

THE ENVIRONMENT (PROTECTION) ACT, 1986

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THE ENVIRONMENT (PROTECTION) ACT, 1986

ACT NO. 29 OF 1986

[23rd May, 1986.]

An Act to provide for the protection and improvement of environment and for matters connected therewith.

WHEREAS decisions were taken at the United Nations Conference on the Human Environment held at Stockholm in June, 1972, in which India participated, to take appropriate steps for the protection and improvement of human environment;

AND WHEREAS it is considered necessary further to implement the decisions aforesaid in so far as they relate to the protection and improvement of environment and the prevention of hazards to human beings, other living creatures, plants and property;

BE it enacted by Parliament in the Thirty-seventh Year of the Republic of India as follows:—

CHAPTER I

PRELIMINARY

1. Short title, extent and commencement.—(1) This Act may be called the Environment (Protection) Act, 1986.

(2) It extends to the whole of India.

(3) It shall come into force on such date¹ as the Central Government may, by notification in the Official Gazette, appoint and different dates may be appointed for different provisions of this Act and for different areas.

2. Definitions.—In this Act, unless the context otherwise requires,—

(a) “environment” includes water, air and land and the inter-relationship which exists among and between water, air and land, and human beings, other living creatures, plants, micro-organism and property;

(b) “environmental pollutant” means any solid, liquid or gaseous substance present in such concentration as may be, or tend to be, injurious to environment;

(c) “environmental pollution” means the presence in the environment of any environmental pollutant;

²[(ca) “Fund” means the Environmental Protection Fund established under section 16;]

(d) “handling”, in relation to any substance, means the manufacture, processing, treatment, package, storage, transportation, use, collection, destruction, conversion, offering for sale, transfer or the like of such substance;

(e) “hazardous substance” means any substance or preparation which, by reason of its chemical or physico-chemical properties or handling, is liable to cause harm to human beings, other living creatures, plants, micro-organism, property or the environment;

(f) “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 substance, the person in possession of the substance;

1. 19th November, 1986, *vide* notification No. G.S.R.1198(E), dated 12th November, 1986, *see* Gazette of India, Extraordinary, Part II, sec. 3(i).

2. Ins. by Act 18 of 2023, s. 2 and Schedule (w.e.f. 1-4-2024).

(g) "prescribed" means prescribed by rules made under this Act.

CHAPTER II

GENERAL POWERS OF THE CENTRAL GOVERNMENT

3. Power of Central Government to take measures to protect and improve environment.—(1)

Subject to the provisions of this Act, the Central Government shall have the power to take all such measures as it deems necessary or expedient for the purpose of protecting and improving the quality of the environment and preventing, controlling and abating environmental pollution.

(2) In particular, and without prejudice to the generality of the provisions of sub-section (1), such measures may include measures with respect to all or any of the following matters, namely:—

(i) co-ordination of actions by the State Governments, officers and other authorities—

(a) under this Act, or the rules made thereunder; or

(b) under any other law for the time being in force which is relatable to the objects of this Act;

(ii) planning and execution of a nation-wide programme for the prevention, control and abatement of environmental pollution;

(iii) laying down standards for the quality of environment in its various aspects;

(iv) laying down standards for emission or discharge of environmental pollutants from various sources whatsoever:

Provided that different standards for emission or discharge may be laid down under this clause from different sources having regard to the quality or composition of the emission or discharge of environmental pollutants from such sources;

(v) restriction of areas in which any industries, operations or processes or class of industries, operations or processes shall not be carried out or shall be carried out subject to certain safeguards;

(vi) laying down procedures and safeguards for the prevention of accidents which may cause environmental pollution and remedial measures for such accidents;

(vii) laying down procedures and safeguards for the handling of hazardous substances;

(viii) examination of such manufacturing processes, materials and substances as are likely to cause environmental pollution;

(ix) carrying out and sponsoring investigations and research relating to problems of environmental pollution;

(x) inspection of any premises, plant, equipment, machinery, manufacturing or other processes, materials or substances and giving, by order, of such directions to such authorities, officers or persons as it may consider necessary to take steps for the prevention, control and abatement of environmental pollution;

(xi) establishment or recognition of environmental laboratories and institutes to carry out the functions entrusted to such environmental laboratories and institutes under this Act;

(xii) collection and dissemination of information in respect of matters relating to environmental pollution;

(xiii) preparation of manuals, codes or guides relating to the prevention, control and abatement of environmental pollution;

(xiv) such other matters as the Central Government deems necessary or expedient for the purpose of securing the effective implementation of the provisions of this Act.

(3) The Central Government may, if it considers it necessary or expedient so to do for the purposes of this Act, by order, published in the Official Gazette, constitute an authority or authorities by such name or names as may be specified in the order for the purpose of exercising and performing such of the powers and functions (including the power to issue directions under section 5) of the Central Government under this Act and for taking measures with respect to such of the matters referred to in sub-section (2) as may be mentioned in the order and subject to the supervision and control of the Central Government and the provisions of such order, such authority or authorities may exercise the powers or perform the functions or take the measures so mentioned in the order as if such authority or authorities had been empowered by this Act to exercise those powers or perform those functions or take such measures.

4. Appointment of officers and their powers and functions.—(1) Without prejudice to the provisions of sub-section (3) of section 3, the Central Government may appoint officers with such designations as it thinks fit for the purposes of this Act and may entrust to them such of the powers and functions under this Act as it may deem fit.

(2) The officers appointed under sub-section (1) shall be subject to the general control and direction of the Central Government or, if so directed by that Government, also of the authority or authorities, if any, constituted under sub-section (3) of section 3 or of any other authority or officer.

5. Power to give directions.—Notwithstanding anything contained in any other law but subject to the provisions of this Act, the Central Government may, in the exercise of its powers and performance of its functions under this Act, issue directions in writing to any person, officer or any authority and such person, officer or authority shall be bound to comply with such directions.

Explanation.—For the avoidance of doubts, it is hereby declared that the power to issue directions under this section includes the power to direct—

- (a) the closure, prohibition or regulation of any industry, operation or process; or
- (b) stoppage or regulation of the supply of electricity or water or any other service.

1[5A. Appeal to National Green Tribunal.]—Any person aggrieved by any directions issued under section 5, on or after the commencement of the National Green Tribunal Act, 2010, may file an appeal to the National Green Tribunal established under section 3 of the National Green Tribunal Act, 2010, in accordance with the provisions of that Act.]

6. Rules to regulate environmental pollution.—(1) The Central Government may, by notification in the Official Gazette, make rules in respect of all or any of the matters referred to in section 3.

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:—

- (a) the standards of quality of air, water or soil for various areas and purposes;
- (b) the maximum allowable limits of concentration of various environmental pollutants (including noise) for different areas;
- (c) the procedures and safeguards for the handling of hazardous substances;
- (d) the prohibition and restrictions on the handling of hazardous substances in different areas;
- (e) the prohibition and restrictions on the location of industries and the carrying on of processes and operations in different areas;
- (f) the procedures and safeguards for the prevention of accidents which may cause environmental pollution and for providing for remedial measures for such accidents.

CHAPTER III

PREVENTION, CONTROL AND ABATEMENT OF ENVIRONMENTAL POLLUTION

7. Persons carrying on industry, operation, etc., not to allow emission or discharge of environmental pollutants in excess of the standards.—No person carrying on any industry, operation

1. Ins. by Act 19 of 2010, s. 36 and Schedule III (w.e.f. 18-10-2010).

or process shall discharge or emit or permit to be discharged or emitted any environmental pollutant in excess or such standards as may be prescribed.

8. Persons handling hazardous substances to comply with procedural safeguards.—No person shall handle or cause to be handled any hazardous substance except in accordance with such procedure and after complying with such safeguards as may be prescribed.

9. Furnishing of information to authorities and agencies in certain cases.—(1) Where the discharge of any environmental pollutant in excess of the prescribed standards occurs or is apprehended to occur due to any accident or other unforeseen act or event, the person responsible for such discharge and the person in charge of the place at which such discharge occurs or is apprehended to occur shall be bound to prevent or mitigate the environmental pollution caused as a result of such discharge and shall also forthwith—

(a) intimate the fact of such occurrence or apprehension of such occurrence; and

(b) be bound, if called upon, to render all assistance,

to such authorities or agencies as may be prescribed.

(2) On receipt of information with respect to the fact or apprehension of any occurrence of the nature referred to in sub-section (1), whether through intimation under that sub-section or otherwise, the authorities or agencies referred to in sub-section (1) shall, as early as practicable, cause such remedial measures to be taken as are necessary to prevent or mitigate the environmental pollution.

(3) The expenses, if any, incurred by any authority or agency with respect to the remedial measures referred to in sub-section (2), together with interest (at such reasonable rate as the Government may, by order, fix) from the date when a demand for the expenses is made until it is paid, may be recovered by such authority or agency from the person concerned as arrears of land revenue or of public demand.

10. Powers of entry and inspection.—(1) Subject to the provisions of this section, any person empowered by the Central Government in this behalf shall have a right to enter, at all reasonable times with such assistance as he considers necessary, any place—

(a) for the purpose of performing any of the functions of the Central Government entrusted to him;

(b) for the purpose of determining whether and if so in what manner, any such functions are to be performed or whether any provisions of this Act or the rules made thereunder or any notice, order, direction or authorisation served, made, given or granted under this Act is being or has been complied with;

(c) for the purpose of examining and testing any equipment, industrial plant, record, register, document or any other material object or for conducting a search of any building in which he has reason to believe that an offence under this Act or the rules made thereunder has been or is being or is about to be committed and for seizing any such equipment, industrial plant, record, register, document or other material object if he has reasons to believe that it may furnish evidence of the commission of an offence punishable under this Act or the rules made thereunder or that such seizure is necessary to prevent or mitigate environmental pollution.

¹[(2) Every person carrying on any industry, operation or process of handling any hazardous substance shall render assistance, as may be required, to the person empowered by the Central Government under sub-section (1) for carrying out the functions under that sub-section and if he fails to do so without any reasonable cause, he shall be liable to penalty provided under section 14B.]

(3) If any person willfully delays or obstructs any person empowered by the Central Government under sub-section (1) in the performance of his functions under sub-sections (1) or (2), he shall be liable to penalty provided under section 14B.

1. Subs. by Act 18 of 2023, s. 2 and Schedule for sub-sections (2) to (4) (w.e.f. 1-4-2024).

(4) The provisions of the Code of Criminal Procedure, 1973 (2 of 1974), shall, so far as may be, apply to any search or seizures under this section as they apply to any search or seizures made under the authority of a warrant issued under section 94 of that Code.]

11. Power to take sample and procedure to be followed in connection therewith.—(1) The Central Government or any officer empowered by it in this behalf, shall have power to take, for the purpose of analysis, samples of air, water, soil or other substance from any factory, premises or other place in such manner as may be prescribed.

(2) The result of any analysis of a sample taken under sub-section (1) shall not be admissible in evidence in any legal proceeding unless the provisions of sub-sections (3) and (4) are complied with.

(3) Subject to the provisions of sub-section (4), the person taking the sample under sub-section (1) shall,—

(a) serve on the occupier or his agent or person in charge of the place, a notice, then and there, in such form as may be prescribed, of his intention to have it so analysed;

(b) in the presence of the occupier or his agent or person, collect a sample for analysis;

(c) cause the sample to be placed in a container or containers which shall be marked and sealed and shall also be signed both by the person taking the sample and the occupier or his agent or person;

(d) send without delay, the container or the containers to the laboratory established or recognised by the Central Government under section 12.

(4) When a sample is taken for analysis under sub-section (1) and the person taking the sample serves on the occupier or his agent or person, a notice under clause (a) of sub-section (3), then,—

(a) in a case where the occupier, his agent or person wilfully absents himself, the person taking the sample shall collect the sample for analysis to be placed in a container or containers which shall be marked and sealed and shall also be signed by the person taking the sample, and

(b) in a case where the occupier or his agent or person present at the time of taking the sample refuses to sign the marked and sealed container or containers of the sample as required under clause (c) of sub-section (3), the marked and sealed container or containers shall be signed by the person taking the samples,

and the container or containers shall be sent without delay by the person taking the sample for analysis to the laboratory established or recognised under section 12 and such person shall inform the Government Analyst appointed or recognised under section 13 in writing, about the wilful absence of the occupier or his agent or person, or, as the case may be, his refusal to sign the container or containers.

12. Environmental laboratories.—(1) The Central Government may, by notification in the Official Gazette,—

(a) establish one or more environmental laboratories;

(b) recognise one or more laboratories or institutes as environmental laboratories to carry out the functions entrusted to an environmental laboratory under this Act.

(2) The Central Government may, by notification in the Official Gazette, make rules specifying—

(a) the functions of the environmental laboratory;

(b) the procedure for the submission to the said laboratory of samples of air, water, soil or other substance for analysis or tests, the form of the laboratory report thereon and the fees payable for such report;

(c) such other matters as may be necessary or expedient to enable that laboratory to carry out its functions.

13. Government Analysts.—The Central Government may, by notification in the Official Gazette, appoint or recognise such persons as it thinks fit and having the prescribed qualifications to be Government Analysts for the purpose of analysis of samples of air, water, soil or other substance sent for analysis to any environmental laboratory established or recognised under sub-section (1) of section 12.

14. Reports of Government Analysts.—Any document purporting to be a report signed by a Government Analyst may be used as evidence of the facts stated therein in any proceeding under this Act.

¹[14A. Penalty for contravention of section 7 or section 8.]—(1) If any person, contravenes provisions of section 7 or section 8 or the rules made thereunder, he shall be liable to penalty in respect of each such contravention, which shall not be less than one lakh rupees but which may extend to fifteen lakh rupees.

(2) Where any person continues contravention under sub-section (1), he shall be liable to additional penalty of fifty thousand rupees for every day during which such contravention continues.

14B. Penalty for contravention of sections 9, 10 and 11.—(1) If any person contravenes or does not comply with the provisions of section 9, section 10 or section 11 or orders or directions issued under those sections, he shall be liable to penalty in respect of each such contravention which shall not be less than ten thousand rupees but which may extend to five lakh rupees.

(2) Where any person continues contravention under sub-section (1), he shall be liable to additional penalty of ten thousand rupees for every day during which such contravention continues.]

²[15. Penalty for contravention of provisions of Act, rules, orders and directions.]—(1) Where any person contravenes or does not comply with any of the provisions of this Act or the rules made or orders or directions issued thereunder for which no penalty is provided, he shall be liable to penalty in respect of each such contravention which shall not be less than ten thousand rupees but which may extend to fifteen lakh rupees.

(2) Where any person continues contravention under sub-section (1), he shall be liable to additional penalty of ten thousand rupees for every day during which such contravention continues.

15A. Penalty for contravention by companies.—(1) Where any company contravenes any of the provisions of this Act, the company shall be liable to penalty for each such contravention which shall not be less than one lakh rupees but which may extend to fifteen lakh rupees.

(2) Where any company continues contravention under sub-section (1), the company shall be liable to additional penalty of one lakh rupees for every day during which such contravention continues.

15B. Penalty for contravention by Government Department.—(1) Where contravention of any of the provision of this Act has been committed by any Department of the Central Government or the State Government, the Head of the Department shall be liable to penalty equal to one month of his basic salary:

Provided that he shall not be liable for such contravention, if he proves that the contravention was committed without his knowledge or instructions or that he exercised all due diligence to prevent such contravention.

(2) Where any contravention under sub-section (1) is attributable to any neglect on the part of, any officer, other than the Head of the Department, the officer shall be liable to penalty equal to one month of his basic salary:

Provided that he shall not be liable for the contravention, if he proves that he exercised all due diligence to avoid such contravention.

15C. Adjudicating officer.—(1) The Central Government, for the purposes of determining the penalties under this Act, may appoint an officer not below the rank of Joint Secretary to the Government

1. Ins. by Act 18 of 2023, s. 2 and Schedule (w.e.f. 1-4-2024).

2. Subs. by s. 2 and Schedule, *ibid.*, for sections 15 to 17 (w.e.f. 1-4-2024).

of India or a Secretary to the State Government to be the adjudicating officer, to hold an inquiry and to impose penalty in the manner, as may be prescribed:

Provided that the Central Government may appoint as many adjudicating officers as may be required.

(2) The adjudicating officer may—

(a) call upon any person alleged to have contravened or not complied with the provisions of this Act and the rules made thereunder or having the knowledge of the facts and circumstances of the case;

(b) require such person to produce any record, register or other document in his possession or any other document, which in the opinion of the adjudicating officer may be relevant to the subject-matter.

(3) The adjudicating officer shall, after giving the person a reasonable opportunity of being heard in the matter, and if, on such inquiry, he is satisfied that the person concerned has contravened or has not complied with the provisions of this Act or the rules made thereunder, he may impose such penalty as he thinks fit in accordance with the provisions of sections 14A, 14B, 15, 15A or section 15B, as the case may be.

(4) The adjudicating officer, while adjudicating the quantum of penalty under sub-section (3), shall have due regard to the following, namely:—

(a) the population and the area impacted or affected due to such contravention or non-compliance;

(b) the frequency and duration of such contravention or non-compliance;

(c) the vulnerability of the class of persons likely to be adversely affected by such contravention or non-compliance;

(d) the damage caused or likely to be caused to any person, as a result of such contravention or non-compliance, if any;

(e) the undue gain derived out of such contravention or non-compliance; and

(f) such other factor, as may be prescribed.

(5) The amount of penalty imposed under the provisions of sections 14A, 14B, 15, 15A or 15B, as the case may be, shall be in addition to the liability to pay relief or compensation under section 15 read with section 17 of the National Green Tribunal Act, 2010 (19 of 2010).

15D. Appeal.—(1) Whoever aggrieved by the order, passed by the adjudicating officer under this Act may prefer an appeal to the National Green Tribunal established under section 3 of the National Green Tribunal Act, 2010 (19 of 2010).

(2) Every appeal under sub-section (1) shall be filed within sixty days from the date on which the copy of the order made by the adjudicating officer is received by the aggrieved person.

(3) The Tribunal may, after giving the parties to the appeal an opportunity of being heard, pass such order as it thinks fit, confirming, modifying or setting aside the order appealed against.

(4) Where an appeal is preferred against any order of the adjudicating officer under sub-section (1), such appeal shall not be entertained by the Tribunal unless such person has deposited with the Tribunal ten per cent. of the amount of the penalty imposed by the adjudicating officer.

15E. Penalty amount to be credited to Environmental Protection Fund.—Where any penalty or additional penalty, as the case may be, is imposed under sections 14A, 14B, 15, 15A or section 15B, the amount of the penalty shall be credited to the Environmental Protection Fund established under section 16.

15F. Offence for failure to pay penalty or additional penalty.—(1) Where any person fails to pay the penalty or additional penalty, as the case may be, under sections 14A, 14B, 15, 15A or section 15B within ninety days of such imposition, he shall be liable for imprisonment which may extend to three years or with fine which may extend to twice the amount of the penalty or with both.

(2) Where any offence under sub-section (1) has been committed by a company, every person who, at the time the offence was committed, was directly in charge of, and was responsible to, the company for the conduct of the business of the company, as well as the company, shall be deemed to be guilty of offence and he shall be liable to be proceeded against and punished accordingly:

Provided that nothing contained in this sub-section shall render any person liable to any punishment provided in sub-section (1), if he proves that the offence was committed without his knowledge or that he exercised all due diligence to prevent the commission of such offence.

(3) Notwithstanding anything contained in sub-section (2), where an offence has been committed by a company and it is proved that the offence has been committed with the consent or connivance of, or is attributable to any neglect on the part of, any director, manager, secretary or other officer of the company, such director, manager, secretary or other officer shall also be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

Explanation.—For the purposes of this section,—

(a) “company” includes body corporate, firm, trust, society and any other association of individuals;

(b) “director” includes director of the company, partner of the firm, members of the society or trust or member of any association of individuals, as the case may be.]

¹[CHAPTER IIIA

FUND, ACCOUNTS AND AUDIT

16. Environmental Protection Fund.—(1) The Central Government may, by notification in the Official Gazette, establish a fund to be known as the Environmental Protection Fund.

(2) There shall be credited to the Fund—

(a) the amount of penalty imposed under the Air (Prevention and Control of Pollution) Act, 1981

(14 of 1981), and under this Act;

(b) the interest or other income received out of investments made from the Fund; and

(c) any other amount from such sources, as may be prescribed.

(3) The Fund shall be applied for—

(a) the promotion of awareness, education and research for the protection of environment;

(b) the expenses for achieving the objects and for purposes of the Air (Prevention and Control of Pollution) Act, 1981(14 of 1981) and under this Act;

(c) such other purposes, as may be prescribed.

(4) The Central Government shall notify the administrator for the administration of the Fund and other matters connected therewith and incidental thereto in such manner, as may be prescribed.

(5) The Central Government shall allocate seventy-five per cent. of the amount of penalties to the State Governments or Union territory administrations, which has been credited to the Fund.

16A. Accounts and audit of Fund.—(1) The Central Government shall maintain separate accounts and other relevant records in relation to the Environmental Protection Fund and prepare an annual statement of accounts in such form, as may be prescribed, in consultation with the Comptroller and Auditor-General of India.

1. Ins. by Act 18 of 2023, s. 2 and the Schedule (w.e.f. 1-4-2024).

(2) The accounts of the Fund shall be audited by the Comptroller and Auditor-General of India at such intervals as may be specified by him and such audited accounts together with the audit report thereon shall be forwarded annually to the Central Government.

16B. Annual report.—The Central Government shall prepare its annual report in relation to Environmental Protection Fund giving a full account of its activities defined under this Act in such form, as may be prescribed, for each financial year during the previous financial year, and shall be laid before each House of Parliament along with audit report given by the Comptroller and Auditor-General of India.]

CHAPTER IV

MISCELLANEOUS

18. Protection of action taken in good faith.—No suit, prosecution or other legal proceeding shall lie against the Government or any officer or other employee of the Government or any authority constituted under this Act or any member, officer or other employee of such authority in respect of anything which is done or intended to be done in good faith in pursuance of this Act or the rules made or orders or directions issued thereunder.

19. Cognizance of offences.—No court shall take cognizance of any offence under this Act except on a complaint made by,—

(a) the Central Government or any authority or officer authorised in this behalf by that Government; or

¹[(aa) adjudicating officer or any officer authorised by him in this behalf;]

(b) any person who has given notice of not less than sixty days, in the manner prescribed, of the alleged offence and of his intention to make a complaint, to the Central Government or the authority or officer authorised as aforesaid.

