entry in Schedule VI, A3090)
B3110	Fellmongery wastes not containing hexavalent chromium compounds or biocides or infectious substances (note the related entry in Schedule VI, A3110)
B3120	Wastes consisting of food dyes
B3130	Waste polymer ethers and waste non-hazardous monomer ethers incapable of forming peroxides
B3140	Waste pneumatic and other tyres, excluding those which do not lead to resource recovery, recycling, reclamation but not for direct reuse
B4	**Wastes which may contain either inorganic or organic constituents**
B4010	Wastes consisting mainly of water-based or latex paints, inks and hardened varnishes not containing organic solvents, heavy metals or biocides to an extent to render them hazardous (note the related entry in Part A, A4070)
B4020	Wastes from production, formulation and use of resins, latex, plasticizers, glues or adhesives, not listed in Part A, free of solvents and other contaminants to an extent that they do not exhibit Part C characteristics (note the related entry in Part A, A3050)
B4030	Used single-use cameras, with batteries not included in Part A

* This list is based on Annexure IX of the Basel Convention on Transboundary Movement of Hazardous Wastes and comprises of wastes not characterized as hazardous under Article-I of the Basel Convention. **The wastes in Part- B are restricted and cannot be allowed to be imported without permission from the Ministry of Environment, Forest and Climate Change and the Directorate General of Foreign Trade license, if applicable.**

Note:

(1) Copper dross containing copper greater than 65% and lead and Cadmium equal to or less than 1.25% and 0.1% respectively; spent cleaned metal catalyst containing copper; and copper reverts, cake and residues containing lead and cadmium equal to or less than 1.25% and 0.1% respectively are allowed for import without Director General of Foreign Trade license to units (actual users) authorised by State Pollution Control Board and with the Ministry of Environment, Forest and Climate Change's permission. Copper reverts, cake and residues containing lead and cadmium greater than 1.25% and 0.1% respectively are under restricted category for which import is permitted only against Director General of Foreign Trade license for the purpose of processing or reuse by units permitted with the Ministry of Environment, Forest and Climate Change (actual users).

(2) Zinc ash or skimmings in dispersible form containing zinc more than 65% and lead and cadmium equal to or less than 1.25% and 0.1% respectively and spent cleaned metal catalyst containing zinc are allowed for import without Director General of Foreign Trade license to units authorised by State Pollution control Board, Ministry of Environment, Forest and Climate Change's permission (actual users) upto an annual quantity limit indicated in registration letter. Zinc ash and skimmings containing less than 65% zinc and lead and cadmium equal to or more than 1.25% and 0.1% respectively and hard zinc spelter and brass dross containing lead greater than 1.25% are under restricted category for which import is permitted against Director General of Foreign Trade license and only for purpose of processing or reuse by units registered with the Ministry of Environment Forest and Climate Change (actual users).

Part C
List of Hazardous Characteristics

Code	Characteristic
H 1	**Explosive** An explosive substance or waste is a solid or liquid substance or waste (or mixture of substances or wastes) which is in itself capable by chemical reaction of producing gas at such a temperature and pressure and at such a speed as to cause damage to the surrounding.
H 3	**Flammable liquids** The word "flammable" has the same meaning as "inflammable". Flammable liquids are liquids, or mixtures of liquids, or liquids containing solids in solution or suspension (for example, paints, varnishes, lacquers, etc. but not including substances or wastes otherwise classified on account of their dangerous characteristics) which give off a flammable vapour at temperatures of not more than 60.5ºC, closed-cup test, or not more than 65.6ºC, open-cup test. (Since the results of open-cups tests and of closed-cup tests are not strictly comparable and even individual results by the same test are often variable, regulations varying from the above figures to make allowance for such differences would be within the spirit of this definition).
H 4.1	**Flammable solids** Solids, or waste solids, other than those classed as explosives, which under conditions encountered in transport are readily combustible, or may cause or contribute to fire through friction.
H 4.2	**Substances or wastes liable to spontaneous combustion** Substances or wastes which are liable to spontaneous heating under normal conditions encountered in transport, or to heating up on contact with air, and being then liable to catch fire.
H 4.3	**Substances or wastes which, in contact with water emit flammable gases** Substances or wastes which, by interaction with water, are liable to become spontaneously flammable or to give off flammable gases in dangerous quantities.
H 5.1	**Oxidizing** Substances or wastes which, while in themselves not necessarily combustible, may, generally by yielding oxygen cause, or contribute to, the combustion or other materials.
H 5.2	**Organic Peroxides** Organic substances or wastes which contain the bivalent-o-o-structure are thermally unstable substances which may undergo exothermic self-accelerating decomposition.
H 6.1	**Poisons (acute)** Substances or wastes liable either to cause death or serious injury or to harm human health if swallowed or inhaled or by skin contact.
H 6.2	**Infectious substances** Substances or wastes containing viable micro-organisms or their toxins which are known or suspected to cause disease in animals or humans.
H 8	**Corrosives** Substances or wastes which, by chemical action, will cause severe damage when in contact with living tissue, or, in the case of leakage, will materially damage, or even destroy, other goods or the means of transport; they may also cause other hazards.
H 10	**Liberation of toxic gases in contact with air or water** Substances or wastes which, by interaction with air or water, are liable to give off toxic gases in dangerous quantities.
H 11	**Toxic (delayed or chronic)** Substances or wastes which, if they are inhaled or ingested or if they penetrate the skin, may involve delayed or chronic effects, including carcinogenicity).
H 12	**Eco-toxic** Substances or wastes which if released, present or may present immediate or delayed adverse impacts to the environment by means of bioaccumulation or toxic effects upon biotic systems or both.

H 13 **Capable,** by any means, after disposal, of yielding another material, e.g., leachate, which possesses any of the characteristics listed above.

Part D

List of other wastes applicable for import and export without permission from Ministry of Environment, Forest and Climate Change [Annex IX of the Basel Convention*]

Basel No.	Description of wastes
(1)	(2)
B1	**Metal and metal-bearing wastes**
B1010	Metal and metal-alloy wastes in metallic, non-dispersible form :
	- Precious metals (gold, silver, platinum but not mercury) * *
	- Iron and steel scrap * *
	- Nickel scrap * *
	- Aluminium scrap* *
	- Zinc scrap * *
	- Tin scrap * *
	- Tungsten scrap * *
	- Molybdenum scrap * *
	- Tantalum scrap * *
	- Cobalt scrap * *
	- Bismuth scrap * *
	- Titanium scrap * *
	- Zirconium scrap * *
	- Manganese scrap * *
	- Germanium scrap * *
	- Vanadium scrap * *
	- Hafnium scrap * *
	- Indium scrap * *
	- Niobium scrap * *
	- Rhenium scrap * *
	- Gallium scrap * *
	- Magnesium scrap * *
	- Copper scrap * *
	- Chromium scrap * *
B1050	Mixed non-ferrous metal, heavy fraction scrap, containing metals other than specified in Part B1050 and not containing constituents mentioned in Schedule II in concentrations sufficient to exhibit Part C characteristics* *
B1100	Metal bearing wastes arising from melting, smelting and refining of metals:
	- Hard Zinc spelter * *
	- Zinc-containing drosses * *: ~ Galvanizing slab zinc top dross (>90% Zn) ~ Galvanizing slab zinc bottom dross (>92% Zn) ~ Zinc die casting dross (>85% Zn) ~ Hot dip galvanizers slab zinc dross (batch) (>92% Zn) ~ Zinc skimmings
	– Aluminium skimmings (or skims) excluding salt slag
B1110	Electrical and electronic assemblies (including printed circuit boards, electronic components and wires) destined for direct reuse and not for recycling or final disposal
	- Used electrical and electronic assemblies imported for repair and to be re-exported back after repair within one year of import * * *
	- Used electrical and electronic assemblies imported for rental purpose and re-exported back within one year of import * * *
	- Used electrical and electronic assemblies exported for repair and to be re-import after repair
	- Used electrical and electronic assemblies imported for testing, research and development, project work purposes and to be re-exported back within a period of three years from the date of import * * *