20. Information, reports or returns.—The Central Government may, in relation to its functions under this Act, from time to time, require any person, officer, State Government or other authority to furnish to it or any prescribed authority or officer any reports, returns, statistics, accounts and other information and such person, officer, State Government or other authority shall be bound to do so.

21. Members, officers and employees of the authority constituted under section 3 to be public servants.—All the members of the authority, constituted, if any, under section 3 and all officers and other employees of such authority when acting or purporting to act in pursuance of any provisions of this Act or the rules made or orders or directions issued thereunder shall be deemed to be public servants within the meaning of Section 21 of the Indian Penal Code (45 of 1860).

22. Bar of jurisdiction.—No civil court shall have jurisdiction to entertain any suit or proceeding in respect of anything done, action taken or order or direction issued by the Central Government or any other authority or officer in pursuance of any power conferred by or in relation to its or his functions under this Act.

23. Power to delegate.—Without prejudice to the provisions of sub-section (3) of section 3, the Central Government may, by notification in the Official Gazette, delegate, subject to such conditions and limitations as may be specified in the notification, such of its powers and functions under this Act [except the power to constitute an authority under sub-section (3) of section 3 and to make rules under section 25] as it may deem necessary or expedient, to any officer, State Government or other authority.

²[**24. Effect of other laws.**—The provisions of this Act and the rules or orders made thereunder shall have effect notwithstanding anything inconsistent therewith contained in any other law for the time being in force.]

1. Ins. by Act 18 of 2023, s. 2 and Schedule (w.e.f. 1-4-2024).

2. Subs. by s. 2 and Schedule, *ibid.*, for section 24 (w.e.f. 1-4-2024).

25. Power to make rules.—(1) The Central Government may, by notification in the Official Gazette, make rules for carrying out the purposes of this Act.

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:—

(a) the standards in excess of which environmental pollutants shall not be discharged or emitted under section 7;

(b) the procedure in accordance with and the safeguards in compliance with which hazardous substances shall be handled or cause to be handled under section 8;

(c) the authorities or agencies to which intimation of the fact of occurrence or apprehension of occurrence of the discharge of any environmental pollutant in excess of the prescribed standards shall be given and to whom all assistance shall be bound to be rendered under sub-section (1) of section 9;

(d) the manner in which samples of air, water, soil or other substance for the purpose of analysis shall be taken under sub-section (1) of section 11;

(e) the form in which notice of intention to have a sample analysed shall be served under clause (a) of sub-section (3) of section 11;

(f) the functions of the environmental laboratories, the procedure for the submission to such laboratories of samples of air, water, soil and other substances for analysis or test; the form of laboratory report; the fees payable for such report and other matters to enable such laboratories to carry out their functions under sub-section (2) of section 12;

(g) the qualifications of Government Analyst appointed or recognised for the purpose of analysis of samples of air, water, soil or other substances under section 13;

¹[(ga) the manner of holding inquiry and imposing penalty by the adjudicating officer under sub-section (1) and other factors for determining quantum of penalty under clause (f) of sub-section (4) of section 15C;

(gb) the other amount under clause (c) of sub-section (2) of section 16;

(gc) the other purposes under clause (c) of sub-section (3) of section 16;

(gd) the manner of administration of Fund under sub-section (4) of section 16;

(ge) form for maintenance of accounts of the Fund and for preparation of annual statement of accounts under sub-section (1) of section 16A;

(gf) form for preparing annual report of the Fund under section 16B;]

(h) the manner in which notice of the offence and of the intention to make a complaint to the Central Government shall be given under clause (b) of section 19;

(i) the authority or officer to whom any reports, returns, statistics accounts and other information shall be furnished under section 20;

(j) any other matter which is required to be, or may be, prescribed.

26. Rules made under this Act to be laid before Parliament.—Every rule made under this Act shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no

1. Ins. by Act 18 of 2023, s. 2 and Schedule (w.e.f. 1-4-2024).

effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

THE WATER (PREVENTION AND CONTROL OF POLLUTION) ACT, 1974

ARRANGEMENT OF SECTIONS

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THE WATER (PREVENTION AND CONTROL OF POLLUTION) ACT, 1974

ACT NO. 6 OF 1974

[23rd March, 1974.]

An Act to provide for the prevention and control of water pollution and the maintaining or restoring of wholesomeness of water, for the establishment, with a view to carrying out the purposes aforesaid, of Boards for the prevention and control of water pollution, for conferring on and assigning to such Boards powers and functions relating thereto and for matters connected therewith.

WHEREAS it is expedient to provide for the prevention and control of water pollution and the maintaining or restoring of wholesomeness of water, for the establishment, with a view to carrying out the purposes aforesaid, of Boards for the prevention and control of water pollution and for conferring on and assigning to such Boards powers and functions relating thereto;

AND WHEREAS Parliament has no power to make laws for the States with respect to any of the matters aforesaid except as provided in articles 249 and 250 of the Constitution;

AND WHEREAS in pursuance of clause (1) of article 252 of the Constitution resolutions have been passed by all the Houses of the Legislatures of the States of Assam, Bihar, Gujarat, Haryana, Himachal Pradesh, Jammu and Kashmir, Karnataka, Kerala, Madhya Pradesh, Rajasthan, Tripura and West Bengal to the effect that the matters aforesaid should be regulated in those States by Parliament by law.

BE it enacted by Parliament in the Twenty-fifth Year of the Republic of India as follows:—

CHAPTER I

PRELIMINARY

1. Short title, application and commencement.—(1) This Act may be called the Water (Prevention and Control of Pollution) Act, 1974.

(2) It applies in the first instance to the whole of the States of Assam, Bihar, Gujarat, Haryana, Himachal Pradesh, Jammu and Kashmir, Karnataka, Kerala, Madhya Pradesh, Rajasthan, Tripura and West Bengal and the Union territories; and it shall apply to such other State which adopts this Act by resolution passed in that behalf under clause (1) of article 252 of the Constitution.

(3) It shall come into force, at once in the States of Assam, Bihar, Gujarat, Haryana, Himachal Pradesh, Jammu and Kashmir, Karnataka, Kerala, Madhya Pradesh, Rajasthan, Tripura and West Bengal and in the Union territories, and in any other State which adopts this Act under clause (1) of article 252 of the Constitution on the date of such adoption and any reference in this Act to the commencement of this Act shall, in relation to any State or Union territory, mean the date on which this Act comes into force in such State or Union territory.

2. Definitions.—In this Act, unless the context otherwise requires,—

(a) “Board” means the Central Board or a State Board;

¹[(b) “Central Board” means the Central Pollution Control Board constituted under section 3;]

(c) “member” means a member of a Board and includes the chairman thereof;

²[(d) “occupier”, in relation to any factory or premises, means the person who has control over the affairs of the factory or the premises, and includes, in relation to any substance, the person in possession of the substance;]

1. Subs. by Act 53 of 1988, s. 2, for clause (b) (w.e.f. 29-9-1988).

2. Subs. by s. 2, *ibid.*, for clause (d) (w.e.f. 29-9-1988).

¹[(dd) “outlet” includes any conduit pipe or channel, open or closed, carrying sewage or trade effluent or any other holding arrangement which causes, or is likely to cause, pollution;]

(e) “pollution” means such contamination of water or such alteration of the physical, chemical or biological properties of water or such discharge of any sewage or trade effluent or of any other liquid, gaseous or solid substance into water (whether directly or indirectly) as may, or is likely to, create a nuisance or render such water harmful or injurious to public health or safety, or to domestic, commercial, industrial, agricultural or other legitimate uses, or to the life and health of animals or plants or of aquatic organisms;

(f) “prescribed” means prescribed by rules made under this Act by the Central Government or, as the case may be, the State Government;

(g) “sewage effluent” means effluent from any sewerage system or sewage disposal works and includes sullage from open drains;

¹[(gg) “sewer” means any conduit pipe or channel, open or closed, carrying sewage or trade effluent;]

²[(h) “State Board” means a State Pollution Control Board constituted under section 4;]

(i) “State Government” in relation to a Union territory means the Administrator thereof appointed under article 239 of the Constitution;

(j) “stream” includes—

(i) river;

(ii) water course (whether flowing or for the time being dry);

(iii) inland water (whether natural or artificial);

(vi) sub-terranean waters;

(v) sea or tidal waters to such extent or, as the case may be, to such point as the State Government may, by notification in the Official Gazette, specify in this behalf;

(j) “trade effluent” includes any liquid, gaseous or solid substance which is discharged from any premises used for carrying on any ³[industry, operation or process, or treatment and disposal system], other than domestic sewage.

CHAPTER II

THE CENTRAL AND STATE BOARDS FOR PREVENTION AND CONTROL OF WATER POLLUTION

2. Constitution of Central Boards.—(1) The Central Government shall, with effect from such date (being a date not later than six months of the commencement of this Act in the States of Assam, Bihar, Gujarat, Haryana, Himachal Pradesh, Jammu and Kashmir, Karnataka, Kerala, Madhya Pradesh, Rajasthan, Tripura and West Bengal and in the Union territories) as it may, by notification in the Official Gazette, appoint, constitute a Central Board to be called the ⁴[Central Pollution Control Board] to exercise the powers conferred on and perform the functions assigned to that Board under this Act.

(2) The Central Board shall consist of the following members, namely:—

(a) a full-time chairman, being a person having special knowledge or practical experience in respect of ⁵[matters relating to environmental protection] or a person having knowledge and experience in administering institutions dealing with the matters aforesaid, to be nominated by the Central Government;

1. Ins. by Act 44 of 1978, s. 2 (w.e.f. 12-12-1978).

2. Subs. by Act 53 of 1988, s. 2, for clause (h) (w.e.f. 29-9-1988).

3. Subs. by s. 2, *ibid.*, for “trade or industry” (w.e.f. 29-9-1988).

4. Subs. by s. 3, *ibid.*, for “Central Board for the Prevention and Control of Water Pollution” (w.e.f. 29-9-1988).

5. Subs. by Act 44 of 1978, s. 3, for “matters relating to the use and conservation of water resources or the prevention and control of water pollution” (w.e.f. 12-12-1978).

(b) ¹[such number of officials, not exceeding five,] to be nominated by the Central Government to represent that Government;

(c) such number of persons, not exceeding five, to be nominated by the Central Government, from amongst the members of the State Boards, of whom not exceeding two shall be from those referred to in clause (c) of sub-section (2) of section 4;

(d) ²[such number of non-officials, not exceeding three,] to be nominated by the Central Government, to represent the interests of agriculture, fishery or industry or trade or any other interest which, in the opinion of the Central Government, ought to be represented;

(e) two persons to represent the companies or corporations owned, controlled or managed by the Central Government, to be nominated by that Government;

³[(f) a full-time member-secretary, possessing qualifications, knowledge and experience of scientific, engineering or management aspects of pollution control, to be appointed by the Central Government.]

(3) The Central Board shall be a body corporate with the name aforesaid having perpetual succession and a common seal with power, subject to the provisions of this Act, to acquire, hold and dispose of property and to contract, and may, by the aforesaid name, sue or be sued.

4. Constitution of State Board.—(1) The State Government shall, with effect from such date ^{4***} as it may, by notification in the Official Gazette, appoint, constitute a ⁵[State Pollution Control Board], under such name as may be specified in the notification, to exercise the powers conferred on and perform the functions assigned to that Board under this Act.

(2) A State Board shall consist of the following members, namely:—

(a) a ^{6***} chairman, being a person having special knowledge or practical experience in respect of ⁷[matters relating to environmental protection] or a person having knowledge and experience in administering institutions dealing with the matters aforesaid, to be nominated by the State Government ⁸[in such manner as may be prescribed by the central Government]:

⁹[Provided that the chairman may be either whole-time or part-time as the State Government may think fit;]

(b) ¹⁰[such number of officials, not exceeding five,] to be nominated by the State Government to represent that Government;

(c) ¹¹[such number of persons, not exceeding five,] to be nominated by the State Government from amongst the members of the local authorities functioning within the State;

(d) ¹²[such number of non-officials, not exceeding three,] to be nominated by the State Government to represent the interests of agriculture, fishery or industry or trade or any other interest which, in the opinion of the State Government, ought to be represented;

(e) two persons to represent the companies or corporations owned, controlled or managed by the State Government, to be nominated by that Government;

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1. Subs. by Act 44 of 1978, s. 3, for “five officials” (w.e.f. 12-12-1978).
 2. Subs. by s. 3, *ibid.*, for “three non-officials” (w.e.f. 12-12-1978).
 3. Subs. by Act 53 of 1988, s. 3, for clause (f) (w.e.f. 29-9-1988).
 4. The brackets and words “(being a date not later than six months of the commencement of the Act in the State)” omitted by Act 44 of 1978, s. 4 (w.e.f. 12-12-1978).
 5. Subs. by Act 53 of 1988, s. 4, for “State Board” (w.e.f. 29-9-1988).
 6. The word “full-time” omitted by Act 44 of 1978, s. 4 (w.e.f. 12-12-1978).
 7. Subs. by s. 4, *ibid.*, for certain words (w.e.f. 12-12-1978).
 8. Ins. by Act 5 of 2024, s. 2 (w.e.f. 15-2-2024).
 9. The proviso ins. by Act 44 of 1978, s. 4, (w.e.f. 12-12-1978).
 10. Subs. by s. 4, *ibid.*, for “five officials” (w.e.f. 12-12-1978).
 11. Subs. by s. 4, *ibid.*, for “five persons” (w.e.f. 12-12-1978).
 12. Subs. by s. 4, *ibid.*, for “three non-officials” (w.e.f. 12-12-1978).

¹[(f) a full-time member-secretary, possessing qualifications, knowledge and experience of scientific, engineering or management aspects of pollution control, to be appointed by the State Government.]

(2) Every State Board shall be a body corporate with the name specified by the State Government in the notification under sub-section (1), having perpetual succession and a common seal with power, subject to the provisions of this Act, to acquire, hold and dispose of property and to contract, and may, by the said name, sue or be sued.

(3) Notwithstanding anything contained in this section, no State Board shall be constituted for a Union territory and in relation to a Union territory, the Central Board shall exercise the powers and perform the functions of a State Board for that Union territory:

Provided that in relation to any Union territory the Central Board may delegate all or any of its powers and functions under this sub-section to such person or body of persons as the Central Government may specify.

5. Terms and conditions of service of members.—(1) Save as otherwise provided by or under this Act, a member of a Board, other than a member-secretary, shall hold office for a term of three years from the date of his nomination:

Provided that a member shall, notwithstanding the expiration of his term, continue to hold office until his successor enters upon his office.

²[(2) The term of office of a member of a Board nominated under clause (b) or clause (e) of sub-section (2) of section 3 or clause (b) or clause (e) of sub-section (2) of section 4 shall come to an end as soon as he ceases to hold the office under the Central Government or the State Government or, as the case may be, the company or corporation owned, controlled or managed by the Central Government or the State Government, by virtue of which he was nominated.]

(3) The Central Government or, as the case may be, the State Government may, if it thinks fit, remove any member of a Board before the expiry of his term of office, after giving him a reasonable opportunity of showing cause against the same.

(4) A member of a Board, other than the member-secretary, may at any time resign his office by writing under his hand addressed—

(a) in the case of the chairman to the Central Government or, as the case may be, the State Government; and

(b) in any other case, to the chairman of the Board,

and the seat of the chairman or such other member shall thereupon become vacant.

(5) A member of a Board, other than the member-secretary, shall be deemed to have vacated his seat if he is absent without reason, sufficient in the opinion of the Board, from three consecutive meetings of the Board, ³[or where he is nominated under clause (c) or clause (e) of sub-section (2) of section 3 or under clause (c) or clause (e) of sub-section (2) of section 4, if he ceases to be a member of the State Board or of the local authority or, as the case may be, of the company or corporation owned, controlled or managed by the Central Government or the State Government and such vacation of seat shall, in either case, take effect from such date as the Central Government or, as the case may be, the State Government may, by notification in the Official Gazette, specify].

(6) A casual vacancy in a Board shall be filled by a fresh nomination and the person nominated to fill the vacancy shall hold office only for the remainder of the term for which the member in whose place he was nominated.

(7) A member of a Board ⁴[shall be eligible for renomination].

1. Subs. by Act 53 of 1988, s. 3, for clause (f) (w.e.f. 29-9-1988).

2. Subs. by Act 44 of 1978, s. 5, for sub-section (2) (w.e.f. 12-12-1978).

3. Subs. by s. 5, *ibid.*, for certain words, brackets, letters and figures (w.e.f. 12-12-1978).

4. Subs. by Act 53 of 1988, s. 5, for “shall not be eligible for renomination for more than two terms” (w.e.f. 29-9-1988).

(8) The other terms and conditions of service of a member of a Board, other than the chairman and member-secretary, shall be such as may be prescribed.

(9) The other terms and conditions of service of the chairman shall be such as may be prescribed ¹[by the Central Government].

6. Disqualifications.—(1) No person shall be a member of a Board, who—

(a) is, or at any time has been adjudged insolvent or has suspended payment of his debts or has compounded with his creditors, or

(b) is of unsound mind and stands so declared by a competent court, or

(c) is, or has been, convicted of an offence which, in the opinion of the Central Government or, as the case may be, of the State Government, involves moral turpitude, or

(d) is, or at any time has been, convicted of an offence under this Act, or

(e) has directly or indirectly by himself or by any partner, any share or interest in any firm or company carrying on the business of manufacture, sale or hire of machinery, plant, equipment, apparatus or fittings for the treatment of sewage or trade effluents, or

(f) is a director or a secretary, manager or other salaried officer or employee of any company or firm having any contract with the Board, or with the Government constituting the Board, or with a local authority in the State, or with a company or corporation owned, controlled or managed by the Government, for the carrying out of sewerage schemes or for the installation of plants for the treatment of sewage or trade effluents, or

(g) has so abused, in the opinion of the Central Government or as the case may be, of the State Government, his position as a member, as to render his continuance on the Board detrimental to the interest of the general public.

(2) No order of removal shall be made by the Central Government or the State Government, as the case may be, under this section unless the member concerned has been given a reasonable opportunity of showing cause against the same.

(3) Notwithstanding anything contained in sub-sections (1) and (7) of section 5, a member who has been removed under this section shall not be eligible for renomination as a member.

7. Vacation of seats by members.—If a member of a Board becomes subject to any of the disqualifications specified in section 6, his seat shall become vacant.

8. Meetings of Board.—A Board shall meet at least once in every three months and shall observe such rules of procedure in regard to the transaction of business at its meetings as may be prescribed:

Provided that if, in the opinion of the chairman, any business of an urgent nature is to be transacted, he may convene a meeting of the Board at such time as he thinks fit for the aforesaid purpose.

9. Constitution of committees.—(1) A Board may constitute as many committees consisting wholly of members or wholly of other persons or partly of members and partly of other persons, and for such purpose or purposes as it may think fit.

(2) A committee constituted under this section shall meet at such time and at such place, and shall observe such rules of procedure in regard to the transaction of business at its meetings, as may be prescribed.

(3) The members of a committee (other than the members of the Board) shall be paid such fees and allowances, for attending its meetings and for attending to any other work of the Board as may be prescribed.

10. Temporary association of persons with Board for particular purposes.—(1) A Board may associate with itself in such manner, and for such purposes, as may be prescribed any person whose assistance or advice it may desire to obtain in performing any of its functions under this Act.

1. Ins. by Act 5 of 2024, s. 3, (w.e.f. 15-2-2024).

(2) A person associated with the Board under sub-section (1) for any purpose shall have a right to take part in the discussions of the Board relevant to that purpose, but shall not have a right to vote at a meeting of the Board, and shall not be a member for any other purpose.

¹[(3) A person associated with the Board under sub-section (1) for any purpose shall be paid such fees and allowances, for attending its meetings and for attending to any other work of the Board, as may be prescribed.]

11. Vacancy in Board not to invalidate acts or proceedings.—No act or proceeding of a Board or any committee thereof shall be called in question on the ground merely of the existence of any vacancy in, or any defect in the constitution of, the Board or such committee, as the case may be.

²[**11A. Delegation of powers to Chairman.**—The Chairman of a Board shall exercise such powers and perform such duties as may be prescribed or as may, from time to time, be delegated to him by the Board.]

12. Member-secretary and officers and other employees of Board.—(1) The terms and conditions of service of the member-secretary shall be such as may be prescribed.

(2) The member-secretary shall exercise such powers and perform such duties as may be prescribed or as may, from time to time, be delegated to him by the Board or its chairman.

(3) Subject to such rules as may be made by the Central Government or, as the case may be, the State Government in this behalf, a Board may appoint such officers and employees as it considers necessary for the efficient performance of its functions ^{3***}.

⁴[(3A) The method of recruitment and the terms and conditions of service (including the scales of pay) of the officers (other than the member-secretary) and other employees of the Central Board or a State Board shall be such as may be determined by regulations made by the Central Board or, as the case may be, by the State Board:

Provided that no regulation made under this sub-section shall take effect unless,—

(a) in the case of a regulation made by the Central Board, it is approved by the Central Government; and

(b) in the case of a regulation made by a State Board, it is approved by the State Government.]

⁵[(3B) The Board may, by general or special order, and subject to such conditions and limitations, if any, as may be specified in the order delegate to any officer of the Board such of its powers and functions under this Act as it may deem necessary.]

(4) Subject to such conditions as may be prescribed, a Board may from time to time appoint any qualified person to be a consulting engineer to the Board and pay him such salaries and allowances and subject him to such other terms and conditions of service as it thinks fit.

CHAPTER III

JOINT BOARDS

12. Constitution of Joint Board.—(1) Notwithstanding anything contained in this Act, an agreement may be entered into—

(a) by two or more Governments of contiguous States, or

(b) by the Central Government (in respect of one or more Union territories) and one or more Governments of States contiguous to such Union territory or Union territories,

1. Ins. by Act 44 of 1978, s. 6 (w.e.f. 12-12-1978).

2. Ins. by s. 7, *ibid.* (w.e.f. 12-12-1978).

3. Certain words omitted by s. 8, *ibid.* (w.e.f. 12-12-1978).

4. Ins. by s. 8, *ibid.* (w.e.f. 12-12-1978).

5. Ins. by Act 53 of 1988, s. 6 (w.e.f. 29-9-1988).

to be in force for such period and to be subject to renewal for such further period, if any, as may be specified in the agreement to provide for the constitution of a Joint Board,—

(i) in a case referred to in clause (a), for all the participating States, and

(ii) in a case referred to in clause (b), for the participating Union territory or Union territories and the State or States.