	- Spares imported for warranty replacements provided equal number of defective or non-functional parts are exported back within one year of the import * * *
	- Used electrical and electronic assemblies imported by Ministry of Defence, Department of Space and Department of Atomic Energy * * *
	- Used electrical and electronic assemblies (not in bulk; quantity less than or equal to three) imported by the individuals for their personal uses
	- Used Laptop, Personal Computers, Mobile, Tablet up to 01 number each imported by organisations in a year
	- Used electrical and electronic assemblies owned by individuals and imported on transfer of residence
	- Used multifunction print and copying machines (MFDs)* * * *
	- Used electrical and electronic assemblies imported by airlines for aircraft maintenance and remaining either on board or under the custodianship of the respective airlines warehouses located on the airside of the custom bonded areas.
B3	**Wastes containing principally organic constituents, which may contain metals and inorganic materials**
B3020	Paper, paperboard and paper product wastes * * The following materials, provided they are not mixed with hazardous wastes: Waste and scrap of paper or paperboard of: - unbleached paper or paperboard or of corrugated paper or paperboard - other paper or paperboard, made mainly of bleached chemical pulp, not coloured in the mass - paper or paperboard made mainly of mechanical pulp (for example newspapers, journals and similar printed matter) - other, including but not limited to (1) laminated paperboard (2) unsorted scrap
B3140	Aircraft Tyres exported to Original Equipment Manufacturers for re-treading and re-imported after re-treading by airlines for aircraft maintenance and remaining either on board or under the custodianship of the respective airlines warehouses located on the airside of the custom bonded areas

Note:

* This list is based on Annexure IX of the Basel Convention on Transboundary Movement of Hazardous Wastes and comprises of wastes not characterized as hazardous under Article-I of the Basel Convention.

* * Import permitted in the country to the actual user or to the trader on behalf of the actual users authorised by SPCB on one time basis and subject to verification of documents specified in Schedule VIII of these rules by the Custom Authority.

* * * Import permitted in the country only to the actual users from Original Equipment Manufacturers (OEM) and subject to verification of documents specified in Schedule VIII of these rules by the Custom Authority.

* * * * Import permitted in the country to the actual users or trader on behalf of the actual user in accordance with the documents required and verified by the Custom Authority as specified under Schedule VIII of these rules. The policy for free trade for multifunction print and copying machine to be reviewed once the MFDs are domestically manufactured.

All other wastes listed in Part D of Schedule III having no "Stars" are permitted without any documents from MoEF&CC subject to compliance of the conditions of the Customs Authority, if any.

SCHEDULE IV

[*See rules 6 (1) (ii) and 6 (2)*]

List of commonly recyclable hazardous wastes

S.No.	Wastes
(1)	**(2)**
1.	Brass Dross
2.	Copper Dross
3.	Copper Oxide mill scale
4.	Copper reverts, cake and residue
5.	Waste Copper and copper alloys in dispersible from
6.	Slags from copper processing for further processing or refining
7.	Insulated Copper Wire Scrap or copper with PVC sheathing including ISRI-code material namely "Druid"
8.	Jelly filled Copper cables
9.	Spent cleared metal catalyst containing copper
10.	Spent catalyst containing nickel, cadmium, Zinc, copper, arsenic, vanadium and cobalt
11.	Zinc Dross-Hot dip Galvanizers SLAB
12.	Zinc Dross-Bottom Dross
13.	Zinc ash/Skimmings arising from galvanizing and die casting operations
14.	Zinc ash/Skimming/other zinc bearing wastes arising from smelting and refining
15.	Zinc ash and residues including zinc alloy residues in dispersible from
16.	Spent cleared metal catalyst containing zinc
17.	Used Lead acid battery including grid plates and other lead scrap/ashes/residues not covered under Batteries (Management and Handling) Rules, 2001. [Battery scrap, namely: Lead battery plates covered by ISRI, Code word "Rails" Battery lugs covered by ISRI, Code word "Rakes". Scrap drained/dry while intact, lead batteries covered by ISRI, Code word "rains".
18.	Components of waste electrical and electronic assembles comprising accumulators and other batteries included in Part A of Schedule III, mercury-switches, activated glass cullets from cathode-ray tubes and other activated glass and PCB-capacitors, or any other component contaminated with Schedule II constituents (e.g. cadmium, mercury, lead, polychlorinated biphenyl) to an extent that they exhibit hazard characteristics indicated in part C of Schedule III.
19.	Paint and ink Sludge/residues
20.	Used oil and waste oil

SCHEDULE V

[See rules 3 (36) and 3 (39)]

PART A

Specifications of Used Oil Suitable for recycling

S.No.	Parameter	Maximum permissible Limits
(1)	(2)	(3)
1.	Polychlorinated biphenyls (PCBs)	< 2ppm *
2.	Lead	100 ppm
3.	Arsenic	5 ppm
4.	Cadmium+Chromium+Nickel	500 ppm
5.	Polyaromatic hydrocarbons (PAH)	6%

Part B

Specification of fuel derived from waste oil

S.No.	Parameter	Maximum permissible limits
(1)	(2)	(3)
1.	Sediment	0.25%
2.	Lead	100 ppm
3.	Arsenic	5 ppm
4.	Cadmium+Chromium+Nickel	500 ppm

5.	Polyaromatic hydrocarbons (PAH)	6%
6.	Total halogents	4000 ppm
7.	Polychlorinated biphenyls (PCBs)	<2 ppm *
8.	Sulfur	4.5%
9.	Water Content	1%

*The detection limit is 2 ppm by gas Liquid Chromatography (GLC) using Electron Capture detector (ECD)

SCHEDULE VI

[See rules 12 (6), 12 (7) and 14(1)]