(2) An agreement under this section may—

(a) provide, in a case referred to in clause (a) of sub-section (1), for the apportionment between the participating States and in a case referred to in clause (b) of that sub-section, for the apportionments between the Central Government and the participating State Government or State Governments, of the expenditure in connection with the Joint Board;

(b) determine, in a case referred to in clause (a) of sub-section (1), which of the participating State Governments and in a case referred to in clause (b) of that sub-section, whether the Central Government or the participating State Government (if there are more than one participating State, also which of the participating State Governments) shall exercise and perform the several powers and functions of the State Government under this Act and the references in this Act to the State Government shall be construed accordingly;

(c) provide for consultation, in a case referred to in clause (a) of sub-section (1), between the participating State Governments and in a case referred to in clause (b) of that sub-section, between the Central Government and the participating State Government or State Governments either generally or with reference to particular matters arising under this Act;

(d) make such incidental and ancillary provisions, not inconsistent with this Act, as may be deemed necessary or expedient for giving effect to the agreement.

(3) An agreement under this section shall be published, in a case referred to in clause (a) of sub-section (1), in the Official Gazette of the participating States and in a case referred to in clause (b) of that sub-section, in the Official Gazette of the participating Union territory or Union territories and participating State or States.

14. Composition of Joint Boards.—(1) A Joint Board constituted in pursuance of an agreement entered into under clause (a) of sub-section (1) of section 13 shall consist of the following members, namely:—

(a) a full-time chairman, being a person having special knowledge or practical experience in respect of ¹[matters relating to environmental protection] or a person having knowledge and experience in administering institutions dealing with the matters aforesaid, to be nominated by the Central Government;

(b) two officials from each of the participating States to be nominated by the concerned participating State Government to represent that Government;

(c) one person to be nominated by each of the participating State Governments from amongst the members of the local authorities functioning within the State concerned;

(d) one non-official to be nominated by each of the participating State Governments to represent the interests of agriculture, fishery or industry or trade in the State concerned or any other interest which, in the opinion of the participating State Government, is to be represented;

(e) two persons to be nominated by the Central Government to represent the companies or corporations owned, controlled or managed by the participating State Governments;

²[(f) a full-time member-secretary, possessing qualifications, knowledge and experience of scientific, engineering or management aspects of pollution control, to be appointed by the Central Government.]

1. Subs. by Act 44 of 1978, s. 9, for certain words (w.e.f. 12-12-1978).

2. Subs. by Act 53 of 1988, s. 7, for clause (f) (w.e.f. 29-9-1988).

(2) A Joint Board constituted in pursuance of an agreement entered into under clause (b) of sub-section (1) of section 13 shall consist of the following members, namely:—

(a) a full-time chairman, being a person having special knowledge or practical experience in respect of ¹[matters relating to environmental protection] or a person having knowledge and experience in administering institutions dealing with the matters aforesaid, to be nominated by the Central Government;

(b) two officials to be nominated by the Central Government from the participating Union territory or each of the participating Union territories, as the case may be, and two officials to be nominated, from the participating State or each of the participating States, as the case may be, by the concerned participating State Government;

(c) one person to be nominated by the Central Government from amongst the members of the local authorities functioning within the participating Union territory or each of the participating Union territories, as the case may be, and one person to be nominated, from amongst the members of the local authorities functioning within the participating State or each of the participating States, as the case may be, by the concerned participating State Government;

(d) one non-official to be nominated by the Central Government and one person to be nominated by the participating State Government or State Governments to represent the interests of agriculture, fishery or industry or trade in the Union territory or in each of the Union territories or the State or in each of the States, as the case may be, or any other interest which in the opinion of the Central Government or, as the case may be, of the State Government is to be represented;

(e) two persons to be nominated by the Central Government to represent the companies or corporations owned, controlled or managed by the Central Government and situate in the participating Union territory or territories and two persons to be nominated by the Central Government to represent the companies or corporations owned, controlled or managed by the participating State Governments;

²[(f) a full-time member-secretary, possessing qualifications, knowledge and experience of scientific, engineering or management aspects of pollution control, to be appointed by the Central Government.]

(3) When a Joint Board is constituted in pursuance of an agreement under clause (b) of sub-section (1) of section 13, the provisions of sub-section (4) of section 4 shall cease to apply in relation to the Union territory for which the Joint Board is constituted.

(4) Subject to the provisions of sub-section (3), the provisions of sub-section (3) of section 4 and sections 5 to 12 (inclusive) shall apply in relation to the Joint Board and its member-secretary as they apply in relation to a State Board and its member-secretary.

(5) Any reference in this Act to the State Board shall, unless the context otherwise requires, be construed as including a Joint Board.

15. Special provision relating to giving of directions.—Notwithstanding anything contained in this Act where any Joint Board is constituted under section 13,—

(a) the Government of the State for which the Joint Board is constituted shall be competent to give any direction under this Act only in cases where such direction relates to a matter within the exclusive territorial jurisdiction of the State;

(b) the Central Government alone shall be competent to give any direction under this Act where such direction relates to a matter within the territorial jurisdiction of two or more States or pertaining to a Union territory.

1. Subs. by Act 44 of 1978, s. 9, for certain words (w.e.f. 12-12-1978).

2. Subs. by Act 53 of 1988, s. 7, for clause (f) (w.e.f. 29-9-1988).

CHAPTER IV

POWERS AND FUNCTIONS OF BOARDS

16. Functions of Central Board.—(1) Subject to the provisions of this Act, the main function of the Central Board shall be to promote cleanliness of streams and wells in different areas of the States.

(2) In particular and without prejudice to the generality of the foregoing function, the Central Board may perform all or any of the following functions, namely:—

(a) advise the Central Government on any matter concerning the prevention and control of water pollution;

(b) co-ordinate the activities of the State Boards and resolve disputes among them;

(c) provide technical assistance and guidance to the State Boards, carry out and sponsor investigations and research relating to problems of water pollution and prevention, control or abatement of water pollution;

(d) plan and organise the training of persons engaged or to be engaged in programmes for the prevention, control or abatement of water pollution on such terms and conditions as the Central Board may specify;

(e) organise through mass media a comprehensive programme regarding the prevention and control of water pollution;

¹[(ee) perform such of the functions of any State Board as may be specified in an order made under sub- section (2) of section 18;]

(f) collect, compile and publish technical and statistical data relating to water pollution and the measures devised for its effective prevention and control and prepare manuals, codes or guides relating to treatment and disposal of sewage and trade effluents and disseminate information connected therewith;

(g) lay down, modify or annul, in consultation with the State Government concerned, the standards for a stream or well:

Provided that different standards may be laid down for the same stream or well or for different streams or wells, having regard to the quality of water, flow characteristics of the stream or well and the nature of the use of the water in such stream or well or streams or wells;

(h) plan and cause to be executed a nation-wide programme for the prevention, control or abatement of water pollution;

(i) perform such other functions as may be prescribed.

(3) The Board may establish or recognise a laboratory or laboratories to enable the Board to perform its functions under this section efficiently including the analysis of samples of water from any stream or well or of samples of any sewage or trade effluents.

17. Functions of State Board.—(1) Subject to the provisions of this Act, the functions of a State Board shall be—

(a) to plan a comprehensive programme for the prevention, control or abatement of pollution of streams and wells in the State and to secure the execution thereof;

(b) to advise the State Government on any matter concerning the prevention, control or abatement of water pollution;

(c) to collect and disseminate information relating to water pollution and the prevention, control or abatement thereof;

1. Ins. by Act 53 of 1988, s. 8 (w.e.f. 29-9-1988)

(d) to encourage, conduct and participate investigations and research relating to problems of water pollution and prevention, control or abatement of water pollution;

(e) to collaborate with the Central Board in organising the training of persons engaged or to be engaged in programmes relating to prevention, control or abatement of water pollution and to organise mass education programmes relating thereto;

(f) to inspect sewage or trade effluents, works and plants for the treatment of sewage and trade effluents and to review plans, specifications or other data relating to plants set up for the treatment of water, works for the purification thereof and the system for the disposal of sewage or trade effluents or in connection with the grant of any consent as required by this Act;

(g) to lay down, modify or annul effluent standards for the sewage and trade effluents and for the quality of receiving waters (not being water in an inter-State stream) resulting from the discharge of effluents and to classify waters of the State;

(h) to evolve economical and reliable methods of treatment of sewage and trade effluents, having regard to the peculiar conditions of soils, climate and water resources of different regions and more especially the prevailing flow characteristics of water in streams and wells which render it impossible to attain even the minimum degree of dilution;

(i) to evolve methods of utilisation of sewage and suitable trade effluents in agriculture;

(j) to evolve efficient methods of disposal of sewage and trade effluents on land, as are necessary on account of the predominant conditions of scant stream flows that do not provide for major part of the year the minimum degree of dilution;

(k) to lay down standards of treatment of sewage and trade effluents to be discharged into any particular stream taking into account the minimum fair weather dilution available in that stream and the tolerance limits of pollution permissible in the water of the stream, after the discharge of such effluents;

(l) to make, vary or revoke any order—

(i) for the prevention, control or abatement of discharges of waste into streams or wells;

(ii) requiring any person concerned to construct new systems for the disposal of sewage and trade effluents or to modify, alter or extend any such existing system or to adopt such remedial measures as are necessary to prevent, control or abate water pollution;

(m) to lay down effluent standards to be complied with by persons while causing discharge of sewage or sullage or both and to lay down, modify or annul effluent standards for the sewage and trade effluents;

(n) to advise the State Government with respect to the location of any industry the carrying on of which is likely to pollute a stream or well;

(o) to perform such other functions as may be prescribed or as may, from time to time, be entrusted to it by the Central Board or the State Government.

(2) The Board may establish or recognise a laboratory or laboratories to enable the Board to perform its functions under this section efficiently, including the analysis of samples of water from any stream or well or of samples of any sewage or trade effluents.

18. Powers to give directions.—¹[(I)] In the performance of its functions under this Act—

(a) the Central Board shall be bound by such directions in writing as the Central Government may give to it; and

(b) every State Board shall be bound by such directions in writing as the Central Board or the State Government may give to it:

1. S. 18 renumbered as sub-section (I) thereof by Act 53 of 1988, s. 9 (w.e.f. 29-9-1988).

Provided that where a direction given by the State Government is inconsistent with the direction given by the Central Board, the matter shall be referred to the Central Government for its decision.

¹[(2) Where the Central Government is of the opinion that any State Board has defaulted in complying with any directions given by the Central Board under sub-section (1) and as a result of such default a grave emergency has arisen and it is necessary or expedient so to do in the public interest, it may, by order, direct the Central Board to perform any of the functions of the State Board in relation to such area, for such period and for such purposes, as may be specified in the order.

(2) Where the Central Board performs any of the functions of the State Board in pursuance of a direction under sub-section (2), the expenses, if any, incurred by the Central Board with respect to the performance of such functions may, if the State Board is empowered to recover such expenses, be recovered by the Central Board with interest (at such reasonable rate as the Central Government may, by order, fix) from the date when a demand for such expenses is made until it is paid from the person or persons concerned as arrears of land revenue or of public demand.

(3) For the removal of doubts, it is hereby declared that any directions to perform the functions of any State Board given under sub-section (2) in respect of any area would not preclude the State Board from performing such functions in any other area in the State or any of its other functions in that area.]

CHAPTER V

PREVENTION AND CONTROL OF WATER POLLUTION

19. Power of State Government to restrict the application of the Act to certain areas.—

(1) Notwithstanding anything contained in this Act, if the State Government, after consultation with, or on the recommendation of, the State Board, is of opinion that the provisions of this Act need not apply to the entire State, it may, by notification in the Official Gazette, restrict the application of this Act to such area or areas as may be declared therein as water pollution, prevention and control area or areas and thereupon the provisions of this Act shall apply only to such area or areas.

(2) Each water pollution, prevention and control area may be declared either by reference to a map or by reference to the line of any watershed or the boundary of any district or partly by one method and partly by another.

(3) The State Government may, by notification in the Official Gazette,—

(a) alter any water pollution, prevention and control area whether by way of extension or reduction; or

(b) define a new water pollution, prevention and control area in which may be merged one or more water pollution, prevention and control areas, or any part or parts thereof.

20. Power to obtain information.—(1) For the purpose of enabling a State Board to perform the functions conferred on it by or under this Act, the State Board or any officer empowered by it in that behalf, may make surveys of any area and gauge and keep records of the flow or volume and other characteristics of any stream or well in such area, and may take steps for the measurement and recording of the rainfall in such area or any part thereof and for the installation and maintenance for those purposes of gauges or other apparatus and works connected therewith, and carry out stream surveys and may take such other steps as may be necessary in order to obtain any information required for the purposes aforesaid.

(2) A State Board may give directions requiring any person who in its opinion is abstracting water from any such stream or well in the area in quantities which are substantial in relation to the flow or volume of that stream well or is discharging sewage or trade effluent into any such stream or well, to give such information as to the abstraction or the discharge at such times and in such form as may be specified in the directions.

1. Ins. by Act 53 of 1988, s. 9 (w.e.f. 29-9-1988).

(3) Without prejudice to the provisions of sub-section (2), a State Board may, with a view to preventing or controlling pollution of water, give directions requiring any person in charge of any establishment where any ¹[industry, operation or process, or treatment and disposal system] is carried on, to furnish to it information regarding the construction, installation or operation of such establishment or of any disposal system or of any extension or addition thereto in such establishment and such other particulars as may be prescribed.

21. Power to take samples of effluents and procedure to be followed in connection therewith.—

(1) A State Board or any officer empowered by it in this behalf shall have power to take for the purpose of analysis samples of water from any stream or well or samples of any sewage or trade effluent which is passing from any plant or vessel or from or over any place into any such stream or well.

(2) The result of any analysis of a sample of any sewage or trade effluent taken under sub-section (1) shall not be admissible in evidence in any legal proceeding unless the provisions of sub-sections (3), (4) and (5) are complied with.

(3) Subject to the provisions of sub-sections (4) and (5), when a sample (composite or otherwise as may be warranted by the process used) of any sewage or trade effluent is taken for analysis under sub-section (1), the person taking the sample shall—

(a) serve on the person in charge of, or having control over, the plant or vessel or in occupation of the place (which person is hereinafter referred to as the occupier) or any agent of such occupier, a notice, then and there in such form as may be prescribed of his intention to have it so analysed;

(b) in the presence of the occupier or his agent, divide the sample into two parts;

(c) cause each part to be placed in a container which shall be marked and sealed and shall also be signed both by the person taking the sample and the occupier or his agent;

(d) send one container forthwith,—

(i) in a case where such sample is taken from any area situated in a Union territory, to the laboratory established or recognised by the Central Board under section 16; and

(ii) in any other case, to the laboratory established or recognised by the State Board under section 17;

(e) on the request of the occupier or his agent, send the second container,—

(i) in a case where such sample is taken from any area situated in a Union territory, to the laboratory established or specified under sub-section (1) of section 51; and

(ii) in any other case, to the laboratory established or specified under sub-section (1) of section 52.

²[(4) When a sample of any sewage or trade effluent is taken for analysis under sub-section (1) and the person taking the sample serves on the occupier or his agent, a notice under clause (a) of sub-section (3) and the occupier or his agent wilfully absents himself, then,—

(a) the sample so taken shall be placed in a container which shall be marked and sealed and shall also be signed by the person taking the sample and the same shall be sent forthwith by such person for analysis to the laboratory referred to in sub-clause (i) or sub-clause (ii), as the case may be, of clause (e) of sub-section (3) and such person shall inform the Government analyst appointed under sub-section (1) or sub-section (2), as the case may be, of section 53, in writing about the wilful absence of the occupier or his agent; and

(b) the cost incurred in getting such sample analysed shall be payable by the occupier or his agent and in case of default of such payment, the same shall be recoverable from the occupier or his agent, as the case may be, as an arrear of land revenue or of public demand:

1. Subs. by Act 53 of 1988, s. 10, for “industry or trade” (w.e.f. 29-9-1988).

2. Subs. by Act 44 of 1978, s. 10, for sub-section (4) (w.e.f. 12-12-1978).

Provided that no such recovery shall be made unless the occupier or, as the case may be, his agent has been given a reasonable opportunity of being heard in the matter.]

(5) When a sample of any sewage or trade effluent is taken for analysis under sub-section (1) and the person taking the sample serves on the occupier or his agent a notice under clause (a) of sub-section (3) and the occupier or his agent who is present at the time of taking the sample does not make a request for dividing the sample into two parts as provided in clause (b) of sub-section (3), then, the sample so taken shall be placed in a container which shall be marked and sealed and shall also be signed by the person taking the sample and the same shall be sent forthwith by such person for analysis to the laboratory referred to in sub-clause (i) or sub-clause (ii), as the case may be, of clause (d) of sub-section (3).

22. Reports of the result of analysis on samples taken under section 21.—(1) Where a sample of any sewage or trade effluent has been sent for analysis to the laboratory established or recognised by the Central Board or, as the case may be, the State Board, the concerned Board analyst appointed under sub-section (3) of section 53 shall analyse the sample and submit a report in the prescribed form of the result of such analysis in triplicate to the Central Board or the State Board, as the case may be.

(2) On receipt of the report under sub-section (1), one copy of the report shall be sent by the Central Board or the State Board, as the case may be, to the occupier or his agent referred to in section 21, another copy shall be preserved for production before the court in case any legal proceedings are taken against him and the other copy shall be kept by the concerned Board.

(3) Where a sample has been sent for analysis under clause (e) of sub-section (3) or sub-section (4) of section 21 to any laboratory mentioned therein, the Government analyst referred to in that sub-section shall analyse the sample and submit a report in the prescribed form of the result of the analysis in triplicate to the Central Board or, as the case may be, the State Board which shall comply with the provisions of sub-section (2).

(4) If there is any inconsistency or discrepancy between, or variation in the results of, the analysis carried out by the laboratory established or recognised by the Central Board or the State Board, as the case may be, and that of the laboratory established or specified under section 51 or section 52, as the case may be, the report of the latter shall prevail.

(5) Any cost incurred in getting any sample analysed at the request of the occupier or his agent shall be payable by such occupier or his agent and in case of default the same shall be recoverable from him as arrears of land revenue or of public demand.

23. Power of entry and inspection.—(1) Subject to the provisions of this section, any person empowered by a State Board in this behalf shall have a right at any time to enter, with such assistance as he considers necessary, any place—

(a) for the purpose of performing any of the functions of the Board entrusted to him;

(b) for the purpose of determining whether and if so in what manner, any such functions are to be performed or whether any provisions of this Act or the rules made thereunder of any notice, order, direction or authorisation served, made, given, or granted under this Act is being or has been complied with;

(c) for the purpose of examining any plant, record, register, document or any other material object or for conducting a search of any place in which he has reason to believe that an offence under this Act or the rules made thereunder has been or is being or is about to be committed and for seizing any such plant, record, register, document or other material object, if he has reason to believe that it may furnish evidence of the commission of an offence punishable under this Act or the rules made thereunder:

Provided that the right to enter under this sub-section for the inspection of a well shall be exercised only at reasonable hours in a case where such well is situated in any premises used for residential purposes and the water thereof is used exclusively for domestic purposes.

(2) The provisions of ¹[the Code of Criminal Procedure, 1973 (2 of 1974)], or, in relation to the State of Jammu and Kashmir*, the provisions of any corresponding law in force in that State, shall, so far as may be, apply to any search or seizure under this section as they apply to any search or seizure made under the authority of a warrant issued under ²[section 94] of the said Code, or, as the case may be, under the corresponding provisions of the said law.

Explanation.—For the purposes of this section, “place” includes vessel.

24. Prohibition on use of stream or well for disposal of polluting matter, etc.—(1) Subject to the provisions of this section,—

(a) no person shall knowingly cause or permit any poisonous, noxious or polluting matter determined in accordance with such standards as may be laid down by the State Board to enter (whether directly or indirectly) into any ³[stream or well or sewer or on land]; or

(b) no person shall knowingly cause or permit to enter into any stream any other matter which may tend, either directly or in combination with similar matters, to impede the proper flow of the water of the stream in a manner leading or likely to lead to a substantial aggravation of pollution due to other causes or of its consequences.

(2) A person shall not be guilty of an offence under sub-section (1), by reason only of having done or caused to be done any of the following acts, namely:—

(a) constructing, improving or maintaining in or across or on the bank or bed of any stream any building, bridge, weir, dam, sluice, dock, pier, drain or sewer or other permanent works which he has a right to construct, improve or maintain;

(b) depositing any materials on the bank or in the bed of any stream for the purpose of reclaiming land or for supporting, repairing or protecting the bank or bed of such stream provided such materials are not capable of polluting such stream;

(c) putting into any stream any sand or gravel or other natural deposit which has flowed from or been deposited by the current of such stream;

(d) causing or permitting, with the consent of the State Board, the deposit accumulated in a well, pond or reservoir to enter into any stream.

(3) The State Government may, after consultation with, or on the recommendation of, the State Board, exempt, by notification in the Official Gazette, any person from the operation of sub-section (1) subject to such conditions, if any, as may be specified in the notification and any condition so specified may by a like notification be altered, varied or amended.

25. Restrictions on new outlets and new discharges.—⁴[(1) Subject to the provisions of this section, no person shall, without the previous consent of the State Board,—

(a) establish or take any steps to establish any industry, operation or process, or any treatment and disposal system or any extension or addition thereto, which is likely to discharge sewage or trade effluent into a stream or well or sewer or on land (such discharge being hereafter in this section referred to as discharge of sewage); or

(b) bring into use any new or altered outlet for the discharge of sewage; or

(c) begin to make any new discharge of sewage:

⁵[Provided that the Central Government may in consultation with the Central Board, by notification in the Official Gazette, exempt certain categories of industrial plants from the provisions of this sub-section.]

1. Subs. by Act 44 of 1978, s. 11, for “the Code of Criminal Procedure, 1898 (5 of 1898)” (w.e.f. 12-12-1978).

2. Subs. by s. 11, *ibid.*, for “section 98” (w.e.f. 12-12-1978).

3. Subs. by Act 53 of 1988, s. 11, for “stream or well” (w.e.f. 29-9-1988).

4. Subs. by s. 12, *ibid.*, for sub-sections (1) and (2) (w.e.f. 29-9-1988).

*. Vide Notification No. S.O. 3912 (E), dated 30th October, 2019, this Act is made applicable to the Union territory of Jammu and Kashmir and the Union territory of Ladakh.

5. Subs. by Act 5 of 2024, s. 4, for the proviso (w.e.f. 15-2-2024).

(2) An application for consent of the State Board under sub-section (1) shall be made in such form, contain such particulars and shall be accompanied by such fees as may be prescribed.]

(3) The State Board may make such inquiry as it may deem fit in respect of the application for consent referred to in sub-section (1) and in making any such inquiry shall follow such procedure as may be prescribed.

¹[(4) The State Board may—

(a) grant its consent referred to in sub-section (1), subject to such conditions as it may impose, being—

(i) in cases referred to in clauses (a) and (b) of sub-section (1) of section 25, conditions as to the point of discharge of sewage or as to the use of that outlet or any other outlet for discharge of sewage;

(ii) in the case of a new discharge, conditions as to the nature and composition, temperature, volume or rate of discharge of the effluent from the land or premises from which the discharge or new discharge is to be made; and

(iii) that the consent will be valid only for such period as may be specified in the order,

and any such conditions imposed shall be binding on any person establishing or taking any steps to establish any industry, operation or process, or treatment and disposal system of extension or addition thereto, or using the new or altered outlet, or discharging the effluent from the land or premises aforesaid; or

(b) refuse such consent for reasons to be recorded in writing.

(5) Where, without the consent of the State Board, any industry, operation or process, or any treatment and disposal system or any extension or addition thereto, is established, or any steps for such establishment have been taken or a new or altered outlet is brought into use for the discharge of sewage or a new discharge of sewage is made, the State Board may serve on the person who has established or taken steps to establish any industry, operation or process, or any treatment and disposal system or any extension or addition thereto, or using the outlet, or making the discharge, as the case may be, a notice imposing any such conditions as it might have imposed on an application for its consent in respect of such establishment, such outlet or discharge.

(6) Every State Board shall maintain a register containing particulars of the conditions imposed under this section and so much of the register as relates to any outlet, or to any effluent, from any land or premises shall be open to inspection at all reasonable hours by any person interested in, or affected by such outlet, land or premises, as the case may be, or by any person authorised by him in this behalf and the conditions so contained in such register shall be conclusive proof that the consent was granted subject to such conditions.]

(7) The consent referred to in sub-section (1) shall, unless given or refused earlier, be deemed to have been given unconditionally on the expiry of a period of four months of the making of an application in this behalf complete in all respects to the State Board.

(8) For the purposes of this section and sections 27 and 30,—

(a) the expression “new or altered outlet” means any outlet which is wholly or partly constructed on or after the commencement of this Act or which (whether so constructed or not) is substantially altered after such commencement;

(b) the expression “new discharge” means a discharge which is not, as respects to nature and composition, temperature, volume, and rate of discharge of the effluent substantially a continuation of a discharge made within the preceding twelve months (whether by the same or a different outlet), so

1. Subs. by Act 53 of 1988, s. 12, for sub-sections (4), (5) and (6) (w.e.f. 29-9-1988).

however that a discharge which is in other respects a continuation of previous discharge made as aforesaid shall not be deemed to be a new discharge by reason of any reduction of the temperature or volume or rate of discharge of the effluent as compared with the previous discharge.

26. Provision regarding existing discharge of sewage or trade effluent.—Where immediately before the commencement of this Act any person was discharging any sewage or trade effluent into a¹[stream or well or sewer or on land], the provisions of section 25 shall, so far as may be, apply in relation to such person as they apply in relation to the person referred to in that section subject to the modification that the application for consent to be made under sub-section (2) of that section²[shall be made on or before such date as may be specified by the State Government by notification in this behalf in the Official Gazette].

27. Refusal or withdrawal of consent by State Board.—³[(1) A State Board shall not grant its consent under sub-section (4) of section 25 for the establishment of any industry, operation or process, or treatment and disposal system or extension or addition thereto, or to the bringing into use of a new or altered outlet unless the industry, operation or process, or treatment and disposal system or extension or addition thereto, or the outlet is so established as to comply with any conditions imposed by the Board to enable it to exercise its right to take samples of the effluent.]

⁴[(2) A State Board may from time to time review—

⁵[(a) any condition imposed under section 25 or section 26 and may serve on the person to whom a consent under section 25 or section 26 is granted a notice making any reasonable variation of or revoking any such condition;]

(b) the refusal of any consent referred to in sub-section (1) of section 25 or section 26 or the grant of such consent without any condition, and may make such orders as it deemed fit.]

(3) Any condition imposed under section 25 or section 26 shall be subject to any variation made under sub-section (2) and shall continue in force until revoked under that sub-section.

⁶[**27A. Power to issue guidelines.**—(1) Notwithstanding anything in this Act, the Central Government in consultation with the Central Board, may, by notification in the Official Gazette, issue guidelines on the matters relating to the grant, refusal or cancellation of consent by any State Board for establishment of any industry, operation or process, or treatment and disposal system or to bringing into use of a new or altered outlet including the mechanism for time-bound disposal of the application made under section 25 or period of validity of such consent.

(2) Every State Board, in discharge of its functions for the purposes of grant, refusal or cancellation of consent under section 25 or section 27 shall act in accordance with the guidelines issued under sub-section (1).]

28. Appeals.—(1) Any person aggrieved by an order made by the State Board under section 25, section 26 or section 27 may, within thirty days from the date on which the order is communicated to him, prefer an appeal to such authority (hereinafter referred to as the appellate authority) as the State Government may think fit to constitute:

Provided that the appellate authority may entertain the appeal after the expiry of the said period of thirty days if such authority is satisfied that the appellant was prevented by sufficient cause from filing the appeal in time.

⁷[(2) An appellate authority shall consist of a single person or three persons, as the State Government may think fit, to be appointed by that Government.]

1. Subs. by Act 44 of 1978, s. 13, for “stream or well” (w.e.f. 12-12-1978).

2. Subs. by s. 13, *ibid.*, for certain words (w.e.f. 12-12-1978).

3. Subs. by Act 53 of 1988, s. 13, for sub-section (1) (w.e.f. 29-9-1988).

4. Subs. by Act 44 of 1978, s. 14, for sub-section (2) (w.e.f. 12-12-1978).

5. Subs. by Act 53 of 1988, s. 13, for clause (a) (w.e.f. 29-9-1988)

6. Ins. by Act 5 of 2024, s. 5, (w.e.f. 15-2-2024).

7. Subs. by Act 44 of 1978, s. 15, for sub-section (2) (w.e.f. 12-12-1978).

(3) The form and manner in which an appeal may be preferred under sub-section (1), the fees payable for such appeal and the procedure to be followed by the appellate authority shall be such as may be prescribed.

(4) On receipt of an appeal preferred under sub-section (1), the appellate authority shall, after giving the appellant and the State Board an opportunity of being heard, dispose of the appeal as expeditiously as possible.

(5) If the appellate authority determines that any condition imposed, or the variation of any condition, as the case may be, was unreasonable, then,—

(a) where the appeal is in respect of the unreasonableness of any condition imposed, such authority may direct either that the condition shall be treated as annulled or that there shall be substituted for it such condition as appears to it to be reasonable;

(b) where the appeal is in respect of the unreasonableness of any variation of a condition, such authority may direct either that the condition shall be treated as continuing in force unvaried or that it shall be varied in such manner as appears to it to be reasonable.

29. Revision.—(1) The State Government may at any time either of its own motion or on an application made to it in this behalf, call for the records of any case where an order has been made by the State Board under section 25, section 26 or section 27 for the purpose of satisfying itself as to the legality or propriety of any such order and may pass such order in relation thereto as it may think fit:

Provided that the State Government shall not pass any order under this sub-section without affording the State Board and the person who may be affected by such order a reasonable opportunity of being heard in the matter.

(2) The State Government shall not revise any order made under section 25, section 26 or section 27 where an appeal against that order lies to the appellate authority, but has not been preferred or where an appeal has been preferred such appeal is pending before the appellate authority.

30. Power of State Board to carry out certain works.—¹[(1) Where under this Act, any conditions have been imposed on any person while granting consent under section 25 or section 26 and such conditions require such person to execute any work in connection therewith and such work has not been executed within such time as may be specified in this behalf, the State Board may serve on the person concerned a notice requiring him within such time (not being less than thirty days) as may be specified in the notice to execute the work specified therein.]

(2) If the person concerned fails to execute the work as required in the notice referred to in sub-section (1), then, after the expiration of the time specified in the said notice, the State Board may itself execute or cause to be executed such work.

(3) All expenses incurred by the State Board for the execution of the aforesaid work, together with interest, at such rate as the State Government may, by order, fix, from the date when a demand for the expenses is made until it is paid, may be recovered by that Board from the person concerned, as arrears of land revenue, or of public demand.

30. Furnishing of information to State Board and other agencies in certain cases.—²[(1) If at any place where any industry, operation or process, or any treatment and disposal system or any extension or addition thereto is being carried on, due to accident or other unforeseen act or event, any poisonous, noxious or polluting matter is being discharged, or is likely to be discharged into a stream or well or sewer or on land and, as a result of such discharge, the water in any stream or well is being polluted, or is likely to be polluted, then the person incharge of such place shall forthwith intimate the occurrence of such accident, act or event to the State Board and such other authorities or agencies as may be prescribed.]

(2) Where any local authority operates any sewerage system or sewage works, the provisions of sub-section (1) shall apply to such local authority as they apply in relation to the person in charge of the place where any industry or trade is being carried on.

1. Subs. by Act 53 of 1988, s. 14, for sub-section (1) (w.e.f. 29-9-1988).

2. Subs. by s. 15, *ibid.*, for sub-section (1) (w.e.f. 29-9-1988).

32. Emergency measures in case of pollution of stream or well.—(1) Where it appears to the State Board that any poisonous, noxious or polluting matter is present in ¹[any stream or well or on land by reason of the discharge of such matter in such stream or well or on such land] or has entered into that stream or well due to any accident or other unforeseen act or event, and if the Board is of opinion that it is necessary or expedient to take immediate action, it may for reasons to be recorded in writing, carry out such operations as it may consider necessary for all or any of the following purposes, that is to say,—

(a) removing that matter from the ²[stream or well or on land] and disposing it of in such manner as the Board considers appropriate;

(b) remedying or mitigating any pollution caused by its presence in the stream or well;

(c) issuing orders immediately restraining or prohibiting the person concerned from discharging any poisonous, noxious or polluting matter ³[into the stream or well or on land], or from making insanitary use of the stream or well.

(2) The power conferred by sub-section (1) does not include the power to construct any works other than works of a temporary character which are removed on or before the completion of the operations.

33. Power of Board to make application to courts for restraining apprehended pollution of water in streams or wells.—⁴(1) Where it is apprehended by a Board that the water in any stream or well is likely to be polluted by reason of the disposal or likely disposal of any matter in such stream or well or in any sewer or on any land, or otherwise, the Board may make an application to a court, not inferior to that of a Metropolitan Magistrate or a Judicial Magistrate of the first class, for restraining the person who is likely to cause such pollution from so causing.]

(2) On receipt of an application under sub-section (1) the court may make such order as it deems fit.

(3) Where under sub-section (2) the court makes an order restraining any person from polluting the water in any stream or well, it may in that order—

(i) direct the person who is likely to cause or has caused the pollution of the water in the stream or well, to desist from taking such action as is likely to cause pollution or, as the case may be, to remove from such stream or well, such matter, and

(ii) authorise the Board, if the direction under clause (i) (being a direction for the removal of any matter from such stream or well) is not complied with by the person to whom such direction is issued, to undertake the removal and disposal of the matter in such manner as may be specified by the court.

(4) All expenses incurred by the Board in removing any matter in pursuance of the authorisation under clause (ii) of sub-section (3) or in the disposal of any such matter may be defrayed out of any money obtained by the Board from such disposal and any balance outstanding shall be recoverable from the person concerned as arrears of land revenue or of public demand.

⁵[33A. Power to give directions.]—Notwithstanding anything contained in any other law, but subject to the provisions of this Act, and to any directions that the Central Government may give in this behalf, a Board may, in the exercise of its powers and performance of its functions under this Act, issue any directions in writing to any person, officer or authority, and such person, officer or authority shall be bound to comply with such directions.

Explanation.—For the avoidance of doubts, it is hereby declared that the power to issue directions under this section includes the power to direct—

(a) the closure, prohibition or regulation of any industry, operation or process; or

(b) the stoppage or regulation of supply of electricity, water or any other service.]

1. Subs. by Act 53 of 1988, s. 16, for “any stream or well” (w.e.f. 29-9-1988).

2. Subs. by s. 16, *ibid.*, for “stream or well” (w.e.f. 29-9-1988).

3. Subs. by s. 16, *ibid.*, for “into the stream or well” (w.e.f. 29-9-1988).

4. Subs. by s. 17, *ibid.*, for sub-section (1) (w.e.f. 29-9-1988).

5. Ins. by s. 18, *ibid.* (w.e.f. 29-9-1988).

¹[**33B. Appeal to National Green Tribunal.**—Any person aggrieved by,—

(a) an order or decision of the appellate authority under section 28, made on or after the commencement of the National Green Tribunal Act, 2010; or

(b) an order passed by the State Government under section 29, on or after the commencement of the National Green Tribunal Act, 2010; or

(c) directions issued under section 33A by a Board, on or after the commencement of the National Green Tribunal Act, 2010,

may file an appeal to the National Green Tribunal established under section 3 of the National Green Tribunal Act, 2010, in accordance with the provisions of that Act.]

CHAPTER VI FUNDS,

ACCOUNTS AND AUDIT

34. Contributions by Central Government.—The Central Government may, after due appropriation made by Parliament by law in this behalf, make in each financial year such contributions to the Central Board as it may think necessary to enable the Board to perform its functions under this Act.

35. Contributions by State Government.—The State Government may, after due appropriation made by the Legislature of the State by law in this behalf, make in each financial year such contributions to the State Board as it may think necessary to enable that Board to perform its functions under this Act.

36. Fund of Central Board.—(1) The Central Board shall have its own fund, and all sums which may, from time to time, be paid to it by the Central Government and all other receipts (by way of gifts, grants, donations, benefactions ²[, fees] or otherwise) of that Board shall be carried to the fund of the Board and all payments by the Board shall be made therefrom.

(2) The Central Board may expend such sums as it thinks fit for performing its functions under this Act, ²[and, where any law for the time being in force relating to the prevention, control or abatement of air pollution provides for the performance of any function under such law by the Central Board, also for performing its functions under such law] and such sums shall be treated as expenditure payable out of the fund of the Board.

37. Fund of State Board.—(1) The State Board shall have its own fund, and the sums which may, from time to time, be paid to it by the State Government and all other receipts (by way of gifts, grants, donations, benefactions ³[, fees] or otherwise) of that Board shall be carried to the fund of the Board and all payments by the Board shall be made therefrom.

(2) The State Board may expend such sums as it thinks fit for performing its functions under this Act, ³[and, where any law for the time being in force relating to the prevention, control or abatement of air pollution provides for the performance of any function under such law by the State Board, also for performing its functions under such law] and such sums shall be treated as expenditure payable out of the fund of that Board.

⁴[**37A. Borrowing powers of Board.**—A Board may, with the consent of, or in accordance with, the terms of any general or special authority given to it by the Central Government or, as the case may be, the State Government, borrow money from any source by way of loans or issue of bonds, debentures or such other instruments, as it may deem fit, for the performance of all or any of its functions under this Act.]

38. Budget.—The Central Board or, as the case may be, the State Board shall, during each financial year, prepare, in such form and at such time as may be prescribed, a budget in respect of the financial year next ensuing showing the estimated receipt and expenditure, and copies thereof shall be forwarded to the Central Government or, as the case may be, the State Government.

⁵[**39. Annual report.**—(1) The Central Board shall, during each financial year, prepare, in such form as may be prescribed, an annual report giving full account of its activities under this Act during the previous financial year and copies thereof shall be forwarded to the Central Government within four

1. Ins. by Act 19 of 2010, s. 36 and Schedule III (w.e.f. 18-10-2010).

2. Ins. by Act 44 of 1978, s. 16 (w.e.f. 12-12-1978).

3. Ins. by s. 17, *ibid.* (w.e.f. 12-12-1978).

4. Ins. by Act 53 of 1988, s. 19 (w.e.f. 29-9-1988).

5. Subs. by s. 20, *ibid.*, for section 39 (w.e.f. 29-9-1988).

months from the last date of the previous financial year and that Government shall cause every such report to be laid before both Houses of Parliament within nine months from the last date of the previous financial year.

(2) Every State Board shall, during each financial year, prepare, in such form as may be prescribed, an annual report giving full account of its activities under this Act during the previous financial year and copies thereof shall be forwarded to the State Government within four months from the last date of the previous financial year and that Government shall cause every such report to be laid before the State Legislature within a period of nine months from the last date of the previous financial year.]

40. Accounts and audit.—(1) Every Board shall maintain proper accounts and other relevant records and prepare an annual statement of accounts in such form as may be prescribed by the Central Government or, as the case may be, the State Government.

(2) The accounts of the Board shall be audited by an auditor duly qualified to act as an auditor of companies under section 226 of the Companies Act, 1956 (1 of 1956).

(3) The said auditor shall be appointed by the Central Government or, as the case may be, the State Government on the advice of the Comptroller and Auditor General of India.

(4) Every auditor appointed to audit the accounts of the Board under this Act shall have the right to demand the production of books, accounts, connected vouchers and other documents and papers and to inspect any of the offices of the Board.

(5) Every such auditor shall send a copy of his report together with an audited copy of the accounts to the Central Government or, as the case may be, the State Government.

(6) The Central Government shall, as soon as may be after the receipt of the audit report under sub-section (5), cause the same to be laid before both Houses of Parliament.

(7) The State Government shall, as soon as may be after the receipt of the audit report under sub-section (5), cause the same to be laid before the State Legislature.

CHAPTER VII

PENALTIES AND PROCEDURE

¹[41. Failure to comply with provisions of section 20 or directions issued thereunder.]—(1) Whoever contravenes or does not comply with the directions given under sub-section (2) or sub-section (3) of section 20, within such time as may be specified in the direction, shall, in respect of each such contravention or non-compliance, be liable to pay a penalty which shall not be less than ten thousand rupees, but which may extend to fifteen lakh rupees.

(2) Where any person continues contravention or non-compliance under sub-section (1), he shall be liable to pay an additional penalty of ten thousand rupees every day during which such contravention continues.

41A. Failure to comply with provisions of section 32, or directions issued under section 33 or section 33A.—(1) Whoever contravenes or does not comply with any order or direction issued under clause (c) of sub-section (1) of section 32 or any direction issued by a court under sub-section (2) of section 33 or any direction issued under section 33A, shall, in respect of each such contravention or noncompliance, be liable to pay the penalty which shall not be less than ten thousand rupees, but which may extend to fifteen lakh rupees.

(2) Where any person continues contravention or non-compliance under sub-section (1), he shall be liable to pay an additional penalty of ten thousand rupees every day during which such contravention continues.]

42. Penalty for certain acts.—(1) Whoever—

(a) destroys, pulls down, removes, injures or defaces any pillar, post or stake fixed in the ground or any notice or other matter put up, inscribed or placed, by or under the authority of the Board, or

(b) obstructs any person acting under the orders or directions of the Board from exercising his

1. Subs. by Act 5 of 2024, s. 6, for section 41, (w.e.f. 15-2-2024).

powers and performing his functions under this Act, or

- (c) damages any works or property belonging to the Board, or
- (d) fails to furnish to any officer or other employee of the Board any information required by him for the purpose of this Act, or
- (e) fails to intimate the occurrence of any accident or other unforeseen act or event under section 31 to the Board and other authorities or agencies as required by that section, or
- (f) in giving any information which he is required to give under this Act, knowingly or wilfully makes a statement which is false in any material particular, or
- (g) for the purpose of obtaining any consent under section 25 or section 26, knowingly or wilfully makes a statement which is false in any material particular,

¹[shall be liable to pay penalty which shall not be less than ten thousand rupees, but which may extend to fifteen lakh rupees.]

²[(2) Where any person continues contravention or non-compliance under sub-section (1), he shall be liable to pay an additional penalty of ten thousand rupees every day during which such contravention continues.]

³**[43. Penalty for contravention of provisions of section 24.]**— Whoever contravenes the provisions of section 24, shall be liable to pay the penalty which shall not be less than ten thousand rupees, but which may extend to fifteen lakh rupees and where such contravention continues, he shall be liable to pay an additional penalty of ten thousand rupees every day during which such contravention continues.

44. Penalty for contravention of section 25 or section 26.—Where for the purpose of grant of a consent in pursuance of the provisions of section 25 or section 26, the use of a meter or gauge or other measure or monitoring device is required and such device is used for the purposes of those provisions, any person who knowingly or wilfully alters or interferes with that device so as to prevent it from monitoring or measuring correctly shall be liable to pay penalty which shall not be less than ten thousand rupees, but which may extend to fifteen lakh rupees.]

[45. Enhanced penalty after previous conviction.]—*Omitted by the Water (Prevention and Control of Pollution Amendment) Act, 2024 (5 of 2024), s. 9 (w.e.f. 15-2-2024).*

⁴**[45A. Penalty for contravention of certain provisions of Act.]**— If any person contravenes any of the provisions of this Act or any order or direction issued thereunder, for which no penalty has been provided for in this Act, shall be liable to pay the penalty which shall not be less than ten thousand rupees, but which may extend to fifteen lakh rupees, and where such contravention continues, he shall be liable to pay an additional penalty which may extend to ten thousand rupees for every day during which such contravention continues.

45B. Adjudicating officer.—(1) The Central Government, for the purposes of determining the penalties under the provisions of this Act shall appoint an officer not below the rank of Joint Secretary to the Government of India or a Secretary to the State Government to be the adjudicating officer, to hold an inquiry and to impose the penalty in the manner, as may be prescribed:

Provided that the Central Government may appoint as many adjudicating officers as may be required.