Hazardous and Other wastes prohibited for import

Basel No.	Description of hazardous and other wastes
(1)	**(2)**
A1	**Metal and Metal bearing wastes**
A1010	Metal wastes and waste consisting of alloys of any of the following but excluding such wastes specifically listed in Part B and Part D of Schedule III
	- Arsenic
	- Beryllium
	- Mercury
	- Selenium
	- Thallium
A1020	Wastes having as constituents or contaminants, excluding metal wastes in massive form, any of the following:
	- Beryllium; beryllium compounds
	- Selenium; selenium compounds
A1030	Wastes having as constituents or contaminants any of the following:
	- Arsenic; arsenic compounds
	- Mercury; mercury compounds
	- Thallium; thallium compounds
A1040	Waste having hexavalent chromium compounds as constituents
A1140	Waste cupric chloride and copper cyanide catalysts in liquid form (note the related entry in Part A of Schedule III)
A1060	Wastes liquors from the pickling of metals
A1110	Spent electrolytic solutions from copper electrorefining and electrowinning operations
A1130	Spent etching solutions containing dissolved copper
A1180	Waste electrical and electronic assembles or scrap (does not include scrap assemblies from electric power generation) containing components such as accumulators and other batteries included in Part A of Schedule III, mercury-switches, glass from cathode-ray tubes and other activated glass and PCB-capacitors, or contaminated with Schedule II constituents (e.g. cadmium, mercury, lead, polychlorinated biphenyl) to an extent that they exhibit hazard characteristics indicated in Part C of Schedule III (note the related entry in Part B B1110)
A1190	Waste metal cables coated or insulated with plastics containing or contaminated with coal tar, PCB, lead, cadmium, other organohalogen compounds or other constituents as mentioned in Schedule II to the extent that they exhibit hazard characteristics indicated in Part C of Schedule III
A2	**Wastes containing principally inorganic constituents, which may contain metals and organic materials**
A2020	Waste inorganic fluorine compounds in the form of liquids or sludges but excluding such wastes specified in Part B
A2040	Waste gypsum arising from chemical industry processes, if it contains any of the constituents mentioned in Schedule 2 to the extent that they exhibit hazard characteristics indicated in Part C of Schedule III (note the related entry in Part B B2080)
A2050	Waste asbestos (dusts and fibres)
A2060	Coal-fired power plant fly-ash containing Schedule II constituents in concentrations sufficient to exhibit Part C characteristics

A3	**Wastes containing principally organic constituents, which may contain metals and inorganic materials**
A3030	Wastes that contain, consist of or are contaminated with leaded anti-knock compounds sludges.
A3040	Waste thermal (heat transfer) fluids
A3060	Waste nitrocellulose
A3070	Waste phenols, phenol compounds including chlorophenol in the form of liquids or sludges
A3080	Waste ethers not including those specified in Part B
A3090	Waste leather dust, ash, sludges and flours when containing hexavalent chromium compounds or biocides (note the related entry in Part B B3100)
A3100	Waste paring and other waste of leather or of composition leather not suitable for the manufacture of leather articles, containing hexavalent chromium compound and biocides (note the related entry in Part B B3090)
A3110	Fellmongery wastes containing hexavalent chromium compounds or biocides or infectious substances (note the related entry in Part B B3110)
A3140	Waste non-halogenated organic solvents but excluding such wastes specified in Part B
A3150	Waste halogenated organic solvents
A3160	Waste halogenated or unhalogenated non-aqueous distillation residues arising from organic solvent recovery operations
A3170	Waste arising from the production of aliphatic halogenated hydrocarbons (such as chloromethane, dichloro-ethane, vinyl chloride, vinylidene chloride, allyl chloride and epichlorhydrin)
A3180	Wastes, substances and articles containing, consisting of or contaminated with polychlorinated biphenyl (PCB), polychlorinated terphenyl (PCT), polychlorinated naphthalene (PCN) or polybrominated biphenyl (PBB) or any other polybrominated analogues of these compounds
A3190	Waste tarry residues (excluding asphalt cements) arising from refining, distillation and any pyrolytic treatment of organic materials
A3200	Bituminous material (asphalt waste) from road construction and maintenance, containing tar (note the related entry in Part B, B2130)
A4	**Wastes which may contain either inorganic or organic constituents**
A4020	Clinical and related wastes; that is wastes arising from medical, nursing, dental, veterinary, or similar practices, and wastes generated in hospitals or other facilities during the investigation or treatment of patients, or research projects.
A4030	Waste from the production, formulation and use of biocide and phyto-pharmaceuticals, including waste pesticides and herbicides which are off-specification, out-dated (unused within the period recommended by the manufacturer), or unfit for their originally intended use,
A4050	Wastes that contain, consist of, or are contaminated with any of the following: - Inorganic cyanides, excepting precious-metal-bearing residues in solid form containing traces of inorganic cyanides. - Organic cyanides
A4060	Waste oils/water, hydrocarbons/water mixtures, emulsions
A4080	Wastes of an explosive nature (but excluding such wastes specified in Part B)
A4090	Waste acidic or basic solutions, other than those specified at B2120 of this Schedule
A4110	Wastes that contain, consist of or are contaminated with any of the following: - Any congenor of polychlorinated dibenzo-furan. - Any congenor of polychlorinated dibenzo-P-dioxin.
A4150	Waste chemical substances arising from research and development or teaching activities which are not identified and /or are new and whose effects on human health and /or the environment are not known
B1	**Metal and Metal bearing wastes**
B 1110	Used critical care medical equipment for re-use
B1115	Waste metal cables coated or insulated with plastics, not included in A1190 of this schedule, excluding those destined for operations which do not lead to resource recovery, recycling, reclamation, direct re-use or alternative uses or any other disposal operations involving, at any stage, uncontrolled thermal processes, such as open-burning.
B1250	Waste end-of-life motor vehicles, containing neither liquids nor other hazardous components
B2	**Wastes containing principally inorganic constituents, which may contain metals and organic materials**
B2050	Coal-fired power plant fly-ash, note the related entry at A2060 of this Schedule
B2110	Bauxite residue (red mud) (pH moderated to less than 11.5)
B2120	Waste acidic or basic solutions with a pH greater than 2 and less than 11.5, which are not corrosive or otherwise hazardous (note the related entry at A4090 of this schedule)
B3	**Wastes containing principally organic constituents, which may contain metals and inorganic**

	materials
B3010	Solid plastic waste The following plastic or mixed plastic waste, prepared to a specification: - Scrap plastic of non-halogenated polymers and co-polymers, including but not limited to the following: Ethylene, Styrene, Polypropylene, polyethylene terephthalate, Acrylonitrile, Butadiene, Polyacetals, Polyamides, polybutylene tere-phthalate, Polycarbonates, Polyethers, polyphenylene sulphides, acrylic polymers, alkanes C10-C13 (plasticiser), polyurethane (not containing CFC's), Polysiloxanes, polymethyl methacrylate, polyvinyl alcohol, polyvinyl butyral, Polyvinyl acetate - Cured waste resins or condensation products including the following: urea formaldehyde resins, phenol formaldehyde resins, melamine formaldehyde resins, epoxy resins, alkyd resins, polyamides - The following fluorinated polymer wastes (excluding post-consumer wastes): perfluoroethylene/ propylene, perfluoro alkoxy alkane, tetrafluoroethylene/per fluoro vinyl ether (PFA), tetrafluoroethylene/per fluoro methylvinyl ether (MFA), polyvinylfluoride , polyvinylidenefluoride
B3026	The following waste from the pre-treatment of composite packaging for liquids, not containing constituents mentioned in Schedule II in concentrations sufficient to exhibit Part C characteristics: - Non-separable plastic fraction - Non-separable plastic-aluminium fraction -
B3065	Waste edible fats and oils of animal or vegetable origin (e.g. frying oil)
B3140	Waste pneumatic tyres for direct reuse
Y 46	Wastes collected from household/municipal waste
Y 47	Residues arising from the incineration of household wastes