(2) The adjudicating officer may summon and enforce the attendance of any person acquainted with the facts and circumstances of the case to give evidence or to produce any document, which in the opinion of the adjudicating officer, may be useful for or relevant to the subject-matter of the inquiry and if, on such inquiry, he is satisfied that the person concerned has contravened the provisions of this Act, he may determine such penalty as he thinks fit under the provisions of this Act:

Provided that no such penalty shall be imposed without giving the person concerned an opportunity of being heard in the matter.

1. Subs. by Act 5 of 2021, s. 7, for long line (w.e.f. 15-2-2024).

2. Subs. by s. 7, *ibid.*, for sub-section (2) (w.e.f. 15-2-2024).

3. Subs. by s. 8, *ibid.*, for section 43 and 44 (w.e.f. 15-2-2024).

4. Subs. by s. 10, *ibid.*, for section 45A (w.e.f. 15-2-2024).

(3) The amount of penalty imposed under the provisions of sections 41, 41A, 42, 43, 44, 45A and 48, shall be in addition to the liability to pay relief or compensation under section 15 read with section 17 of the National Green Tribunal Act, 2010 (19 of 2010).

45C. Appeal.— (1) Any person aggrieved by the order passed by the adjudicating officer under section 45B may prefer an appeal to the National Green Tribunal established under section 3 of the National Green Tribunal Act, 2010 (19 of 2010).

(2) Every appeal under sub-section (1) shall be filed within sixty days from the date on which the copy of the order made by the adjudicating officer is received by the aggrieved person.

(3) The National Green Tribunal may, after giving the parties to the appeal an opportunity of being heard, pass such order as it thinks fit, confirming, modifying or setting aside the order appealed against.

(4) Where an appeal is preferred against any order of the adjudicating officer under sub-section (1), such appeal shall not be entertained by the Tribunal unless such person has deposited with the Tribunal ten per cent. of the amount of the penalty imposed by the adjudicating officer.

45D. Penalty amount to be credited to Environmental Protection Fund.—Where an adjudicating officer imposes penalty or additional penalty, as the case may be, under the provisions of this Act, the amount of such penalty shall be credited to the Environmental Protection Fund established under section 16 of the Environment (Protection) Act, 1986 (29 of 1986).

45E. Offences for failure to comply with provisions of section 25 or 26 and for failure to pay penalty.—(1) Whoever fails to comply with the provisions of section 25 or section 26, in respect of each such failure, shall be punishable with imprisonment for a term which shall not be less than one year and six months but which may extend to six years and with fine, and in case the failure continues, with an additional fine which may extend to fifty thousand rupees for every day during which such failure continues after the conviction for the first such failure.

(2) If the failure referred to in sub-section (1) continues beyond a period of one year after the date of conviction, the offender shall be punishable with imprisonment for a term which shall not be less than two years but which may extend to seven years and with fine.

(3) Where any person fails to pay the penalty or the additional penalty, as the case may be, imposed under the provisions of this Act within ninety days of such imposition, he shall be punishable with imprisonment for a term which may extend to three years, or with fine which may extend to twice the amount of the penalty or additional penalty so imposed or with both.

(4) Where any offence under sub-section (1) or sub-section (2) or sub-section (3) has been committed by a company, every person who, at the time the offence was committed, was directly in charge of, and was responsible to, the company for the conduct of the business of the company, as well as the company, shall be deemed to be guilty of such offence and he shall be liable to be proceeded against and punished accordingly:

Provided that nothing in this sub-section shall render any such person liable to any punishment provided in sub-section (1) or sub-section (2) or sub-section (3), if he proves that the offence was committed without his knowledge or that he exercised all due diligence to prevent the commission of such offence.

(5) Notwithstanding anything in sub-section (4), where an offence has been committed by a company and it is proved that the offence has been committed with the consent or connivance of, or is attributable to any neglect on the part of, any director, manager, secretary or other officer of the company, such director, manager, secretary or other officer shall also be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

Explanation.—For the purposes of this section,—

(a) “company” includes body corporate, firm, trust, society and any other association of individuals;

(b) “director”, includes director of the company, partner of the firm, members of the society or trust or member of any association of individuals, as the case may be.]

46. Publication of names of offenders.—If any person convicted of an offence under this Act commits a like offence afterwards it shall be lawful for the court before which the second or subsequent conviction takes place to cause the offender's name and place of residence, the offence and the penalty imposed to be published at the offender's expense in such newspapers or in such other manner as the court may direct and the expenses of such publication shall be deemed to be part of the cost attending the conviction and shall be recoverable in the same manner as a fine

[47. Offences by companies.]— *Omitted by the Water (Prevention and Control of Pollution Amendment) Act, 2024 (5 of 2024), s. 11, (w.e.f. 15-2-2024).*

[48. Penalty for contravention by Government Department.]— (1) Where contravention of any provision of this Act has been committed by any Department of the Central Government or State Government, the Head of the Department shall be liable to pay the penalty equal to one month of his basic salary:

Provided that such Head of the Department shall not be liable for such contravention, if he proves that the contravention was committed without his knowledge or instructions or that he exercised all due diligence to prevent such contravention.

(2) Where any contravention under sub-section (1) is attributable to any neglect on the part of, any officer, other than the Head of the Department, such officer shall be liable to pay the penalty equal to one month of his basic salary:

Provided that such officer shall not be liable for the contravention, if he proves that he exercised all due diligence to avoid such contravention.]

49. Cognizance of offences.—²[(1) No court shall take cognizance of any offence under this Act except on a complaint made by—

(a) a Board or any officer authorised in this behalf by it; or

³[(aa) the adjudicating officer or any officer authorised by him in this behalf; or]

(b) any person who has given notice of not less than sixty days, in the manner prescribed, of the alleged offence and of his intention to make a complaint, to the Board or officer authorised as aforesaid,

and no court inferior to that of a Metropolitan Magistrate or a Judicial Magistrate of the first class shall try any offence punishable under this Act.]

⁴[(2) Where a complaint has been made under clause (b) of sub-section (1), the Board shall, on demand by such person, make available the relevant reports in its possession to that person:

Provided that the Board may refuse to make any such report available to such person if the same is, in its opinion, against the public interest.]

⁵[(3)] Notwithstanding anything contained in ⁶[section 29 of the Code of Criminal Procedure, 1973 (2 of 1974)], it shall be lawful for any ⁷[Judicial Magistrate of the first class or for any Metropolitan Magistrate] to pass a sentence of imprisonment for a term exceeding two years or of fine exceeding two thousand rupees on any person convicted of an offence punishable under this Act.

50. Members, officers and servants of Board to be public servants.—All members, officers and servants of a Board when acting or purporting to act in pursuance of any of the provisions of this Act and the rules made thereunder shall be deemed to be public servants within the meaning of section 21 of the Indian Penal Code (45 of 1860).

1. Subs. by Act 5 of 2024, s. 12, for section 48, (w.e.f. 15-2-2024).

2. Subs. by Act 53 of 1988, s. 26, for sub-section (1) (w.e.f. 29-9-1988).

3. Ins. by Act 5 of 2024, s. 13, (w.e.f. 15-2-2024).

4. Ins. by Act 53 of 1988, s. 26, (w.e.f. 29-9-1988).

5. Sub-section (2) renumbered as sub-section (3) thereof by s. 26, *ibid.* (w.e.f. 29-9-1988).

6. Subs. by Act 44 of 1978, s. 19, for “section 32 of the Code of Criminal Procedure, 1898 (5 of 1898)” (w.e.f. 12-12-1978).

7. Subs. by s. 19, *ibid.*, for “Magistrate of the first class or for any Presidency Magistrate” (w.e.f. 12-12-1978).

CHAPTER VIII
MISCELLANEOUS

51. Central Water Laboratory.—(1) The Central Government may, by notification in the Official Gazette,—

- (a) establish a Central Water Laboratory; or
 - (b) specify any laboratory or institute as a Central Water Laboratory, to carry out the functions entrusted to the Central Water Laboratory under this Act.
- (2) The Central Government may, after consultation with the Central Board, make rules prescribing—
- (a) the functions of the Central Water Laboratory;
 - (b) the procedure for the submission to the said laboratory of samples of water or of sewage or trade effluent for analysis or tests, the form of the laboratory's report thereunder and the fees payable in respect of such report;
 - (c) such other matters as may be necessary or expedient to enable that laboratory to carry out its functions.

52. State Water Laboratory.—(1) The State Government may, by notification in the Official Gazette,—

- (a) establish a State Water Laboratory; or
 - (b) specify any laboratory or institute as a State Water Laboratory, to carry out the functions entrusted to the State Water Laboratory under this Act.
- (2) The State Government may, after consultation with the State Board, make rules prescribing—
- (a) the functions of the State Water Laboratory;
 - (b) the procedure for the submission to the said laboratory of samples of water or of sewage or trade effluent for analysis or tests, the form of the laboratory's report thereon and the fees payable in respect of such report;
 - (c) such other matters as may be necessary or expedient to enable that laboratory to carry out its functions.

53. Analysts.—(1) The Central Government may, by notification in the Official Gazette, appoint such persons as it thinks fit and having the prescribed qualifications to be Government analysts for the purpose of analysis of samples of water or of sewage or trade effluent sent for analysis to any laboratory established or specified under sub-section (1) of section 51.

(2) The State Government may, by notification in the Official Gazette, appoint such persons as it thinks fit and having the prescribed qualifications to be Government analysts for the purpose of analysis of samples of water or of sewage or trade effluent sent for analysis to any laboratory established or specified under sub-section (1) of section 52.

(3) Without prejudice to the provisions of sub-section (3) of section 12, the Central Board or, as the case may be, the State Board may, by notification in the Official Gazette, and with the approval of the Central Government or the State Government, as the case may be, appoint such persons as it thinks fit and having the prescribed qualifications to be Board analysts for the purpose of analysis of samples of water or of sewage or trade effluent sent for analysis to any laboratory established or recognised under section 16, or, as the case may be, under section 17.

54. Reports of analysts.—Any document purporting to be a report signed by a Government analyst or, as the case may be, a Board analyst may be used as evidence of the facts stated therein in any proceeding under this Act.

55. Local authorities to assist.—All local authorities shall render such help and assistance and furnish such information to the Board as it may require for the discharge of its functions, and shall make available to the Board for inspection and examination such records, maps, plans and other documents as may be necessary for the discharge of its functions.

56. Compulsory acquisition of land for the State Board.—Any land required by a State Board for the efficient performance of its functions under this Act shall be deemed to be needed for a public purpose and such land shall be acquired for the State Board under the provisions of the Land Acquisition Act, 1894 (1 of 1894), or under any other corresponding law for the time being in force.

57. Returns and reports.—The Central Board shall furnish to the Central Government, and a State Board shall furnish to the State Government and to the Central Board such reports, returns, statistics, accounts and other information with respect to its fund or activities as that Government, or, as the case may be, the Central Board may, from time to time, require.

58. Bar of jurisdiction.—No civil court shall have jurisdiction to entertain any suit or proceeding in respect of any matter which an appellate authority constituted under this Act is empowered by or under this Act to determine, and no injunction shall be granted by any court or other authority in respect of any action taken or to be taken in pursuance of any power conferred by or under this Act.

59. Protection of action taken in good faith.—No suit or other legal proceedings shall lie against the Government or any officer of Government or any member or officer of a Board in respect of anything which is in good faith done or intended to be done in pursuance of this Act or the rules made thereunder.

60. Overriding effect.—The provisions of this Act shall have effect notwithstanding anything inconsistent therewith contained in any enactment other than this Act.

61. Power of Central Government to supersede the Central Board and Joint Boards.—(1) If at any time the Central Government is of opinion—

(a) that the Central Board or any Joint Board has persistently made default in the performance of the functions imposed on it by or under this Act; or

(b) that circumstances exist which render it necessary in the public interest so to do,

the Central Government may, by notification in the Official Gazette, supersede the Central Board or such Joint Board, as the case may be, for such period, not exceeding one year, as may be specified in the notification:

Provided that before issuing a notification under this sub-section for the reasons mentioned in clause (a), the Central Government shall give a reasonable opportunity to the Central Board or such Joint Board, as the case may be, to show cause why it should not be superseded and shall consider the explanations and objections, if any, of the Central Board or such Joint Board, as the case may be.

(2) Upon the publication of a notification under sub-section (1) superseding the Central Board or any Joint Board,—

(a) all the members shall, as from the date of supersession vacate their offices as such;

(b) all the powers, functions and duties which may, by or under this Act, be exercised, performed or discharged by the Central Board or such Joint Board shall, until the Central Board or the Joint Board, as the case may be, is reconstituted under sub-section (3) be exercised, performed or discharged by such person or persons as the Central Government may direct;

(c) all property owned or controlled by the Central Board or such Joint Board shall, until the Central Board or the Joint Board, as the case may be, is reconstituted under sub-section (3) vest in the Central Government.

(3) On the expiration of the period of supersession specified in the notification issued under sub-section (1), the Central Government may—

(a) extend the period of supersession for such further term, not exceeding six months, as it may consider necessary; or

(b) reconstitute the Central Board or the Joint Board, as the case may be, by fresh nomination or appointment, as the case may be, and in such case any person who vacated his office under clause (a) of sub-section (2) shall not be deemed disqualified for nomination or appointment:

Provided that the Central Government may at any time before the expiration of the period of supersession, whether originally specified under sub-section (1) or as extended under this sub-section, take action under clause (b) of this sub-section.

62. Power of State Government to supersede State Board.—(1) If at any time the State Government is of opinion—

(a) that the State Board has persistently made default in the performance of the functions imposed on it by or under this Act; or

(b) that circumstances exist which render it necessary in the public interest so to do,

the State Government may, by notification in the Official Gazette, supersede the State Board for such period, not exceeding one year, as may be specified in the notification:

Provided that before issuing a notification under this sub-section for the reasons mentioned in clause (a), the State Government shall give a reasonable opportunity to the State Board to show cause why it should not be superseded and shall consider the explanations and objections, if any, of the State Board.

(2) Upon the publication of a notification under sub-section (1) superseding the State Board, the provisions of sub-sections (2) and (3) of section 61 shall apply in relation to the supersession of the State Board as they apply in relation to the supersession of the Central Board or a Joint Board by the Central Government.

63. Power of Central Government to make rules.—(1) The Central Government may, simultaneously with the constitution of the Central Board, make rules in respect of the matters specified in sub-section (2):

Provided that when the Central Board has been constituted, no such rule shall be made, varied, amended or repealed without consulting the Board.

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:—

(a) the terms and conditions of service of the members (other than the chairman and member-secretary) of the Central Board under sub-section (8) of section 5;

¹[(aa) the manner of nomination of the chairman of the State Board and the terms and conditions of service of the chairman of the State Board under clause (a) of sub-section (2) of section 4 and under sub-section (9) of section 5;]

(b) the intervals and the time and place at which meetings of the Central Board or of any committee thereof constituted under this Act, shall be held and the procedure to be followed at such meetings, including the quorum necessary for the transaction of business under section 8, and under sub-section (2) of section 9;

(c) the fees and allowances to be paid to such members of a committee of the Central Board as are not members of the Board under sub-section (3) of section 9;

²[(d) the manner in which and the purposes for which persons may be associated with the Central Board under sub-section (1) of section 10 and the fees and allowances payable to such persons;]

(e) the terms and conditions of service of the chairman and the member-secretary of the Central Board under sub-section (9) of section 5 and under sub-section (1) of section 12;

(f) conditions subject to which a person may be appointed as a consulting engineer to the Central Board under sub-section (4) of section 12;

(g) the powers and duties to be exercised and performed by the chairman and the member-secretary of the Central Board;

3* * * *

(j) the form of the report of the Central Board analyst under sub-section (1) of section 22;

1. Ins. by Act 5 of 2024, s. 14, (w.e.f. 15-2-2024).

2. Subs. by Act 44 of 1978, s. 20, for clause (d) (w.e.f. 12-12-1978)

3. Clauses (h) and (i) omitted by s. 20, *ibid.* (w.e.f. 12-12-1978).

(h) the form of the report of the Government analyst under sub-section (3) of section 22;

¹[(l) the form in which and the time within which the budget of the Central Board may be prepared and forwarded to the Central Government under section 38;

(ll) the form in which the annual report of the Central Board may be prepared under section 39;]

(m) the form in which the accounts of the Central Board may be maintained under section 40;

²[(ma) the manner of holding inquiry and imposing penalties by the adjudicating officer under section 45B;]

³[(mm) the manner in which notice of intention to make a complaint shall be given to the Central Board or officer authorised by it under section 49;]

(n) any other matter relating to the Central Board, including the powers and functions of that Board in relation to Union territories;

(o) any other matter which has to be, or may be, prescribed.

(3) Every rule made by the Central Government under this Act shall be laid, as soon as may be after it is made, before each House of Parliament while it is in session for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, ⁴[before the expiry of the session immediately following the session or the successive sessions aforesaid], both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

64. Power of State Government to make rules.—(1) The State Government may, simultaneously with the constitution of the State Board, make rules to carry out the purposes of this Act in respect of matters not falling within the purview of section 63:

Provided that when the State Board has been constituted, no such rule shall be made, varied, amended or repealed without consulting that Board.

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:—

(a) the terms and conditions of service of the members (other than the chairman and the member-secretary) of the State Board under sub-section (8) of section 5;

(b) the time and place of meetings of the State Board or of any committee of that Board constituted under this Act and the procedure to be followed at such meeting, including the quorum necessary for the transaction of business under section 8 and under sub-section (2) of section 9;

(c) the fees and allowances to be paid to such members of a committee of the State Board as are not members of the Board under sub-section (3) of section 9;

(d) the manner in which and the purposes for which persons may be associated with the State Board under sub-section (1) of section 10 ⁵[and the fees and allowances payable to such persons];

(e) the terms and conditions of service of ⁶[the member-secretary of the State Board] under sub-section (1) of section 12;

(f) the conditions subject to which a person may be appointed as a consulting engineer to the State Board under sub-section (4) of section 12;

(g) the powers and duties to be exercised and discharged by the chairman and the member-secretary of the State Board;

1. Subs. by Act 53 of 1988, s. 27, for clause (l) (w.e.f. 29-9-1988).

2. Ins. by Act 5 of 2024, s. 14, (w.e.f. 15-2-2024).

3. Ins. by Act 53 of 1988, s. 27, (w.e.f. 29-9-1988)

4. Subs. by Act 44 of 1978, s. 20, for certain words (w.e.f. 12-12-1978).

5. Ins. by s. 21, *ibid.* (w.e.f. 12-12-1978).

6. Subs. by Act 5 of 2024, s. 15, *ibid.*, for certain words (w.e.f. 15-2-2024).

- (h) the form of the notice referred to in section 21;
 - (i) the form of the report of the State Board analyst under sub-section (1) of section 22;
 - (j) the form of the report of the Government analyst under sub-section (3) of section 22;
 - (k) the form of application for the consent of the State Board under sub-section (2) of section 25, and the particulars it may contain;
 - (l) the manner in which inquiry under sub-section (3) of section 25 may be made in respect of an application for obtaining consent of the State Board and the matters to be taken into account in granting or refusing such consent;
 - (m) the form and manner in which appeals may be filed, the fees payable in respect of such appeals and the procedure to be followed by the appellate authority in disposing of the appeals under sub-section (3) of section 23;
- ¹[(n) the form in which and the time within which the budget of the State Board may be prepared and forwarded to the State Government under section 38;]
- (nn) the form in which the annual report of the State Board may be prepared under section 39;]
- (o) the form in which the accounts of the State Board may be maintained under sub-section (1) of section 40;
- ²[(oo) the manner in which notice of intention to make a complaint shall be given to the State Board or officer authorised by it under section 49;]
- (p) any other matter which has to be, or may be, prescribed.

1. Subs. by Act 53 of 1988, s. 28, for clause (n) (w.e.f. 29-9-1988).
2. Ins. by s. 28, *ibid.* (w.e.f. 29-9-1988).

THE AIR (PREVENTION AND CONTROL OF POLLUTION) ACT, 1981

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THE AIR (PREVENTION AND CONTROL OF POLLUTION) ACT, 1981

ACT NO. 14 OF 1981

[29th March, 1981.]

An Act to provide for the prevention, control and abatement of air pollution, for the establishment, with a view to carrying out the aforesaid purposes, of Boards, for conferring on and assigning to such Boards powers and functions relating thereto and for matters connected therewith.

WHEREAS decisions were taken at the United Nations Conference on the Human Environment held in Stockholm in June, 1972, in which India participated, to take appropriate steps for the preservation of the natural resources of the earth which, among other things, include the preservation of the quality of air and control of air pollution;

AND WHEREAS it is considered necessary to implement the decisions aforesaid in so far as they relate to the preservation of the quality of air and control of air pollution;

BE it enacted by Parliament in the Thirty-second Year of the Republic of India as follows:—

CHAPTER I
PRELIMINARY

1. Short title, extent and commencement.—(1) This Act may be called the Air (Prevention and Control of Pollution) Act, 1981.

(2) It extends to the whole of India.

(3) It shall come into force on such date¹ as the Central Government may, by notification in the Official Gazette, appoint.

2. Definitions.—In this Act, unless the context otherwise requires,—

(a) “air pollutant” means any solid, liquid or gaseous substance ²[(including noise)] present in the atmosphere in such concentration as may be or tend to be injurious to human beings or other living creatures or plants or property or environment;

(b) “air pollution” means the presence in the atmosphere of any air pollutant;

(c) “approved appliance” means any equipment or gadget used for the bringing of any combustible material or for generating or consuming any fume, gas or particulate matter and approved by the State Board for the purposes of this Act;

(d) “approved fuel” means any fuel approved by the State Board for the purposes of this Act;

(e) “automobile” means any vehicle powered either by internal combustion engine or by any method of generating power to drive such vehicle by burning fuel;

(f) “Board” means the Central Board or a State Board;

(g) “Central Board” means the ³[Central Pollution Control Board] constituted under section 3 of the Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974);

(h) “chimney” includes any structure with an opening or outlet from or through which any air pollutant may be emitted;

(i) “control equipment” means any apparatus, device, equipment or system to control the quality and manner of emission of any air pollutant and includes any device used for securing the efficient operation of any industrial plant;

1.16th May, 1981, *vide* notification No. G.S.R. 351(E), dated 15th May, 1981, *see* Gazette of India, Extraordinary, Part II, sec. 3 (i).