SCHEDULE VII

[*See rules 13 (6) and 21*]

List of authorities and corresponding duties

S. No.	**Authority**	**Corresponding Duties**
(1)	**(2)**	**(3)**
1.	Ministry of Environment, Forests and Climate Change under the Environment (Protection)Act, 1986	(i) Identification of hazardous and other wastes (ii) Permission to exporters of hazardous and other wastes (iii) Permission to importer of hazardous and other wastes (iv) Permission for transit of hazardous and other wastes through India. (v) Promote environmentally sound management of hazardous and other waste. (vi) Sponsoring of training and awareness programme on Hazardous and Other Waste Management related activities.
2.	Central Pollution Control Board constituted under the Water (Prevention and Control of Pollution) Act, 1974	(i) Co-ordination of activities of State Pollution Control Boards (ii) Conduct training courses for authorities dealing with management of hazardous and other wastes (iii) Recommend standards and specifications for treatment and disposal of wastes and leachates, recommend procedures for characterisation of hazardous wastes.

		(iv) Inspection of facilities handling hazardous waste as and when necessary. (v) Sector specific documentation to identify waste for inclusion in these rules. (vi) Prepare and update guidelines to prevent or minimise the generation and handling of hazardous and other wastes. (vii) Prepare and update guidelines/ Standard Operating Procedures (SoPs) for recycling, utilization, pre-processing, co-processing of hazardous and other wastes. (viii) To prepare annual review report on management of hazardous waste. (ix) Any other function assigned by the Ministry of Environment, Forest and Climate Change, from time to time.
3.	State Government/Union Territory Government/Administration	(i) Identification of site (s) for common Hazardous and Other Waste Treatment Storage and Disposal Facility (TSDF) (ii) Asses Environment Impact Assessment (EIA) reports and convey the decision of approval of site or otherwise Acquire the site or inform operator of facility or occupier or association of occupiers to acquire the site (iii) Notification of sites. (iv) Publish periodically an inventory of all potential or existing disposal sites in the State or Union Territory
4.	State Pollution Control Boards or Pollution Control Committees constituted under the Water (Prevention and Control of Pollution) Act, 1974	(i) Inventorisation of hazardous and other wastes (ii) Grant and renewal of authorisation (iii) Monitoring of compliance of various provisions and conditions of permission including conditions of permission for issued by Ministry of Environment, Forest and Climate Change for exports and imports (iv) Examining the applications for imports submitted by the importers and forwarding the same to Ministry of Environment, Forest and Climate Change (v) Implementation of programmes to prevent or reduce or minimise the generation of hazardous and other wastes. (vi) Action against violations of these rules. (vii) Any other function under these Rules assigned by Ministry of Environment, Forest and Climate Change from time to time.
5.	Directorate General of Foreign Trade constituted under the Foreign Trade (Development and Regulation) Act, 1992	(i) Grant of licence for import of hazardous and other wastes (ii) Refusal of licence for hazardous and other wastes prohibited for imports and export
6.	Port authority under Indian Ports Act, 1908 (15 of 1908) and Customs Authority under the Customs Act, 1962 (52 of 1962)	(i) Verify the documents (ii) Inform the Ministry of Environment, Forests and Climate Change of any illegal traffic (iii) Analyse wastes permitted for imports and exports, wherever required. (iv) Train officials on the provisions of these rules and in the analysis of hazardous and other wastes (v) Take action against exporter or importer for violations under the Indian Ports Act, 1908 or Customs Act, 1962

SCHEDULE VIII

[*See rules 13(2) and 13 (4)*]

List of documents for verification by Customs for import of other wastes specified in Part D of Schedule III

S. No.	Basel No.	Description of other wastes	List of Documents
(1)	(2)	(3)	(4)
1	B1010	Metal and metal-alloy wastes in metallic, non-dispersible form: - Precious metals (gold, silver, platinum) - Iron and steel scrap - Nickel scrap - Aluminium scrap - Zinc scrap - Tin scrap - Tungsten scrap - Molybdenum scrap - Tantalum scrap - Cobalt scrap - Bismuth scrap - Titanium scrap - Zirconium scrap - Manganese scrap - Germanium scrap - Vanadium scrap - Hafnium scrap - Indium scrap - Niobium scrap - Rhenium scrap - Gallium scrap - Magnesium scrap - Copper scrap - Chromium scrap	(a) Duly filled up Form 6 - Movement document; (b) The import license from Directorate General of Foreign Trade, wherever applicable; (c) Pre-shipment inspection certificate issued by the inspection agency of the exporting country or the inspection and certification agency approved by Directorate General of Foreign Trade; (d) The valid consents to operate under the Air and Water Acts and the authorisation under these rules, for actual users. For traders, only valid one time authorisation from concerned SPCB is required; (e) The chemical analysis report of the waste being imported; (f) an acknowledged copy of the annual return filed with concerned State Pollution Control Board for import in the last financial year.
2	B1050	Mixed non-ferrous metal, heavy fraction scrap, containing metals other than specified in Part B1050 and not containing constituents mentioned in Schedule II in concentrations sufficient to exhibit Part C characteristics* *	(a) Duly filled up Form 6 - Movement document; (b) The import license from Directorate General of Foreign Trade, wherever applicable; (c) Pre-shipment inspection certificate issued by the inspection agency of the exporting country or the inspection and certification agency approved by Directorate General of Foreign Trade; (d) The valid consents to operate under the Air and Water Acts and the authorisation under these rules, for actual users. For traders, only valid authorisation from concerned SPCB is required; (e) The chemical analysis report of the waste being imported; (f) An acknowledged copy of the annual return filed with concerned SPCB for import in the last financial year.
3	B1100	Metal bearing wastes arising from melting, smelting and refining of metals: - Hard Zinc spelter - Zinc-containing drosses: ~ Galvanizing slab zinc top dross (>90% Zn) ~ Galvanizing slab zinc bottom dross (>92% Zn) ~Zinc die casting dross (>85% Zn) ~ Hot dip galvanizers slab zinc dross (batch) (>92% Zn)	(a) Duly filled up Form 6 - Movement document; (b) The import license from Directorate General of Foreign Trade, wherever applicable; (c) Pre-shipment inspection certificate issued by the inspection agency of the exporting country or the inspection and certification agency approved by Directorate General of Foreign Trade; (d) The valid consents to operate under the Air and Water Acts and the authorisation under these rules, for actual users. For traders, only valid authorisation from concerned SPCB is

		~ Zinc skimmings – Aluminium skimmings (or skims) excluding salt slag	required; (e) The chemical analysis report of the waste being imported; (f) An acknowledged copy of the annual return filed with concerned SPCB for import in the last financial year.
4	B1110	Electrical and electronic assemblies (including printed circuit boards, electronic components and wires) destined for direct reuse and not for recycling or final disposal	
(a)		Used electrical and electronic assemblies imported for repair and to be re-exported after repair within one year of import	(a) Duly filled up Form 6 - Movement document; (b) Undertaking for re-export; (c) Details of previous import, if there has been any and confirmation regarding their re-export; (d) An acknowledged copy of the annual return filed with concerned SPCB for import in the last financial year (e) Certificate from exporting company for accepting the repaired and unrepairable electrical and electronic assemblies and the spares or part or component or consumables being re-exported.
(b)		Used electrical and electronic assemblies imported for rental purpose and re-exported back within one year of import	(a) Duly filled up Form 6 - Movement document; (b) Undertaking for re-export; (c) Details of previous import, if there has been any and confirmation regarding their re-export; (d) An acknowledged copy of the annual return filed with concerned SPCB for import in the last financial year
(c)		Used electrical and electronic assemblies exported for repair and to be re-imported after repair	(a) Duly filled up Form 6 - Movement document; (b) Proof of export of the defective electrical and electronic assemblies i.e. shipping or airway document authenticated by Customs
(d)		Used electrical and electronic assemblies imported for testing, research and development, project work purposes and to be re-exported back within a period of three years from the date of import	(a) Duly filled up Form 6 - Movement document; (b) Undertaking for re-export; (c) Details of previous import, if there has been any and confirmation regarding their re-export; (d) Chartered Engineer Certificate or certificate from accredited agency of exporting country indicating the functionality, manufacturing date, residual life and serial number; (e) an acknowledged copy of the annual return filed with concerned SPCB for import in the last financial year; (f) Certificate from exporting company for accepting the second hand functional or non-functional electrical and electronic assemblies and/or the spares or part or component or consumables being re-exported at the end of three years.
(e)		Spares imported for warranty replacements provided equal number of defective / non-functional parts are exported back within one year of the import.	(a) Duly filled up Form 6 - Movement document; (b) if refurbished components being imported as replacement to defective component then undertaking for export of equivalent numbers of defective components; (c) Details of previous import, if there has been any and confirmation regarding their re-export; (d) Certificate from exporting company for accepting the re-export of defective or non-functional spares or part or component or consumables being re-exported; (e) Documents on the declared policy regarding the use of second hand or refurbished spare

			parts for repair of electrical and electronic assemblies during warranty period.
(f)		Used electrical and electronic assemblies imported by Ministry of Defence, Department of Space and Department of Atomic Energy.	---
(g)		Used electrical and electronic assemblies (not in bulk; quantity less than or equal to three) imported by the individuals for their personal uses.	---
(h)		Used Laptop, Personal Computers, Mobile, Tablet up to 03 number each imported by organisations in a year.	---
(i)		Used electrical and electronic assemblies owned by individuals and imported on transfer of residence.	As per existing guidelines of Custom Authority
(j)		Used electrical and electronic assemblies, spares, imported by airlines for aircraft maintenance and remaining either on board or under the custodianship of the respective airlines warehouses located on the airside of the custom bonded areas.	----
(j)		Used multifunction print and copying machines (MFDs)*	(a) The country of Origin Certificate along with bill of lading and packaging; (b) The certificate issued by the inspection agency as certified by the exporting country or the inspection and certification agency approved by Directorate General Foreign Trade (DGFT) for functionality, having residual life of not less than five years and serial number; (c) Extended Producer Responsibility-Authorisation under e-waste (Management and Handling) Rules, 2011 as amended from time to time as Producer; (d) The MFDs shall be for printing A 3 size and above; (e) An acknowledged copy of the annual return filed with concerned SPCB for import in the last financial year.
5	B3020	Paper, paperboard and paper product wastes The following materials, provided they are not mixed with hazardous wastes: Waste and scrap of paper or paperboard of: - unbleached paper or paperboard or of corrugated paper or paperboard - other paper or paperboard, made mainly of bleached chemical pulp, not coloured in the mass - paper or paperboard made mainly of mechanical pulp (for example newspapers, journals and similar printed matter) - other, including but not limited to (1) laminated paperboard (2) unsorted scrap	(a) Duly filled up Form 6 – Movement document; (b) The import license from Directorate General of Foreign Trade, wherever applicable; (c) Pre-shipment inspection certificate issued by the inspection agency of the exporting country or the inspection and certification agency approved by Directorate General of Foreign Trade; (d) The valid consents to operate under the Air and Water Acts and the authorisation under these rules, for actual users. For traders, only valid authorisation from concerned SPCB is required; (e) The chemical analysis report of the waste being imported; (f) an acknowledged copy of the annual return filed with concerned State Pollution Control Board for import in the last financial year.

6.	B3140	Aircraft Tyres exported to Original Equipment Manufacturers for re-treading and re-imported after re-treading by airlines for aircraft maintenance and remaining either on board or under the custodianship of the respective airlines warehouses located on the airside of the custom bonded areas	As per existing guidelines of Custom Authority

Note: * The policy for free trade for multifunction print and copying machine to be reviewed once the MFDs are domestically manufactured.

FORM 1

[See rule 6 (1)]

Application required for grant/renewal of authorisation for generation or collection or storage or transport or reception or recycling or reuse or recovery or pre-processing or co-processing or utilisation or treatment or disposal of hazardous and other waste

Part A: General (to be filled by all)

1. (a) Name and address of the unit and location of facility :
(b) Name of the occupier of the facility or operator of disposal facility with designation, Tel, Fax and e-mail:
(c) Authorisation required for (Please tick mark appropriate activity or activities:

(i) Generation ☐
(ii) Collection ☐
(iii) Storage ☐
(iv) Transportation ☐
(v) Reception ☐
(vi) Reuse ☐
(vii) Recycling ☐
(viii) Recovery ☐
(ix) Pre-processing ☐
(x) Co-processing ☐
(xi) Utilisation ☐
(xii) Treatment ☐
(xiii) Disposal ☐
(xiv) Incineration ☐

(d) In case of renewal of authorisation previous authorisation numbers and dates and provide copies of annual returns of last three years including the compliance reports with respect to the conditions of Prior Environmental Clearance, wherever applicable:

2. (a) Nature and quantity of waste handled per annum (in metric tonne or kilo litre)
(b) Nature and quantity of waste stored at any time (in metric tonne or kilo litre)

3. (a) Year of commissioning and commencement of production:
(b) Whether the industry works:

(i) 01 Shift ☐
(ii) 02 Shifts ☐
(iii) Round the clock ☐

4. Provide copy of the Emergency Response Plan (ERP) which should address procedures for dealing with emergency situations (viz. Spillage or release or fire) as specified in the guidelines of Central Pollution Control Board. Such ERP shall comprise the following, but not limited to:

- Containing and controlling incidents so as to minimise the effects and to limit danger to the persons, environment and property;
- Implementing the measures necessary to protect persons and the environment;
- Description of the actions which should be taken to control the conditions at events and to limit their consequences, including a description of the safety equipment and resources available;
- Arrangements for training staff in the duties which they are expected to perform;
- Arrangements for informing concerned authorities and emergency services; and
- Arrangements for providing assistance with off-site mitigatory action.