2. Ins. by Act 47 of 1987, s. 2 (w.e.f. 1-4-1988).

3. Subs. by s. 2, *ibid.*, for “Central Board for the Prevention and Control of Water Pollution” (w.e.f. 1-4-1988).

(j) "emission" means any solid or liquid or gaseous substance coming out of any chimney, duct or flue or any other outlet;

(k) "industrial plant" means any plant used for any industrial or trade purposes and emitting any air pollutant into the atmosphere;

(l) "member" means a member of the Central Board or a State Board, as the case may be, and includes the Chairman thereof;

¹[(m) "occupier", in relation to any factory or premises, means the person who has control over the affairs of the factory or the premises, and includes, in relation to any substance, the person in possession of the substance;]

(n) "prescribed" means prescribed by rules made under this Act by the Central Government or, as the case may be, the State Government;

(o) "State Board" means,—

(i) in relation to a State in which the Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974), is in force and the State Government has constituted for that State a ²[State Pollution Control Board] under section 4 of that Act, the said State Board; and

(ii) in relation to any other State, the State Board for the Prevention and Control of Air Pollution constituted by the State Government under section 5 of this Act.

CHAPTER II

CENTRAL AND STATE BOARDS FOR THE PREVENTION AND CONTROL OF AIR POLLUTION

³**[3. Central Pollution Control Board.]**—The Central Pollution Control Board constituted under section 3 of the Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974), shall, without prejudice to the exercise and performance of its powers and functions under that Act, exercise the powers and perform the functions of the Central Pollution Control Board for the prevention and control of air pollution under this Act.

4. State Pollution Control Boards constituted under section 4 of Act 6 of 1974 to be State Boards under this Act.—In any State in which the Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974), is in force and the State Government has constituted for that State a State Pollution Control Board under section 4 of that Act, such State Board shall be deemed to be the State Board for the Prevention and Control of air Pollution constituted under section 5 of this Act, and accordingly that State Pollution Control Board shall, without prejudice to the exercise and performance of its powers and functions under that Act, exercise the powers and perform the functions of the State Board for the prevention and control of air pollution under this Act.]

5. Constitution of State Boards.—(1) In any State in which the Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974), is not in force, or that Act is in force but the State Government has not constituted a ⁴[State Pollution Control Board] under that Act, the State Government shall, with effect from such date as it may, by notification in the Official Gazette, appoint, constitute a State Board for the Prevention and Control of Air Pollution under such name as may be specified in the notification, to exercise the powers conferred on, and perform the functions assigned to, that Board under this Act.

(2) A State Board constituted under this Act shall consist of the following members, namely:—

(a) a Chairman, being a person, having special knowledge or practical experience in respect of matters relating to environmental protection, to be nominated by the State Government:

Provided that the Chairman may be either whole-time or part-time as the State Government may think fit;

1. Subs. by Act 47 of 1987, s. 2, for clause (m) (w.e.f. 1-4-1988).

2. Subs. by s. 2, *ibid.*, for "State Board for the Prevention and Control of Water Pollution" (w.e.f. 1-4-1988).

3. Subs. by s. 3, *ibid.*, for sections 3 and 4 (w.e.f. 1-4-1988).

4. Subs. by s. 4, *ibid.*, for "State Board for the Prevention and Control of Water Pollution" (w.e.f. 1-4-1988).

(b) such number of officials, not exceeding five, as the State Government may think fit, to be nominated by the State Government to represent that Government;

(c) such number of persons, not exceeding five, as the State Government may think fit, to be nominated by the State Government from amongst the members of the local authorities functioning within the State;

(d) such number of non-officials, not exceeding three, as the State Government may think fit, to be nominated by the State Government to represent the interest of agriculture, fishery or industry or trade or labour or any other interest, which, in the opinion of that Government, ought to be represented;

(e) two persons to represent the companies or corporations owned, controlled or managed by the State Government, to be nominated by that Government;

¹[(f) a full-time member-secretary having such qualifications knowledge and experience of scientific, engineering or management aspects of pollution control as may be prescribed, to be appointed by the State Government:]

Provided that the State Government shall ensure that not less than two of the members are persons having special knowledge or practical experience in respect of matters relating to the improvement of the quality of air or the prevention, control or abatement of air pollution.

(3) Every State Board constituted under this Act shall be a body corporate with the name specified by the State Government in the notification issued under sub-section (1), having perpetual succession and a common seal with power, subject to the provisions of this Act, to acquire and dispose of property and to contract, and may by the said name sue or be sued.

6. Central Board to exercise the powers and perform the functions of a State Board in the Union territories.—No State Board shall be constituted for a Union territory and in relation to a Union territory, the Central Board shall exercise the powers and perform the functions of a State Board under this Act for that Union territory:

Provided that in relation to any Union territory the Central Board may delegate all or any of its powers and functions under this section to such person or body of persons as the Central Government may specify.

7. Terms and conditions of service of members.—(1) Save as otherwise provided by or under this Act, a member of a State Board constituted under this Act, other than the member-secretary, shall hold office for a term of three years from the date on which his nomination is notified in the Official Gazette:

Provided that a member shall, notwithstanding the expiration of his term, continue to hold office until his successor enters upon his office.

(2) The terms of office of a member of a State Board constituted under this Act and nominated under clause (b) or clause (e) of sub-section (2) of section 5 shall come to an end as soon as he ceases to hold the office under the State Government or, as the case may be, the company or corporation owned, controlled or managed by the State Government, by virtue of which he was nominated.

(3) A member of a State Board constituted under this Act, other than the member-secretary, may at any time resign his office by writing under his hand addressed,—

(a) in the case of the Chairman, to the State Government; and

(b) in any other case, to the Chairman of the State Board,

and the seat of the Chairman or such other member shall thereupon become vacant.

(4) A member of a State Board constituted under this Act, other than the member-secretary, shall be deemed to have vacated his seat, if he is absent without reason, sufficient in the opinion of the State Board, from three consecutive meetings of the State Board or where he is nominated under clause (c) of sub-section (2) of section 5, he ceases to be a member of the local authority and such vacation of seat

1. Subs. by Act 47 of 1987, s. 4, for clause (f) (w.e.f. 1-4-1988).

shall, in either case, take effect from such date as the State Government may, by notification in the Official Gazette, specify.

(5) A casual vacancy in a State Board constituted under this Act shall be filled by a fresh nomination and the person nominated to fill the vacancy shall hold office only for the remainder of the term for which the member whose place he takes was nominated.

(6) A member of a State Board constituted under this Act shall be eligible for re-nomination ^{1***}

(7) The other terms and conditions of service of the Chairman and other members (except the member-secretary) of a State Board constituted under this Act shall be such as may be prescribed.

8. Disqualifications.—(1) No person shall be a member of a State Board constituted under this Act, who—

(a) is, or at any time has been, adjudged insolvent, or

(b) is of unsound mind and has been so declared by a competent court, or

(c) is, or has been, convicted of an offence which, in the opinion of the State Government, involves moral turpitude, or

(d) is, or at any time has been, convicted of an offence under this Act, or

(e) has directly or indirectly by himself or by any partner, any share or interest in any Firm or company carrying on the business of manufacture, sale, or hire of machinery, industrial plant, control equipment or any other apparatus for the improvement of the quality of air or for the prevention, control or abatement of air pollution, or

(f) is a director or a secretary, manager or other salaried officer or employee of any company or firm having any contract with the Board, or with the Government constituting the Board or with a local authority in the State, or with a company or corporation owned, controlled or managed by the Government, for the carrying out of programmes for the improvement of the quality of air or for the prevention, control or abatement of air pollution, or

(g) has so abused, in the opinion of the State Government, his position as a member, as to render his continuance on the State Board detrimental to the interest of the general public.

(2) The State Government shall, by order in writing, remove any member who is, or has become, subject to any disqualification mentioned in sub-section (1).

Provided that no order of removal shall be made by the State Government under this section unless the member concerned has been given a reasonable opportunity of showing cause against the same.

(3) Notwithstanding anything contained in sub-section (1) or sub-section (6) of section 7, a member who has been removed under this section shall not be eligible to continue to hold office until his successor enters upon his office, or, as the case may be, for re-nomination as a member.

9. Vacation of seats by members.—If a member of a State Board constituted under this Act becomes subject to any of the disqualifications specified in section 8, his seat shall become vacant.

10. Meetings of Board.—(1) For the purposes of this Act, a Board shall meet at least once in every three months and shall observe such rules of procedure in regard to the transaction of business at its meetings as may be prescribed:

Provided that if, in the opinion of the Chairman, any business of an urgent nature is to be transacted, he may convene a meeting of the Board at such time as he thinks fit for the aforesaid purpose.

(2) Copies of minutes of the meetings under sub-section (1) shall be forwarded to the Central Board and to the State Government concerned.

1. The words "but not for more than two terms" omitted by Act 47 of 1987, s. 5 (w.e.f. 1-4-1988).

11. Constitution of committees.—(1) A Board may constitute as many committees consisting wholly of members or partly of members and partly of other persons and for such purpose or purposes as it may think fit.

(2) A committee constituted under this section shall meet at such time and at such place, and shall observe such rules of procedure in regard to the transaction of business at its meetings, as may be prescribed.

(3) The members of a committee other than the members of the Board shall be paid such fees and allowances, for attending its meetings and for attending to any other work of the Board as may be prescribed.

12. Temporary association of persons with Board for particular purpose.—(1) A Board may associate with itself in such manner, and for such purposes, as may be prescribed, any person whose assistance or advice it may desire to obtain in performing any of its functions under this Act.

(2) A person associated with the Board under sub-section (1) for any purpose shall have a right to take part in the discussions of the Board relevant to that purpose, but shall not have a right to vote at a meeting of the Board and shall not be a member of the Board for any other purpose.

(3) A person associated with a Board under sub-section (1) shall be entitled to receive such fees and allowances as may be prescribed.

13. Vacancy in Board not to invalidate acts or proceedings.—No act or proceeding of a Board or any committee thereof shall be called in question on the ground merely of the existence of any vacancy in, or any defect in the constitution of, the Board or such committee, as the case may be.

14. Member-secretary and officers and other employees of State Boards.—(1) The terms and conditions of service of the member-secretary of a State Board constituted under this Act shall be such as may be prescribed.

¹[(2) The member-secretary of a State Board, whether constituted under this Act or not, shall exercise such powers and perform such duties as may be prescribed, or as may, from time to time, be delegated to him by the State Board or its Chairman.]

(3) subject to such rules as may be made by the State Government in this behalf, a State Board, whether constituted under this Act or not, may appoint such officers and other employees as it considers necessary for the efficient performance of its functions under this Act.

(4) The method of appointment, the conditions of service and the scales of pay of the officers (other than the member-secretary) and other employees of a State Board appointed under sub-section (3) shall be such as may be determined by regulations made by the State Board under this Act.

(5) Subject to such conditions as may be prescribed, a State Board constituted under this Act may from time to time appoint any qualified person to be a consultant to the Board and pay him such salary and allowances or fees, as it thinks fit.

15. Delegation of powers.—A State Board may, by general or special order, delegate to the Chairman or the member-secretary or any other officer of the Board subject to such conditions and limitations, if any, as may be specified in the order, such of its powers and functions under this Act as it may deem necessary.

CHAPTER III POWERS AND FUNCTIONS OF BOARDS

16. Functions of Central Board.—(1) Subject to the provisions of this Act, and without prejudice to the performance, of its functions under the Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974), the main functions of the Central Board shall be to improve the quality of air and to prevent, control or abate air pollution in the country.

1. Subs. by Act 47 of 1987, s. 6, for sub-section (2) (w.e.f. 1-4-1988).

(2) In particular and without prejudice to the generality of the foregoing functions, the Central Board may—

- (a) advise the Central Government on any matter concerning the improvement of the quality of air and the prevention, control or abatement of air pollution;
- (b) plan and cause to be executed a nation-wide programme for the prevention, control or abatement of air pollution;
- (c) co-ordinate the activities of the State and resolve disputes among them;
- (d) provide technical assistance and guidance to the State Boards, carry out and sponsor investigations and research relating to problems of air pollution and prevention, control or abatement of air pollution;
- ¹[(dd) perform such of the functions of any State Board as may be specified in and order made under sub-section (2) of section 18;]
- (e) plan and organise the training of persons engaged or to be engaged in programmes for the prevention, control or abatement of air pollution on such terms and conditions as the Central Board may specify;
- (f) organise through mass media a comprehensive programme regarding the prevention, control or abatement of air pollution;
- (g) collect, compile and publish technical and statistical data relating to air pollution and the measures devised for its effective prevention, control or abatement and prepare manuals, codes or guides relating to prevention, control or abatement of air pollution;
- (h) lay down standards for the quality of air;
- (i) collect and disseminate information in respect of matters relating to air pollution;
- (j) perform such other functions as may be prescribed.

(3) The Central Board may establish or recognise a laboratory or laboratories to enable the Central Board to perform its functions under this section efficiently.

(4) The Central Board may—

- (a) delegate any of its functions under this Act generally or specially to any of the committees appointed by it;
- (b) do such other things and perform such other acts as it may think necessary for the proper discharge of its functions and generally for the purpose of carrying into effect the purposes of this Act.

17. Functions of State Boards.—(1) Subject to the provisions of this Act, and without prejudice to the performance of its functions, if any, under the Water (Prevention and Control of Pollution) Act, 1974 (Act 6 of 1974), the functions of a State Board shall be—

- (a) to plan a comprehensive programme for the prevention, control or abatement of air pollution and to secure the execution thereof;
- (b) to advise the State Government on any matter concerning the prevention, control or abatement of air pollution;
- (c) to collect and disseminate information relating to air pollution;
- (d) to collaborate with the Central Board in organising the training of persons engaged or to be engaged in programmes relating to prevention, control or abatement of air pollution and to organise mass-education programme relating thereto;

1. Ins. by Act 47 of 1987, s. 7 (w.e.f. 1-4-1988).

(e) to inspect, at all reasonable times, any control equipment, industrial plant or manufacturing process and to give, by order, such directions to such persons as it may consider necessary to take steps for the prevention, control or abatement of air pollution;

(f) to inspect air pollution control areas at such intervals as it may think necessary, assess the quality of air therein and take steps for the prevention, control or abatement of air pollution in such areas;

(g) to lay down, in consultation with the Central Board and having regard to the standards for the quality of air laid down by the Central Board, standards for emission of air pollutants into the atmosphere from industrial plants and automobiles or for the discharge of any air pollutant into the atmosphere from any other source whatsoever not being a ship or an aircraft:

Provided that different standards for emission may be laid down under this clause for different industrial plants having regard to the quantity and composition of emission of air pollutants into the atmosphere from such industrial plants;

(h) to advise the State Government with respect to the suitability of any premises or location for carrying on any industry which is likely to cause air pollution;

(i) to Perform such other functions as may be prescribed or as may, from time to time, be entrusted to it by the Central Board or the State Government;

(j) to do such other things and to perform such other acts as it may think necessary for the proper discharge of its functions and generally for the purpose of carrying into effect the purposes of this Act.

(2) A State Board may establish or recognise a laboratory or laboratories to enable the State Board to perform its functions under this section efficiently.

18. Power to give directions.—¹[(1)] In the performance of its functions under this Act—

(a) the Central Board shall be bound by such directions in writing as the Central Government may give to it; and

(b) every State Board shall be bound by such directions in writing as the Central Board or the State Government may give to it:

Provided that where a direction given by the State Government is inconsistent with the direction given by the Central Board, the matter shall be referred to the Central Government for its decision.

²[(2) Where the Central Government is of the opinion that any State Board has defaulted in complying with any directions given by the Central Board under sub-section (1) and as a result of such default a grave emergency has arisen and it is necessary or expedient so to do in the public interest, it may, by order, direct the Central Board to perform any of the functions of the State Board in relation to such area, for such period and for such purposes, as may be specified in the order.

(3) Where the Central Board performs any of the functions of the State Board in pursuance of a direction under sub-section (2), the expenses, if any, incurred by the Central Board with respect to the performance of such functions may, if the State Board is empowered to recover such expenses, be recovered by the Central Board with interest (at such reasonable rate as the Central Government may, by order, fix) from the date when a demand for such expenses is made until it is paid from the person or persons concerned as arrears of land revenue or of public demand.

(4) For the removal of doubts, it is hereby declared that any directions to perform the functions of any State Board given under sub-section (2) in respect of any area would not preclude the State Board from performing such functions in any other area in the State or any of its other functions' in that area.]

1. Section 18 renumbered as sub-section (1) thereof by Act 47 of 1987, s. 8 (w.e.f. 1-4-1988).

2. Ins. by s. 8, *ibid.* (w.e.f. 1-4-1988).

CHAPTER IV
PREVENTION AND CONTROL OF AIR POLLUTION

19. Power to declare air pollution control areas.—(1) The State Government may, after consultation with the State Board, by notification in the Official Gazette declare in such manner as may be prescribed, any area or areas within the State as air pollution control area or areas for the purposes of this Act.

(2) The State Government may, after consultation with the State Board, by notification in the Official Gazette,—

(a) alter any air pollution control area whether by way of extension or reduction;

(b) declare a new air pollution control area in which may be merged one or more existing air pollution control areas or any part or parts thereof.

(3) If the State Government, after consultation with the State Board, is of opinion that the use of any fuel, other than an approved fuel, in any air pollution control area or part thereof, may cause or is likely to cause air pollution, it may, by notification in the Official Gazette, prohibit the use of such fuel in such area or part thereof with effect from such date (being not less than three months from the date of publication of the notification) as may be specified in the notification.

(4) The State Government may, after consultation with the State Board, by notification in the Official Gazette, direct that with effect from such date as may be specified therein, no appliance, other than an approved appliance, shall be used in the premises situated in an air pollution control area:

Provided that different dates may be specified for different parts of an air pollution control area or for the use of different appliances.

(5) If the State Government, after consultation with the State Board, is of opinion that the burning of any material (not being fuel) in any air pollution control area or part thereof may cause or is likely to cause air pollution, it may, by notification in the Official Gazette, prohibit the burning of such material in such area or part thereof.

20. Power to give instructions for ensuring standards for emission from automobiles.—With a view to ensuring that the standards for emission of air pollutants from automobiles laid down by the State Board under clause (g) of sub-section (1) of section 17 are complied with, the State Government shall, in consultation with the State Board, give such instructions as may be deemed necessary to the concerned authority in charge of registration of motor vehicles under the Motor Vehicles Act, 1939 (4 of 1939), and such authority shall, notwithstanding anything contained in that Act or the rules made thereunder be bound to comply with such instructions.

21. Restrictions on use of certain industrial plants.—¹[(1) No person shall establish or operate any industrial plant in an air pollution control area unless the previous consent of the State Board has been obtained in pursuance of an application made by such person in accordance with the provisions of this section:

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

(2) An application for consent of the State Board under sub-section (1) shall be accompanied by such fees as may be prescribed and shall be made in the prescribed form and shall contain the particulars of the industrial plant and such other particulars as may be prescribed:

Provided that where any person, immediately before the declaration of any area as an air pollution control area, operates in such area any industrial plant,^{2***} such person shall make the application under this sub-section within such period (being not less than three months from the date of such declaration) as

1. Subs. by Act 18 of 2023, s. 2 and Schedule for sub-section (1), (w.e.f. 1-4-2024).

2. The words "for the purpose of any industry specified in the Schedule" omitted by Act 47 of 1987, s. 9, (w.e.f. 1-4-1988).

may be prescribed and where such person makes such application, he shall be deemed to be operating such industrial plant with the consent of the State Board until the consent applied for has been refused.

(3) The State Board may make such inquiry as it may deem fit in respect of the application for consent referred to in sub-section (1) and in making any such inquiry, shall follow such procedure as may be prescribed.

(4) Within a period of four months after the receipt of the application for consent referred to in sub-section (1), the State Board shall, by order in writing,¹[and for reasons to be recorded in the order, grant the consent applied for subject to such conditions and for such period as may be specified in the order, or refuse such consent]:

²[Provided that it shall be open to the State Board to cancel such consent before the expiry of the period for which it is granted or refuse further consent after such expiry if the conditions subject to which such consent has been granted are not fulfilled:

Provided further that before cancelling a consent or refusing a further consent under the first provision, a reasonable opportunity of being heard shall be given to the person concerned.]

(5) Every person to whom consent has been granted by the State Board under sub-section (4), shall comply with the following conditions, namely:—

(i) the control equipment of such specifications as the State Board may approve in this behalf shall be installed and operated in the premises where the industry is carried on or proposed to be carried on;

(ii) the existing control equipment, if any, shall be altered or replaced in accordance with the directions of the State Board;

(iii) the control equipment referred to in clause (i) or clause (ii) shall be kept at all times in good running condition;

(iv) chimney, wherever necessary, of such specifications as the State Board may approve in this behalf shall be erected or re-erected in such premises; and

(v) such other conditions as the State Board, may specify in this behalf; and

(vi) the conditions referred to in clauses (i), (ii) and (iv) shall be complied with within such period as the State Board may specify in this behalf:

Provided that in the case of a person operating any industrial plant^{3***} in an air pollution control area immediately before the date of declaration of such area as an air pollution control area, the period so specified shall not be less than six months:

Provided further that—

(a) after the installation of any control equipment in accordance with the specifications under clause (i), or

(b) after the alteration or replacement of any control equipment in accordance with the directions of the State Board under clause (ii), or

(c) after the erection or re-erection of any chimney under clause (iv),

no control equipment or chimney shall be altered or replaced or, as the case may be, erected or re-erected except with the previous approval of the State Board.

(6) If due to any technological improvement or otherwise the State Board is of opinion that all or any of the conditions referred to in sub-section (5) require or requires variation (including the change of any control equipment, either in whole or in part), the State Board shall, after giving the person to whom

1. Subs. by Act 47 of 1987, s. 9, for certain words (w.e.f. 1-4-1988).

2. Ins. by s. 9, *ibid.* (w.e.f. 1-4-1988).

3. The words "for the purpose of any industry specified in the Schedule" omitted by s. 9, *ibid.* (w.e.f. 1-4-1988).

consent has been granted an opportunity of being heard, vary all or any of such conditions and thereupon such person shall be bound to comply with the conditions as so varied.

(7) Where a person to whom consent has been granted by the State Board under sub-section (4) transfers his interest in the industry to any other person, such consent shall be deemed to have been granted to such other person and he shall be bound to comply with all the conditions subject to which it was granted as if the consent was granted to him originally.

¹[**21A. Power to issue guidelines.**—(1) Notwithstanding anything contained in this Act, the Central Government in consultation with the Central Board, may, by notification in the Official Gazette, issue guidelines on the matters relating to the grant, refusal or cancellation of consent by any State Board to establish or operate any industrial plant in an air pollution control area, including the mechanism for time bound disposal of the application made under section 21 or validity period of such consent.

(2) Every State Board, in discharge of its functions for the purposes of grant, refusal or cancellation of consent under section 21 shall act in accordance with the guidelines issued under sub-section (1).]

22. Persons carrying on industry, etc., not to allow emission of air pollutants in excess of the standard laid down by State Board.—No person^{2****} operating any industrial plant, in any air pollution control area shall discharge or cause or permit to be discharged the emission of any air pollutant in excess of the standards laid down by the State Board under clause (g) of sub-section (1) of section 17.

³[**22A. Power of Board to make application to court for restraining person from causing air pollution.**—(1) Where it is apprehended by a Board that emission of any air pollutant, in excess of the standards laid down by the State Board under clause (g) of sub-section (1) of section 17, is likely to occur by reason of any person operating an industrial plant or otherwise in any air pollution control area, the Board may make an application to a court, not inferior to that of a Metropolitan Magistrate or a Judicial Magistrate of the first class for restraining such person from emitting such air pollutant.

(2) On receipt of the application under sub-section (1), the court may make such order as it deems fit.

(3) Where under sub-section (2), the court makes an order restraining any person from discharging or causing or permitting to be discharged the emission of any air pollutant, it may, in that order,—

(a) direct such person to desist from taking such action as is likely to cause emission;

(b) authorise the Board, if the direction under clause (a) is not complied with by the person to whom such direction is issued, to implement the direction in such manner as may be specified by the court.

(4) All expenses incurred by the Board in implementing the directions of the court under clause (b) of sub-section (3) shall be recoverable from the person concerned as arrears of land revenue or of public demand.]

23. Furnishing of information to State Board and other agencies in certain cases.—(1) Where in any^{4***} area the emission of any air pollutant into the atmosphere in excess of the standards laid down by the State Board occurs or is apprehended to occur due to accident or other unforeseen act or event, the person in charge of the premises from where such emission occurs or is apprehended to occur shall forthwith intimate the fact of such occurrence or the apprehension of such occurrence to the State Board and to such authorities or agencies as may be prescribed.

(2) On receipt of information with respect to the fact or the apprehension of any occurrence of the nature referred to in sub-section (1), whether through intimation under that sub-section or otherwise, the State Board and the authorities or agencies shall, as early as practicable, cause such remedial measure to be taken as are necessary to mitigate the emission of such air pollutants.

1. Ins. by Act 18 of 2023, s. 2 and Schedule (w.e.f. 1-4-2024).

2. The words “carrying on any industry specified in the Schedule or” omitted by Act 47 of 1987, s. 10 (w.e.f. 1-4-1988).

3. Ins. by s. 11, *ibid.* (w.e.f. 1-4-1988).

4. The words “air pollution control” omitted by s. 12, *ibid.* (w.e.f. 1-4-1988).

(3) Expenses, if any, incurred by the State Board, authority or agency with respect to the remedial measures referred to in sub-section (2) together with interest (at such reasonable rate, as the State Government may, by order, fix) from the date when a demand for the expenses is made until it is paid, may be recovered by that Board, authority or agency from the person concerned, as arrears of land revenue, or of public demand.

24. Power of entry and inspection.—(1) Subject to the provisions of this section, any person empowered by a State Board in this behalf shall have a right to enter, at all reasonable times with such assistance as he considers necessary, any place—

(a) for the purpose of performing any of the functions of the State Board entrusted to him;

(b) for the purpose of determining whether and if so in what manner, any such functions are to be performed or whether any provisions of this Act or the rules made thereunder or any notice, order, direction or authorisation served, made, given or granted under this Act is being or has been complied with;

(c) for the purpose of examining and testing any control equipment, industrial plant, record, register, document or any other material object or for conducting a search of any place in which he has reason to believe that an offence under this Act or the rules made thereunder has been or is being or is about to be committed and for seizing any such control equipment, industrial plant, record, register, document or other material object if he has reasons to believe that it may furnish evidence of the commission of an offence punishable under this Act or the rules made thereunder.

(2) Every person ^{1***} operating any control equipment or any industrial plant, in an air pollution control area shall be bound to render all assistance to the person empowered by the State Board under sub-section (1) for carrying out the functions under that sub-section and if he fails to do so without any reasonable cause or excuse, he shall be guilty of an offence under this Act.

(3) If any person willfully delays or obstructs any person empowered by the State Board under sub-section (1) in the discharge of his duties, he shall be guilty of an offence under this Act.

(4) The provisions of the Code of Criminal Procedure, 1973 (2 of 1974), or, in relation to the State of Jammu and Kashmir*, or any area, in which that Code is not in force, the provisions of any corresponding law in force in that State or area, shall, so far as may be, apply to any search or seizure under this section as they apply to any search or seizure made under the authority of a warrant issued under section 94 of the said Code or, as the case may be, under the corresponding provisions of the said law.

25. Power to obtain information.—For the purposes of carrying out the functions entrusted to it, the State Board or any officer empowered by it in that behalf may call for any information (including information regarding the types of air pollutants emitted into the atmosphere and the level of the emission of such air pollutants) from the occupier or any other person carrying on any industry or operating any control equipment or industrial plant and for the purpose of verifying the correctness of such information, the State Board or such officer shall have the right to inspect the premises where such industry, control equipment or industrial plant is being carried on or operated.

26. Power to take samples of air or emission and procedure to be followed in connection therewith.—(1) A State Board or any officer empowered by it in this behalf shall have power to take, for the purpose of analysis, samples of air or emission from any chimney, flue or duct or any other outlet in such manner as may be prescribed.

(2) The result of any analysis of a sample of emission taken under sub-section (1) shall not be admissible in evidence in any legal proceeding unless the provisions of sub-sections (3) and (4) are complied with.

(3) Subject to the provisions of sub-section (4), when a sample of emission is taken for analysis under sub-section (1), the person taking the sample shall—

1. The words “carrying on any industry specified in the Schedule and every person” omitted by Act 47 of 1987, s. 13 (w.e.f. 1-4-1988).

*. Vide notification No. S.O. 3912(E), dated 30th October, 2019, this Act is made applicable to the Union territory of Jammu and Kashmir and the Union territory of Ladakh.

(a) serve on the occupier or his agent, a notice, then and there, in such form as may be prescribed, of his intention to have it so analysed;

(b) in the presence of the occupier or his agent, collect a sample of emission for analysis;

(c) cause the sample to be placed in a container or containers which shall be marked and sealed and shall also be signed both by the person taking the sample and the occupier or his agent;

(d) send, without delay, the container or containers to the laboratory established or recognised by the State Board under section 17 or, if a request in that behalf is made by the occupier or his agent when the notice is served on him under clause (a), to the laboratory established or specified under sub-section (1) of section 28.

(4) When a sample of emission is taken for analysis under sub-section (1) and the person taking the sample serves on the occupier or his agent, a notice under clause (a) of sub-section (3), then,—

(a) in a case where the occupier or his agent wilfully absents himself, the person taking the sample shall collect the sample of emission for analysis to be placed in a container or containers which shall be marked and sealed and shall also be signed by the person taking the sample, and

(b) in a case where the occupier or his agent is present at the time of taking the sample but refuses to sign the marked and sealed container or containers of the sample of emission as required under clause (c) of sub-section (3), the marked and sealed container or containers shall be signed by the person taking the sample,

and the container or containers shall be sent without delay by the person taking the sample for analysis to the laboratory established or specified under sub-section (1) of section 28 and such person shall inform the Government analyst appointed under sub-section (1) of section 29, in writing, about the wilful absence of the occupier or his agent, or, as the case may be, his refusal to sign the container or containers.

27. Reports of the result of analysis on samples taken under section 26.—(1) Where a sample of emission has been sent for analysis to the laboratory established or recognised by the State Board, the Board analyst appointed under sub-section (2) of section 29 shall analyse the sample and submit a report in the prescribed form of such analysis in triplicate to the State Board.

(2) On receipt of the report under sub-section (1), one copy of the report shall be sent by the State Board to the occupier or his agent referred to in section 26, another copy shall be preserved for production before the court in case any legal proceedings are taken against him and the other copy shall be kept by the State Board.

(3) Where a sample has been sent for analysis under clause of sub-section (3) or sub-section (4) of section 26 to any laboratory mentioned therein, the Government analyst referred to in the said sub-section (4) shall analyse the sample and submit a report in the prescribed form of the result of the analysis in triplicate to the State Board which shall comply with the provisions of sub-section (2).

(4) Any cost incurred in getting any sample analysed at the request of the occupier or his agent as provided in clause (d) of sub-section (3) of section 26 or when he wilfully absents himself or refuses to sign the marked and sealed container or containers of sample of emission under sub-section (4) of that section, shall be payable by such occupier or his agent and in case of default the same shall be recoverable from him as arrears of land revenue or of public demand.

28. State Air Laboratory.—(1) The State Government may, by notification in the Official Gazette,—

(a) establish one or more State Air Laboratories; or

(b) specify one or more laboratories or institutes as State Air Laboratories to carry out the functions entrusted to the State Air Laboratory under this Act.

(2) The State Government may, after consultation with the State Board, make rules prescribing—

(a) the functions of the State Air Laboratory;

(b) the procedure for the submission to the said Laboratory of samples of air or emission for analysis or tests, the form of the Laboratory's report thereon and the fees payable in respect of such report;

(c) such other matters as may be necessary or expedient to enable that Laboratory to carry out its functions.

29. Analysts.—(1) The State Government may, by notification in the Official Gazette, appoint such persons as it thinks fit and having the prescribed qualifications to be Government analysts for the purpose of analysis of samples of air or emission sent for analysis to any laboratory established or specified under sub-section (1) of section 28.

(2) Without prejudice to the provisions of section 14, the State Board may, by notification in the Official Gazette, and with the approval of the State Government, appoint such persons as it thinks fit and having the prescribed qualifications to be Board analysts for the purpose of analysis of samples of air or emission sent for analysis to any laboratory established or recognised under section 17.

30. Reports of analysts.—Any document purporting to be a report signed by a Government analyst or, as the case may be, a State Board analyst may be used as evidence of the facts stated therein in any proceeding under this Act.

31. Appeals.—(1) Any person aggrieved by an order made by the State Board under this Act may, within thirty day from the date on which the order is communicated to him, prefer an appeal to such authority (hereinafter referred to as the Appellate Authority) as the State Government may think fit to constitute:

Provided that the Appellate Authority may entertain the appeal after the expiry of the said period of thirty days if such authority is satisfied that the appellant was prevented by sufficient cause from filing the appeal in time.

(2) The Appellate Authority shall consist of a single person or three persons as the State Government may think fit to be appointed by the State Government.

(3) The form and the manner in which an appeal may be preferred under sub-section (1), the fees payable for such appeal and the procedure to be followed by the Appellate Authority shall be such as may be prescribed.

(4) On receipt of an appeal preferred under sub-section (1), the Appellate Authority shall, after giving the appellant and the State Board an opportunity of being heard, dispose of the appeal as expeditiously as possible.

¹[31A. Power to give directions.]—Notwithstanding anything contained in any other law, but subject to the provisions of this Act, and to any directions that the Central Government may give in this behalf, a Board may, in the exercise of its powers and performance of its functions under this Act, issue any directions in writing to any person, officer or authority, and such person, officer or authority shall be bound to comply with such directions.

Explanation.—For the avoidance of doubts, it is hereby declared that the power to issue directions under this section includes the power to direct—

(a) the closure, prohibition or regulation of any industry, operation or process; or

(b) the stoppage or regulation of supply of electricity, water or any other service.]

²[31B. Appeal to National Green Tribunal.]—Any person aggrieved by an order or decision of the Appellate Authority under section 31, made on or after the commencement of the National Green Tribunal Act, 2010, may file an appeal to the National Green Tribunal established under section 3 of the National Green Tribunal Act, 2010, in accordance with the provisions of that Act.]

1. Ins. by Act 47 of 1987, s. 14 (w.e.f. 1-4-1988).

2. Ins. by Act 19 of 2010, s. 36 and Schedule III (w.e.f. 18-10-2010).

CHAPTER V

FUND, ACCOUNTS AND AUDIT

32. Contributions by Central Government.—The Central Government may, after due appropriation made by Parliament by law in this behalf make in each financial year such contributions to the State Boards as it may think necessary to enable the State Boards to perform their functions under this Act:

Provided that nothing in this section shall apply to any ¹[State Pollution Control Board] constituted under section 4 of the Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974), which is empowered by that Act to expend money from its fund thereunder also for performing its functions, under any law for the time being in force relating to the prevention, control or abatement of air pollution.

33. Fund of Board.—(1) Every State Board shall have its own fund for the purposes of this Act and all sums which may, from time to time, be paid to it by the Central Government and all other receipts (by way of contributions, if any, from the State Government, fees, gifts, grants, donations benefactions or otherwise) of that Board shall be carried to the fund of the Board and all payments by the Board shall be made therefrom.

(2) Every State Board may expend such sums as it thinks fit for performing its functions under this Act and such sums shall be treated as expenditure payable out of the fund of that Board.

(3) Nothing in this section shall apply to any ¹[State Pollution Control Board] constituted under section 4 of the Water(Prevention and Control of Pollution) Act, 1974 (6 of 1974), which is empowered by that Act to expend money from its fund thereunder also for performing its functions, under any law for the time being in force relating to the prevention, control or abatement of air pollution.

²[33A. Borrowing powers of Board.]—A Board may, with the consent of, or in accordance with the terms of any general or special authority given to it by, the Central Government or, as the case may be, the State Government, borrow money from any source by way of loans or issue of bonds, debentures or such other instruments, as it may deem fit, for discharging all or any of its functions under this Act.]

34. Budget.—The Central Board or, as the case may be, the State Board shall, during each financial year, prepare, in such form and at such time as may be prescribed, a budget in respect of the financial year next ensuing showing the estimated receipt and expenditure under this Act, and copies thereof shall be forwarded to the Central Government or, as the case may be, the State Government.

³[35. Annual report.]—(1) The Central Board shall, during each financial year, prepare, in such form as may be prescribed, an annual report giving full account of its activities under this Act during the previous financial year and copies thereof shall be forwarded to the Central Government within four months from the last date of the previous financial year and that Government shall cause every such report to be laid before both Houses of Parliament within nine months of the last date of the previous financial year.

(2) Every State Board shall, during each financial year, prepare, in such form as may be prescribed, an annual report giving full account of its activities under this Act during the previous financial year and copies thereof shall be forwarded to the State Government within four months from the last date of the previous financial year and that Government shall cause every such report to be laid before the State Legislature within a period of nine months from the last date of the previous financial year.]

36. Accounts and audit.—(1) Every Board shall, in relation to its functions under this Act, maintain proper accounts and other relevant records and prepare an annual statement of accounts in such form as may be prescribed by the Central Government or, as the case may be, the State Government.

(2) The accounts of the Board shall be audited by an auditor duly qualified to act as an auditor of companies under section 226 of the Companies Act, 1956 (1 of 1956).

1. Subs. by Act 47 of 1987, s. 15, for “State Board for the Prevention and Control of water Pollution” (w.e.f. 1-4-1988).

2. Ins. by s. 16, *ibid.* (w.e.f. 1-4-1988).

3. Subs. by s. 17, *ibid.*, for section 35 (w.e.f. 1-4-1988).

(3) The said auditor shall be appointed by the Central Government or, as the case may be, the State Government on the advice of the Comptroller and Auditor General of India.

(4) Every auditor appointed to audit the accounts of the Board under this Act shall have the right to demand the production of books, accounts, connected vouchers and other documents and papers and to inspect any of the offices of the Board.

(5) Every such auditor shall send a copy of his report together with an audited copy of the accounts to the Central Government or, as the case may be, the State Government.

(6) The Central Government shall, as soon as may be after the receipt of the audit report under sub-section (5), cause the same to be laid before both Houses of Parliament.

(7) The State Government shall, as soon as may be after the receipt of the audit report under sub-section (5), cause the same to be laid before the State Legislature.

CHAPTER VI

PENALTIES AND PROCEDURE

¹[**37. Failure to comply with provisions of section 22 or directions issued under section 31A.**—

(1) Whoever contravenes or does not comply with the provisions of section 22 or directions issued under section 31A, shall, in respect of each such contravention, be liable to penalty which shall not be less than ten thousand rupees, but which may extend to fifteen lakh rupees.

(2) Where any person continues contravention under sub-section (1), he shall be liable to additional penalty of ten thousand rupees for every day during which such contravention continues.

38. Penalties for certain acts.—(1) Whoever—

(a) destroys, pulls down, removes, injures or defaces any pillar, post or stake fixed in the ground or any notice or other matter put up, inscribed or placed, by or under the authority of the Board;

(b) obstructs any person acting under the orders or directions of the Board from exercising his powers and performing his functions under this Act;

(c) damages any works or property belonging to the Board;

(d) fails to furnish to the Board or any officer or other employee of the Board any information required by the Board or such officer or other employee for the purposes of this Act;

(e) fails to intimate the occurrence of the emission of air pollutants into the atmosphere in excess of the standards laid down by the State Board or the apprehension of such occurrence, to the State Board and other prescribed authorities or agencies as required under sub-section (1) of section 23;

(f) fails in giving any information which he is required to give under this Act, makes a statement which is false in any material particular,

shall be liable to penalty which shall not be less than ten thousand rupees, but which may extend to fifteen lakh rupees.

(2) Where any person continues contravention under sub-section (1), he shall be liable to additional penalty of ten thousand rupees for every day during which such contravention continues.

38A. Penalty for contravention by Government Department.—(1) Where contravention of any provision of this Act has been committed by any Department of the Central Government or the State Government, the Head of the Department shall be liable to penalty equal to one month of his basic salary:

Provided that he shall not be liable for such contravention, if he proves that the contravention was committed without his knowledge or instructions or that he exercised all due diligence to prevent such contravention.

1. Subs. by Act 18 of 2023, s. 2 and Schedule for sections 37 to 41, (w.e.f. 1-4-2024), earlier subs. by Act 47 of 1987, s. 18, for section 37 (w.e.f. 1-4-1988).

(2) Where any contravention under sub-section (1) is attributable to any neglect on the part of, any officer, other than the Head of the Department, the officer shall be liable to penalty equal to one month of his basic salary:

Provided that he shall not be liable for the contravention, if he proves that he exercised all due diligence to avoid such contravention.

39. Penalties for contravention of certain provisions of this Act.—If any person contravenes any of the provisions of this Act or any order or direction issued thereunder, for which no penalty has been provided for in this Act, shall be liable to penalty which shall not be less than ten thousand rupees, but which may extend to fifteen lakh rupees, and where such contravention continues, he shall be liable to additional penalty which may extend to ten thousand rupees for every day during which such contravention continues.

39A. Adjudicating officer.—(1) The Central Government, for the purposes of determining the penalties under sections 37, 38, 38A and section 39, shall appoint an officer not below the rank of Joint Secretary to the Government of India or a Secretary to the State Government to be the adjudicating officer, to hold an inquiry and to impose the penalty in the manner, as may be prescribed:

Provided that the Central Government may appoint as many adjudicating officers as may be required.

(2) The adjudicating officer may summon and enforce the attendance of any person acquainted with the facts and circumstances of the case to give evidence or to produce any document, which in the opinion of the adjudicating officer, may be useful for or relevant to the subject-matter of the inquiry and if, on such inquiry, he is satisfied that the person concerned has contravened the provisions of this Act, he may determine such penalty as he thinks fit under the provisions of sections 37, 38, 38A or 39, as the case may be:

Provided that no such penalty shall be imposed without giving the person concerned a reasonable opportunity of being heard.

(3) The amount of penalty imposed under the provisions of sections 37, 38, 38A and 39, shall be in addition to the liability to pay relief or compensation under section 15 read with section 17 of the National Green Tribunal Act, 2010 (19 of 2010).

39B. Appeal.—(1) Whoever aggrieved by the order passed by the adjudicating officer under sections 37, 38, 38A or 39, may prefer an appeal to the National Green Tribunal established under section 3 of the National Green Tribunal Act, 2010 (19 of 2010).

(2) Every appeal under sub-section (1) shall be filed within sixty days from the date on which the copy of the order made by the adjudicating officer is received by the aggrieved person.

(3) The Tribunal may, after giving the parties to the appeal an opportunity of being heard, pass such order as it thinks fit, confirming, modifying or setting aside the order appealed against.

(4) Where an appeal is preferred against any order of the adjudicating officer under sub-section (1), it shall not be entertained by the Tribunal unless the person has deposited with the Tribunal ten per cent. of the amount of the penalty imposed by the adjudicating officer.

39C. Penalty amount to be credited to Environmental Protection Fund.—Where an adjudicating officer imposes penalty or additional penalty, as the case may be, under sections 37, 38, 38A or 39, the amount of such penalty shall be credited to the Environmental Protection Fund established under section 16 of the Environment (Protection) Act, 1986 (29 of 1986).

39D. Offences for failure to comply with provisions of section 21 and for failure to pay penalty.—(1) Whoever fails to comply with the provisions of section 21, shall, in respect of each such failure, be punishable with imprisonment for a term which shall not be less than one year and six months but which may extend to six years and with fine, and in case the failure continues, with an additional fine which may extend to fifty thousand rupees for every day during which such failure continues after the conviction for the first such failure.

(2) If the failure referred to in sub-section (1) continues beyond a period of one year after the date of conviction, the offender shall be punishable with imprisonment for a term which shall not be less than two years but which may extend to seven years and with fine.

(3) Where any person fails to pay the penalty or the additional penalty, as the case may be, imposed under the provisions of this Act within ninety days of such imposition, he shall be punishable with imprisonment for a term which may extend to three years, or with fine which may extend to twice the amount of the penalty or additional penalty so imposed or with both.