5. Provide undertaking or declaration to comply with all provisions including the scope of submitting bank guarantee in the event of spillage, leakage or fire while handling the hazardous and other waste.

Part B: To be filled by hazardous waste generators

1. (a) Products and by-products manufactured (names and product wise quantity per annum):

(b) Process description including process flow sheet indicating inputs and outputs (raw materials, chemicals, products, by-products, wastes, emissions, waste water etc.) Please attach separate sheets:

(c) Characteristics (waste-wise) and Quantity of waste generation per annum:

(d) Mode of management of (c) above:

i. Capacity and mode of secured storage within the plant;

ii. Utilisation within the plant (provide details);

iii. If not utilised within the plant, please provide details of what is done with this waste;

iv. Arrangement for transportation to actual users/ TSDF;

(e) Details of the environmental safeguards and environmental facilities provided for safe handling of all the wastes at point (c) above;

2. Hazardous and other wastes generated as per these rules from storage of hazardous chemicals as defined under the Manufacture, Storage and Import of Hazardous Chemicals Rules, 1989

Part C: To be filled by Treatment, storage and disposal facility operators

1. Provide details of the facility including:

(i) Location of site with layout map;

(ii) Safe storage of the waste and storage capacity;

(iii) The treatment processes and their capacities;

(iv) Secured landfills;

(v) Incineration, if any;

(vi) Leachate collection and treatment system;

(vii) Fire fighting systems;

(viii) Environmental management plan including monitoring; and

(ix) Arrangement for transportation of waste from generators.

2. Provide details of any other activities undertaken at the Treatment, storage and disposal facility site.

3. Attach a copy of prior Environmental Clearance.

Part D: To be filled by recyclers or pre-processors or co-processors or users of hazardous or other wastes

1. Nature and quantity of different wastes received per annum from domestic sources or imported or both:

2. Installed capacity as per registration issued by the District Industries Centre or any other authorised Government agency. Provide copy:

3. Provide details of secured storage of wastes including the storage capacity:

4. Process description including process flow sheet indicating equipment details, inputs and outputs (input wastes, chemicals, products, by-products, waste generated, emissions, waste water, etc.). Attach separate sheets:

5. Provide details of end users of products or by-products:

6. Provide details of pollution control systems such as Effluent Treatment Plant, scrubbers, etc. including mode of disposal of waste:

7. Provide details of occupational health and safety measures:

8. Has the facility been set up as per Central Pollution Control Board guidelines? If yes, provide a report on the compliance with the guidelines:

9. Arrangements for transportation of waste to the facility:

Signature of the Applicant
Designation

Date……..

Place…….

FORM 2
[See rule 6(2)]

FORM FOR GRANT OR RENEWAL OF AUTHORISATION BY STATE POLLUTION CONTROL BOARD TO THE OCCUPIERS, RECYCLERS, REPROCESSORS, REUSERS, USER AND OPERATORS OF DISPOSAL FACILITIES

1. Number of authorisation and date of issue :
2. Reference of application (No. and date) :
3. ……of …….is hereby granted an authorisation based on the enclosed signed inspection report for generation, collection, reception, storage, transport, reuse, recycling, recovery, pre-processing, co-processing, utilisation, treatment, disposal or any other use of hazardous or other wastes or both on the premises situated at……...

Details of Authorisation

Sl. No.	Category of Hazardous Waste as per the Schedules I, II and III of these rules	Authorised mode of disposal or recycling or utilisation or co-processing, etc.	Quantity (ton/annum)

(1) The authorisation shall be valid for a period of ……

(2) The authorisation is subject to the following general and specific conditions (Please specify any conditions that need to be imposed over and above general conditions, if any):

A. General conditions of authorisation:

1. The authorised person shall comply with the provisions of the Environment (Protection) Act, 1986, and the rules made there under.

2. The authorisation or its renewal shall be produced for inspection at the request of an officer authorised by the State Pollution Control Board.

3. The person authorised shall not rent, lend, sell, transfer or otherwise transport the hazardous and other wastes except what is permitted through this authorisation.

4. Any unauthorised change in personnel, equipment or working conditions as mentioned in the application by the person authorised shall constitute a breach of his authorisation.

5. The person authorised shall implement Emergency Response Procedure (ERP) for which this authorisation is being granted considering all site specific possible scenarios such as spillages, leakages, fire etc. and their possible impacts and also carry out mock drill in this regard at regular interval of time;

6. The person authorised shall comply with the provisions outlined in the Central Pollution Control Board guidelines on "Implementing Liabilities for Environmental Damages due to Handling and Disposal of Hazardous Waste and Penalty"

7. It is the duty of the authorised person to take prior permission of the State Pollution Control Board to close down the facility.

8. The imported hazardous and other wastes shall be fully insured for transit as well as for any accidental occurrence and its clean-up operation.

9. The record of consumption and fate of the imported hazardous and other wastes shall be maintained.

10. The hazardous and other waste which gets generated during recycling or reuse or recovery or pre-processing or utilisation of imported hazardous or other wastes shall be treated and disposed of as per specific conditions of authorisation.

11. The importer or exporter shall bear the cost of import or export and mitigation of damages if any.

12. An application for the renewal of an authorisation shall be made as laid down under these Rules.

13. Any other conditions for compliance as per the Guidelines issued by the Ministry of Environment, Forest and Climate Change or Central Pollution Control Board from time to time.

14. Annual return shall be filed by June 30th for the period ensuring 31st March of the year.

B. Specific conditions:

Date:

Signature of Issuing Authority
Designation and Seal

FORM 3

[See rules 6(5), 13(7), 14(6), 16(5) and 20 (1)]

FORMAT FOR MAINTAINING RECORDS OF HAZARDOUS AND OTHER WASTES

1. Name and address of the facility :
2. Date of issuance of authorisation and its reference number :
3. Description of hazardous and other wastes handled (Generated or Received)

Date	**Type of waste with category as per Schedules I, II and III of these rules**	**Total quantity (Metric Tonnes)**	**Method of Storage**	**Destined to or received from**

** Fill up above table separately for indigenous and imported waste.*

4. Date wise description of management of hazardous and other wastes including products sent and to whom in case of recyclers or pre-processor or utiliser:
5. Date of environmental monitoring (as per authorisation or guidelines of Central Pollution Control Board):

Signature of occupier

Date……..

Place…….

FORM 4

[See rules 6(5), 13(8), 16(6) and 20 (2)]

FORM FOR FILING ANNUAL RETURNS

[To be submitted to State Pollution Control Board by 30th day of June of every year for the preceding period April to March]

1. Name and address of facility:

2. Authorisation No. and Date of issue:

3. Name of the authorised person and full address with telephone, fax number and e-mail:

4. Production during the year (product wise), wherever applicable

Part A. To be filled by hazardous waste generators

1. Total quantity of waste generated category wise

2. Quantity dispatched
   (i) to disposal facility
   (ii) to recycler or co-processors or pre-processor
   (iii) others

3. Quantity utilised in-house, if any -

4. Quantity in storage at the end of the year –

Part B. To be filled by Treatment, storage and disposal facility operators

1. Total quantity received -

2. Quantity in stock at the beginning of the year -

3. Quantity treated –

4. Quantity disposed in landfills as such and after treatment –

5. Quantity incinerated (if applicable) -

6. Quantity processed other than specified above -

7. Quantity in storage at the end of the year -

Part C. To be filled by recyclers or co-processors or other users

1. Quantity of waste received during the year –
   (i) domestic sources
   (ii) imported (if applicable)

2. Quantity in stock at the beginning of the year -

3. Quantity recycled or co-processed or used –

4. Quantity of products dispatched (wherever applicable) –

5. Quantity of waste generated -

6. Quantity of waste disposed -

7. Quantity re-exported (wherever applicable)-

8. Quantity in storage at the end of the year -

Signature of the Occupier or
Operator of the disposal facility

Date……..

Place…….

FORM 5

[See rules 13 (1) and 14 (1)]

APPLICATION FOR IMPORT OR EXPORT OF HAZARDOUS AND OTHER WASTE FOR REUSE OR RECYCLING OR RECOVERY OR CO-PROCESSING OR UTILISATION

TO BE FILLED IN BY APPLICANT

S. No.	Description	Details to be furnished by the importer or exporter
(1)	(2)	(3)
1.	Importer or Exporter (name and address) in India	
	Contact person	
	Tel, fax and e-mail	
	Facility location/address	
	Reason for import or export	
2.	Importer or exporter (name and address) outside of India	
3.	Details of waste to be imported or exported	
	(a) Quantity (b) Basel No. (c) Single/multiple movement (d) Chemical composition of waste (attach details), where applicable (e) Physical characteristics (f) Special handling requirements, if applicable	
4.	For Schedule III A hazardous waste whether Prior Informed Consent has been obtained	
5.	**For importer** (a) Process details along with environmental safeguard measures (attach separate sheet) (b) Capacity of recycling or co-processing or recovery or utilization **Enclose a copy each of valid authorisation and valid consent to operate from SPCB**	
6.	Details of import against the Ministry of Environment, Forest and Climate Change permission in the previous three years	
7.	Port of entry	

9. Undertaking :

I hereby solemnly undertake that:

(i) The information is complete and correct to the best of my knowledge and legally-enforceable written contractual obligations have been entered into and that my applicable insurance or other financial guarantees are or shall be in force covering the transboundary movement.

(ii) The waste permitted shall be fully insured for transit as well as for any accidental occurrence and its clean-up operation.

(iii) The record of consumption and fate of the imported waste shall be recorded and report sent to the SPCB every quarter.

(iv) The hazardous or other waste which gets generated in our premises by the use of imported hazardous or other wastes in the form of raw material shall be treated and disposed of as per conditions of authorisation.

(v) I agree to bear the cost of export and mitigation of damages if any.

(vi) I am aware that there are significant penalties for submitting a false certificate/ undertaking/ disobedience of the rules and lawful orders including the possibility of fine and imprisonment.

(vii) The exported wastes shall be taken back, if it is not acceptable to the importer.

Signature of the Applicant
Designation

Date……..
Place…….

FORM – 6

[See rules 13(2), 13 (10) and 14 (5)]

TRANSBOUNDARY MOVEMENT- MOVEMENT DOCUMENT

S.No	Description		Details to be furnished by the exporter or importer
(1)	(2)		(3)
1	Exporter (Name and Address) Contact Person Tele, Fax and email	: : :	
2.	Generator(s) of the waste (Name and Address)[1] Contact Person Tele, Fax and email	: : :	
	Site of generation	:	
3.	Importer or Actual user (Name and Address) Contact person Tele, Fax and email	: : :	
4.	Trader (Name and Address) Contact person Tele, Fax and email	: : :	
	Details of actual user (Name, Address, Telephone and email)	:	
5.	Corresponding to applicant Ref. No., If any	:	
6.	Bill of lading (attach copy)	:	
7.	Country of import/export	:	
8.	General description of waste	:	
	(a) Quantity (b) Physical characteristics (c) Chemical composition of waste (attach details), where applicable (d) Basel No. (e) UN Shipping name (f) UN Class (g) UN No (h) H Number (i) Y Number (j) ITC (HS)		

	(k) Customs Code (H.S.) (l) Other (specify)		
9.	Type of packages	:	
	Number	:	
10.	Special handling requirements including emergency provision in case of accidents	:	
11.	Movement subject to single/multiple consignment		
	In case of multiple movement- (a) Expected dates of each shipment or expected frequency of the shipments (b) Estimated total quantity and quantities for each individual shipment	: :	
12.	Transporter of waste (Name and Address)[1] Contact Person Tele, Fax and email	:	
	Registration number	:	
	Means of transport (road, rail, inland waterway, sea, air)[2]	:	
	Date of Transfer	:	
	Signature of Carrier's representative	:	
13.	**Exporter's declaration for hazardous and other waste:**		
	I certify that the information in Sl. Nos. 1 to 12 above are complete and correct to my best knowledge. I also certify that legally-enforceable written contractual obligations have been entered into and are in force covering the transboundary movement regulations/rules. Date:..... Signature:..... Name:.....		
TO BE COMPLETED BY IMPORTER (ACTUAL USER OR TRADER)			
14.	Shipment received by importer/ actual user/trader[2] [3]		
	Quantity received.....Kg/litres Date: Name: Signature:		
15.	Methods of recovery		
	R code*		
	Technology employed (Attached details if necessary)		
16.	I certify that nothing other than declared goods covered as per these rules is intended to be imported in the above referred consignment and will be recycled /utilized. Signature: Date:		
17.	SPECIFIC CONDITIONS ON CONSENTING TO THE MOVEMENT if applicable.		(attach details)
Notes:-(1) Attach list, if more than one; (2) Select appropriate option; (3) Immediately contact competent authority in case of any emergency; (4) If more than one transporter carriers, attach information as required in SL. No. 12.			

List of abbreviations used in the Movement Document

Recovery Operations (*)

R1 Use as a fuel (other than in direct incineration) or other means to generate energy.
R2 Solvent reclamation/regeneration.
R3 Recycling/reclamation of organic substances which are not used as solvents.

R4 Recycling/reclamation of metals and metal compounds.
R5 Recycling/reclamation of other inorganic materials.
R6 Regeneration of acids or bases.
R7 Recovery of components used for pollution abatement.
R8 Recovery of components from catalysts.
R9 Used oil re-refining or other reuses of previously used oil.
R10 Land treatment resulting in benefit to agriculture or ecological improvement
R11 Uses of residual materials obtained from any of the operations numbered R 1 to R 10

Date: **Signature:**

Place: **Designation:**

FORM 7

[See rule 13 (2) (c)]

APPLICATION FORM FOR ONE TIME AUTHORISATION OF TRADERS FOR PART- D OF SCHEDULE III, WASTE

[To be submitted by trader to the State Pollution Control Board]

1.	Name and address of trader with Telephone, Fax Number and e-mail	:	
2.	TIN/VAT Number/Import/ Export Code	:	
3.	Description and quantity of other waste to be imported	:	
4.	Details of storage, if any	:	
5.	Names and address of authorised actual user (s)	:	

Signature of the authorised person

Date:
Place:

FORM 8

[See rules 17 (1) and 18 (2)]

LABELLING OF CONTAINERS OF HAZARDOUS AND OTHER WASTE

Handle with care

Waste category and characteristics as per Part C of Schedules II and III of these rules …….	Incompatible wastes and substances …….
Total quantity …….	Date of storage
Physical State of the waste (Solid/Semi-solid/liquid):	
Sender's name and address	Receiver's name and address
Phone……	Phone……
E-mail……	E-mail……
Tel. and Fax No…….	Tel. and Fax No…….
Contact person……	Contact person……
In case of emergency please Contact ……	

Note:

1. *Background colour of labeI - fluorescent yellow.*
2. *The word, 'HAZARDOUS WASTES' and 'HANDLE WITH CARE' to be prominent and written in red, in Hindi, English and in vernacular language.*
3. *The word 'OTHER WASTES' to be written prominently in orange, in Hindi, English and in vernacular language.*

4. Label should be of non-washable material and weather proof.

FORM 9

[See rule 18 (2)]

TRANSPORT EMERGENCY (TREM) CARD

[To be carried by the transporter during transportation of hazardous and other wastes, provided by the sender of waste]

1. Characteristics of hazardous and other wastes:

S. No.	Type of waste	Physical properties/	Chemical constituents	Exposure hazards	First Aid requirements

2. Procedure to be followed in case of fire :
3. Procedure to be followed in case of spillage/accident/explosion :
4. For expert services, please contact :
   (i) Name and Address
   (ii) Telephone No. :

(Name, contact number and signature of sender)

Date……..
Place…….

FORM 10

[See rule 19 (1)]

MANIFEST FOR HAZARDOUS AND OTHER WASTE

1.	Sender's name and mailing address (including Phone No. and e-mail) :	
2.	Sender's authorisation No. :	
3.	Manifest Document No. :	
4.	Transporter's name and address: (including Phone No. and e-mail)	
5.	Type of vehicle :	(Truck/Tanker/Special Vehicle)
6.	Transporter's registration No. :	
7.	Vehicle registration No. :	
8.	Receiver's name and mailing address (including Phone No. and e-mail) :	
9.	Receiver's authorisation No. :	
10.	Waste description :	
11.	Total quantity : No. of Containers :	……..m^3 or MT ……..Nos.
12.	Physical form :	(Solid/Semi-Solid/Sludge/Oily/Tarry/Slurry/Liquid)
13.	Special handling instructions and additional information :	
14.	Sender's Certificate	I hereby declare that the contents of the consignment are fully and accurately described above by proper shipping name and are categorised, packed, marked, and labelled, and are in all respects in proper conditions for transport by road according to applicable national government regulations.
	Name and stamp: Signature: Month Day Year	
15.	Transporter acknowledgement of receipt of Wastes	
	Name and stamp: Signature: Month Day Year	
16.	Receiver's certification for receipt of hazardous and other waste	
	Name and stamp: Signature: Month Day Year	

FORM 11

[See rule 22]

FORMAT FOR REPORTING ACCIDENT

[To be submitted by the facility or sender or receiver or transporter to the State Pollution Control Board]

1.	The date and time of the accident	:
2.	Sequence of events leading to accident	:
3.	Details of hazardous and other wastes involved in accident	:
4.	The date for assessing the effects of the accident on health or the environment	:
5.	The emergency measures taken	:
6.	The steps taken to alleviate the effects of accidents	:
7.	The steps take to prevent the recurrence of such an accident	:

Date: **Signature:**

Place: **Designation:**

FORM 12

[See rule 24 (1)]

APPLICATION FOR FILING APPEAL
AGAINST THE ORDER PASSED BY STATE POLLUTION CONTROL BOARD

1.	Name and address of the person making the appeal	:
2.	Number, date of order and address of the authority which passed the order, against which appeal is being made	: (certified copy of the order be attached)
3.	Ground on which the appeal is being made	:
4.	Relief sought for	:
5.	List of enclosures other than the order referred in point 2 against which the appeal is being filed.	:

Signature…….

Name and address…….

Date:

----------x----------x----------

[23-16/2009- HSMD]

BISHWANATH SINHA, Jt. Secy.

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Government of India
Ministry of Environment, Forest and Climate Change
Legal Monitoring Cell

Date: 18/09/2023

Subject: Engagement of Panel Counsel
Ref.- Request from counsel on dated 18/09/2023.
Respected Madam,
Ms. Charu Singhal (9810720565 & charu_kaki@yahoo.com)

You are engaged to appear and conduct the case mentioned below for all purposes on behalf of this Ministry till the disposal of the case or expiry of your term of engagement or until further orders, whichever is earlier.

2. Details of the case are as follows:-

Court: **NGT (PB), New Delhi**

Case No.: **OA No. 436/2023 (PB)**

Title of the Case: **Association of Fly Ash Products Manufacturers (AFAPM) Vs. MoEF & CC & Anr.**

Concerned Division of the Ministry: **HSMD**

Name and contact of the Divisional Head: **AS (NPG) & 011-20819247**

Email ID: **asnpg.mefcc@gov.in**

Name and contact of the dealing Associate (Legal): **Mr. Aman Kohli & Ms. Neha Patankar**

Ph. No. **9953813739 & 7057448548**

Email ID: **amankohli185@gmail.com & nehapatankarenv@gmail.com**

Next Date of hearing: **13/10/2023**

3. **This engagement is subject to the following conditions**:-

i. The engagement is governed by **O.M. No. 17(21)/2020-PL/NGT Dated 22.08.2022, 02.03.2023** and O.M. No. 17(21)/2017-PL/NGT on dated 01.12.2017, 07/02/2019 and 04/05/2020, Policy and Law Division, Ministry of Environment, Forest and Climate Change, Indira Paryavaran Bhawan, New Delhi read with relevant circulars/instruct tions issued by this Ministry from time to time.

ii. In case you are unable to attend the case for some reason, sufficient advance intimation should be given to the concerned Division.

iii. To return the brief on expiry of your term/disposal of the case to the Ministry of Environment, Forest and Climate Change, or till further orders.

iv. To intimate the Ministry the progress of the case regularly including obtaining and forwarding certified copy of the Order/Judgement to the concerned Division whenever necessary.

v. To appear on behalf of this Ministry in person, and **not through a junior counsel** in the matters marked to you.

vi. The engagement is acknowledged.

Smita

(Legal Monitoring Cell)
MoEF&CC, New Delhi
स्मिता सालवे/Smita H. Salve
वरिष्ठ परामर्शी (विधिक)
Senior Consultant Legal
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय
M/o Environment, Forest and Climate Change
भारत सरकार, नई दिल्ली
Govt. of India, New Delhi