(4) Where any offence under sub-section (1) or sub-section (2) or sub-section (3) has been committed by a company, every person who, at the time the offence was committed, was directly in charge of, and was responsible to, the company for the conduct of the business of the company, as well as the company, shall be deemed to be guilty of such offence and he shall be liable to be proceeded against and punished accordingly:

Provided that nothing contained in this sub-section shall render any such person liable to any punishment provided in sub-section (1) or sub-section (2) or sub-section (3), if he proves that the offence was committed without his knowledge or that he exercised all due diligence to prevent the commission of such offence.

(5) Notwithstanding anything contained in sub-section (4), where an offence has been committed by a company and it is proved that the offence has been committed with the consent or connivance of, or is attributable to any neglect on the part of, any director, manager, secretary or other officer of the company, such director, manager, secretary or other officer shall also be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

Explanation.—For the purposes of this section,—

(a) “company” includes body corporate, firm, trust, society and any other association of individuals;

(b) “director” includes director of the company, partner of the firm, members of the society or trust or member of any association of individuals, as the case may be.]

42. Protection of action taken in good faith.—No suit, prosecution or other legal proceeding shall lie against the Government or any officer of the Government or any member or any officer or other employee of the Board in respect of anything which is done or intended to be done in good faith in pursuance of this Act or the rules made thereunder.

¹[**43. Cognizance of offences.**—(1) No court shall take cognizance of any offence under this Act except on a complaint made by—

(a) a Board or any officer authorised in this behalf by it; or

²[(aa) the adjudicating officer or any officer authorised by him in this behalf; or]

(b) any person who has given notice of not less than sixty days, in the manner prescribed, of the alleged offence and of his intention to make a complaint to the Board or officer authorised as aforesaid,

and no court inferior to that of a Metropolitan Magistrate or a Judicial Magistrate of the first class shall try any offence punishable under this Act.

(2) Where a complaint has been made under clause (b) of sub-section (1), the Board shall, on demand by such person, make available the relevant reports in its possession to that person:

Provided that the Board may refuse to make any such report available to such person if the same is, in its opinion, against the public interest.]

44. Members, officers and employees of Board to be public servants.—All the members and all officers and other employees of a Board when acting or purporting to act in pursuance of any of the

1. Subs. by Act 47 of 1987, s. 21, for section 43 (w.e.f. 1-4-1988).

2. Ins. by Act 18 of 2023, s. 2 and Schedule (w.e.f. 1-4-2024).

provisions of this Act or the rules made thereunder shall be deemed to be public servants within the meaning of section 21 of the Indian Penal Code (45 of 1860).

45. Reports and returns.—The Central Board shall, in relation to its functions under this Act, furnish to the Central Government, and a State Board shall, in relation to its functions under this Act, furnish to the State Government and to the Central Board such reports, returns, statistics, accounts and other information as that Government, or, as the case may be, the Central Board may, from time to time, require.

46. Bar of jurisdiction.—No civil court shall have jurisdiction to entertain any suit or proceeding in respect of any matter which an Appellate Authority constituted under this Act is empowered by or under this Act to determine, and no injunction shall be granted by any court or other authority in respect of any action taken or to be taken in pursuance of any power conferred by or under this Act.

CHAPTER VII MISCELLANEOUS

47. Power of State Government to supersede State Board.—(1) If at any time the State Government is of opinion—

(a) that a State Board constituted under this Act has persistently made default in the performance of the functions imposed on it by or under this Act, or

(b) that circumstances exist which render it necessary in the public interest so to do,

the State Government may, by notification in the Official Gazette, supersede the State Board for such period, not exceeding six months, as may be specified in the notification:

Provided that before issuing a notification under this sub-section for the reasons mentioned in clause (a), the State Government shall give a reasonable opportunity to the State Board to show cause why it should not be superseded and shall consider the explanations and objections, if any, of the State Board.

(2) Upon the publication of a notification under sub-section (1) superseding the State Board,—

(a) all the members shall, as from the date of supersession, vacate their offices as such;

(b) all the powers, functions and duties which may, by or under this Act, be exercised, performed or discharged by the State Board shall, until the State Board is reconstituted under sub-section (3), be exercised, performed or discharged by such person or persons as the State Government may direct;

(c) all property owned or controlled by the State Board shall, until the Board is reconstituted under sub-section (3), vest in the State Government.

(3) On the expiration of the period of supersession specified in the notification issued under sub-section (1), the State Government may—

(a) extend the period of supersession for such further term, not exceeding six months, as it may consider necessary; or

(b) reconstitute the State Board by a fresh nomination or appointment, as the case may be, and in such case any person who vacated his office under clause (a) of sub-section (2) shall also be eligible for nomination or appointment:

Provided that the State Government may at any time before the expiration of the period of supersession, whether originally specified under sub-section (1) or as extended under this sub-section, take action under clause (b) of this sub-section.

48. Special provision in the case of supersession of the Central Board or the State Boards constituted under the Water (Prevention and Control of Pollution) Act, 1974.—Where the Central Board or any State Board constituted under the Water (Prevention and Control of Pollution) Act, 1974 (Act 6 of 1974), is superseded by the Central Government or the State Government, as the case may be, under that Act, all the powers, functions and duties of the Central Board or such State Board under this Act shall be exercised, performed or discharged during the period of such supersession by the person or

persons, exercising, performing or discharging the powers, functions and duties of the Central Board or such State Board under the Water (Prevention and Control of Pollution) Act, 1974, during such period.

49. Dissolution of State Boards constituted under the Act.—(1) As and when the Water (Prevention and Control of Pollution) Act, 1974 (Act 6 of 1974), comes into force in any State and the State Government constitutes ¹[State Pollution Control Board] under that Act, the State Board constituted by the State Government under this Act shall stand dissolved and the Board first-mentioned shall exercise the powers and perform the functions of the Board second-mentioned in that State.

(2) On the dissolution of the State Board constituted under this Act,—

(a) all the members shall vacate their offices as such;

(b) all moneys and other property of whatever kind (including the fund of the State Board) owned by, or vested in, the State Board, immediately before such dissolution, shall stand transferred to and vest in the ¹[State Pollution Control Board];

(c) every officer and other employee serving under the State Board immediately before such dissolution shall be transferred to and become an officer or other employee of the ¹[State Pollution Control Board] and hold office by the same tenure and at the same remuneration and on the same terms and conditions of service as he would have held the same if the State Board constituted under this Act had not been dissolved and shall continue to do so unless and until such tenure, remuneration and terms and conditions of service are duly altered by the ¹[State Pollution Control Board]:

Provided that the tenure, remuneration and terms and conditions of service of any such officer or other employee shall not be altered to his disadvantage without the previous sanction of the State Government;

(d) all liabilities and obligations of the State Board of whatever kind, immediately before such dissolution, shall be deemed to be the liabilities or obligations, as the case may be, of the ¹[State Pollution Control Board] and any proceeding or cause of action, pending or existing immediately before such dissolution by or against the State Board constituted under this Act in relation to such liability or obligation may be continued and enforced by or against the ¹[State Pollution Control Board.]

50. [Power to amend the Schedule.]—Omitted by the Air (Prevention and Control of Pollution) Amendment Act, 1987 (47 of 1987), s. 22 (w.e.f. 1-4-1988).

51. Maintenance of register.—(1) Every State Board shall maintain a register containing particulars of the persons to whom consent has been granted under section 21, the standards for emission laid down by it in relation to each such consent and such other particulars as may be prescribed.

(2) The register maintained under sub-section (1) shall be open to inspection at all reasonable hours by any person interested in or affected by such standards for emission or by any other person authorised by such person in this behalf.

52. Effect of other laws.—Save as otherwise provided by or under the Atomic Energy Act, 1962 (33 of 1962), in relation to radioactive air pollution the provisions of this Act shall have effect notwithstanding anything inconsistent therewith contained in any enactment other than this Act.

53. Power of Central Government to make rules.—(1) The Central Government may, in consultation with the Central Board, by notification in the Official Gazette, make rules in respect of the following matters, namely:—

(a) the intervals and the time and place at which meetings of the Central Board or any committee thereof shall be held and the procedure to be followed at such meetings, including the quorum necessary for the transaction of business thereat, under sub-section (1) of section 10 and under sub-section (2) of section 11;

1. Subs. by Act 47 of 1987, s. 15, for "State Board for the Prevention and Control of Water Pollution" (w.e.f. 1-4-1988).

(b) the fees and allowances to be paid to the members of a committee of the Central Board, not being members of the Board, under sub-section (3) of section 11;

(c) the manner in which and the purposes for which persons may be associated with the Central Board under sub-section (1) of section 12;

(d) the fees and allowance to be paid under sub-section (3) of section 12 to persons associated with the Central Board under sub-section (1) of section 12;

(e) the functions to be performed by the Central Board under clause (j) of sub-section (2) of section 16;

¹[(f) the form in which and the time within which the budget of the Central Board may be prepared and forwarded to the Central Government under section 34;

(ff) the form in which the annual report of die Central Board may be prepared under section 35;]

(g) the form in which the accounts of the Central Board may be maintained under sub-section (1) of section 36.

²[(h) the manner of holding inquiry and imposing penalties by the adjudicating officer under sub-section (1) of section 39A.]

(2) Every rule made by the Central Government under this Act shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

54. Power of State Government to make rules.—(1) Subject to the provisions of sub-section (3), the State Government may, by notification in the Official Gazette, make rules to carry out the purposes of this Act in respect of matter not falling within the purview of section 53.

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely—

³[(a) the qualifications, knowledge and experience of scientific, engineering or management aspects of pollution control required for appointment as member-secretary of a State Board constituted under the Act;]

⁴[(aa)] the terms and conditions of service of the Chairman and other members (other than the member-secretary) of the State Board constituted under this Act under sub-section (7) of section 7;

(b) the intervals and the time and place at which meetings of the State Board or any committee thereof shall be held and the procedure to be followed at such meetings, including the quorum necessary for the transaction of business thereat, under sub-section (1) of section 10 and under sub-section (2) of section 11;

(c) the fees and allowances to be paid to the members of a committee of the State Board, not being members of the Board under sub-section (3) of section 11;

(d) the manner in which and the purpose for which persons may be associated with the State Board under sub-section (1) of section 12;

1. Subs. by Act 47 of 1987, s. 23, for clause (f) (w.e.f. 1-4-1988).

2. Ins. by Act 18 of 2023, s. 2 and Schedule (w.e.f. 1-4-2024).

3. Ins. by Act 47 of 1987, s. 24, (w.e.f. 1-4-1988).

4. Clause (a) renumbered as clause (aa) thereof by s. 24, *ibid.* (w.e.f. 1-4-1988).

- (e) the fees and allowances to be paid under sub-section (3) of section 12 to persons associated with the State Board under sub-section (1) of section 12;
 - (f) the terms and conditions of service of the member-secretary of a State Board constituted under this Act under sub-section (1) of section 14;
 - (g) the powers and duties to be exercised and discharged by the member-secretary of a State Board under sub-section (2) of section 14;
 - (h) the conditions subject to which a State Board may appoint such officers and other employees as it considers necessary for the efficient performance of its functions under sub-section (3) of section 14;
 - (i) the conditions subject to which a State Board may appoint a consultant under sub-section (5) of section 14;
 - (j) the functions to be performed by the State Board under clause (i) of sub-section (1) of section 17;
 - (k) the manner in which any area or areas may be declared as air pollution control area or areas under sub-section (1) of section 19;
 - (l) the form of application for the consent of the State Board, the fees payable therefore the period within which such application shall be made and the particulars it may contain, under sub-section (2) of section 21;
 - (m) the procedure to be followed in respect of an inquiry under sub-section (3) of section 21;
 - (n) the authorities or agencies to whom information under sub-section (1) of section 23 shall be furnished;
 - (o) the manner in which samples of air or emission may be taken under sub-section (1) of section 26;
 - (p) the form of the notice referred to in sub-section (3) of section 26;
 - (q) the form of the report of the State Board analyst under sub-section (1) of section 27;
 - (r) the form of the report of the Government analyst under sub-section (3) of section 27;
 - (s) the functions of the State Air Laboratory, the procedure for the submission to the said Laboratory of samples of air or emission for analysis or tests, the form of Laboratory's report thereon, the fees payable in respect of such report and other matters as may be necessary or expedient to enable that Laboratory to carry out its functions, under sub-section (2) of section 28;
 - (t) the qualifications required for Government analysts under sub-section (1) of section 29;
 - (u) the qualification required for State Board analysts under sub-section (2) of section 29;
 - (v) the form and the manner in which appeals may be preferred, the fees payable in respect of such appeals and the procedure to be followed by the Appellate Authority in disposing of the appeals under sub-section (3) of section 31;
- ¹[(w) the form in which and the time within which the budget of the State Board may be prepared and forwarded to the State Government under section 34;
- (ww) the form in which the annual report of the State Board may be prepared under section 35;]
- (x) the form in which the accounts of the State Board may be maintained under the sub-section (1) of section 36;
- ²[(xx) the manner in which notice of intention to make a complaint shall be given under section 43;]

1. Subs. by Act 47 of 1987, s. 24, for clause (w) (w.e.f. 1-4-1988).
 2. Ins. by s. 24, *ibid.* (w.e.f. 1-4-1988).

(y) the particulars which the register maintained under section 51 may contain;

(z) any other matter which has to be, or may be, prescribed.

(3) After the first constitution of the State Board, no rule with respect to any of the matters referred to in sub-section (2) [other than those referred to ¹[in clause (aa)] thereof], shall be made, varied, amended or repealed without consulting that Board.

[The Schedule].—Omitted by the Air (Prevention and Control of Pollution)Amendment Act, 1987 (47 of 1987), s. 25(w.e.f. 1-4-1988).

1. Subs. by Act 47 of 1987, s. 24, for “in clause (a)” (w.e.f. 1-4-1988).

GOA WATER RULES AMENDED UPTO 2022

Notification

31-9-2010-STE-DIR/Part-I/Vol.IV/976

In exercise of the powers conferred by subsections (1) and (2) of section 54 of the Water (Prevention and Control of Pollution) Act, 1974 (Central Act 6 of 1974), and in consultation with the Goa State Pollution Control Board, conveyed vide No. 8/25/13-PCB/Vol X/Adm./ 19634/Tech/7864 dated 29-07-2021, the Government of Goa hereby makes the following rules, namely:—

Suggestions are welcomed on e-mail: dir-gpps.goa@nic.in

1. Short title and commencement.— (1) These rules may be called the Goa Water (Prevention and Control of Pollution) Rules, 2021.

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

2. Definitions.— (1) In these rules, unless the context otherwise requires,—

(a) "Act" means the Water (Prevention and Control of Pollution) Act, 1974 (Central Act 6 of 1974);

(b) "Water pollutant" means any solid, liquid or gaseous substance [(including noise)] present in the atmosphere in such concentration as may be or tend to be injurious to human beings or other living creatures or plants or property or environment;

(c) "Board" means the Goa State Pollution Control Board constituted under section 4 of the Water (Prevention and Control of Pollution) Act, 1974 (Central Act 6 of 1974);

(d) "Chairman" means the Chairman of the Board;

(e) "Chimney" includes any structure with an opening or outlet from or through which any water pollutant may be emitted.

(f) "Conformity" means fulfillment of a requirement to the Consent conditions or directions issued by the Board from time to time;

(g) "Consequence" means an outcome of an event affecting objectives;

(h) "Control Equipments" means any apparatus, device, equipment or system to control the quality and manner of emission of any water pollutant, and includes any device used for securing the efficient operation of any industrial plant;

(i) "Correction" means action to eliminate a detected nonconformity;

(j) "CPCB" means Central Pollution Control Board constituted under section 3 of the Water (Prevention and Control of

Pollution) Act, 1974 (Central Act 6 of 1974);

(k) "CTE" means Consent to Establish;

(l) "CTO" means Consent to Operate;

(m) "Effluent" includes any liquid, gaseous or solid substance which is discharged from any organization/ premises used for carrying on any activity, Industry, operation or process, or treatment and disposal system including domestic sewage;

(n) "Emission" means any solid or liquid or gaseous substance coming out of any chimney, duct or flue or any other outlet;

(o) "Environment" means the surroundings in which an organization operates, including water, water, land, natural resources, flora, fauna, humans and their interrelationships.

(p) "Environmental Audit" means an audit conducted by an Empanelled

Environmental Auditor of the State Board or officials of the State Board;

(q) "Environmental Audit Committee" (EAC) means an Expert Committee constituted by State Board to assess the Environmental Audit reports submitted by the Environmental Auditors and recommend action;

(r) "Environmental Audit Conclusion" means outcome of an audit, after consideration of the objectives and all audit findings;

(s) "Environmental Audit Criteria" means the set of policies, procedures, supporting records or

requirements which are used as a reference against which audit evidence is compared;

(t) “Environmental Audit Evidence” means consists records, statements of fact, reports or other information which are relevant to the audit criteria and are verifiable;

(u) “Environmental Audit Findings” means results of the evaluation of the collected audit evidence against audit criteria, indicating conformity or nonconformity and additionally observations and scope for improvement;

(v) “Environmental Audit Plan” means description of the activities and arrangements for an audit;

(w) “Environmental Audit protocol” means the checklist used by Empanelled Auditors of the Board as the guide for conducting the Environmental audit;

(x) “Environmental Audit Scope” means extent and boundaries of an audit;

(y) “Environmental Audit Team” means an Audit team which shall consist of minimum 3 members with an independent Technical/Scientific Expert, if felt required. The qualifications of the team members should be varied to ensure a wider cover having requisite technical and scientific expertise relevant to the Organizations processes and related activities. The composition of the Audit Team shall be as specified in Schedule II;

(z) “Environmental Auditee” means the Organization/Industry and its work force (consisting of employees and contractual or related workers), represented by an authorized full time employee of the organization being audited, no lesser than a representative of senior management;

(aa) “Environmental Auditor” shall mean Goa State Pollution Control Board (GSPCB) empanelled Environmental Auditor from Engineering colleges/Scientific Institutions/ Colleges, Universities, ISO Certified Agencies, Officials of the State Board or any other expert the Board deems fit for conducting an Environmental Audit;

(ab) “Environmental Audit Report” shall mean the Environmental Audit report prepared by the Empanelled Environmental Auditor of the State Board or the Officials of the State Board;

(ac) “Event” means an occurrence or change of a particular set of circumstances with or without consequences and can sometimes be referred to as an “incident” or “accident”. An event without consequences can also be referred to as a “near miss”, “incident”, “near hit” or “close call”;

(ad) “Form” means form appended to these Rules;

(ae) “Government” means the Government of Goa;

(af) “Likelihood” means chance of something happening;

(ag) “Member Secretary” means the Member-Secretary of the Board;

(ah) “Major Non conformity” means Non operation/inefficient operation of the water Pollution Control Equipments/Measures and/or non-fulfillment/violation of the standard of emission prescribed in the consent or direct violation of specific statutory environmental obligation by the Occupier or act of omission of the occupier or negligence on his part whether by any accident or otherwise;

(ai) Minor Non conformity means nonfulfillment of a requirement of the Consent condition which includes non submission of reports or maintenance of records as specified in the Consent Conditions and which is not defined as major Non conformity;

(aj) “Occupier”, in relation to any organization, operation or process, premises, means the authorised person who has documented control over the affwaters of the factory or the premises, and includes, in relation to any substance, the persons in possession of the substance;

(ak) "Schedule" means a Schedule appended to these rules;

(al) "section" means a section of the Act; (am) "Sewage" means effluent from any sewerage system or sewage disposal works and includes sullage from open drains;

(an) "State water Laboratory" means a laboratory as referred in sub-section (a) of section 52 of the Act;

(ao) "State Board Laboratory" means a laboratory as referred to in sub-section (2) of section 17 of the Act;

(ap) "Total estimated investment" means the total estimated value of the proposed industry, operation, process, treatment/ disposal system or an extension/addition thereto, and includes the value of land, building, plant and machinery including the value of leasehold land, building and premises and value of hired plant, machinery and equipment;

(aq) "Total Investment" means the total value of the completed industry, operation, process, treatment/disposal system or an extension/addition thereto, and includes the value of land, building, plant and machinery including the value of leasehold land, building, and premises and value of hired plant, machinery and equipment;

(ar) "Year" means the financial year commencing on the first day of April.

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

3. Travelling allowance, daily allowance and other allowances for members.— (1) The member of the Board shall be entitled to payment of travelling allowance as admissible to the Grade I Officer of the Government from the Board's fund for the journey performed by him for the purposes of the Board.

(2) Every member of the Board shall be entitled to payment of sitting fee at such rate as may be decided by the Board from time to time for each day of such sitting, in addition to travelling allowance.

(3) A member of the Board shall not be entitled to any travelling allowance for journey performed by him on first occasion to take charge of post and also after relinquishment of post.

(4) The Member-Secretary of the Board or any other Officer authorized by the Board shall decide about the sitting fees and travelling allowances of the members.

(5) A non-official member of the Board if he happens to be a member of the Legislative Assembly of Goa, he shall not be eligible for payment of travelling allowance if he has claimed travelling allowance, for the same journey and period for which such allowance has been claimed in his bills for attending the meetings of the Legislative Assembly or any Committee thereof.

4. Time and place of meetings of the Board and procedure to be followed at such meetings.— (1) The meetings of the Board shall ordinarily be held at the head-quarter of the Board on such dates as may be fixed by the Chairman

(2) The Chairman shall at his discretion or, upon written request of not less than five members of the Board or upon a direction of the Government, call a special meeting of the Board.

(3) Five clear days' notice for an ordinary meeting and two clear days' notice for a special meeting specifying the time and the place at which such meeting is to be held and the business to be transacted there at, shall be given by the Member-Secretary to the members of the Board.

(4) Notice of a meeting of the Board may be given to the members of the Board by delivering the same by messenger or sending it by registered post to their last known place of residence or business or by email or in such other manner as the Chairman may, in the circumstances of the case, deem fit.

(5) No member of the Board shall be entitled to bring forward for the consideration of the meeting any matter of which he has not given ten clear days' notice to the MemberSecretary, unless the Chairman, in his discretion, permits him to do so.

(6) The Board may adjourn the meeting from day-to-day or to any particular day, and no fresh notice shall be required for such adjourned meeting.

(7) No proceeding shall be invalidated merely on the ground that the provision in this rule relating to the notice is not strictly complied with.

5. Presiding Officer.— Every meeting of the Board shall be presided over by the Chairman and, in his absence, by an authority/officer as approved and notified by the Government.

6. All questions to be decided by majority.—

(1) All questions at a meeting shall be decided by a majority of votes of the members present, and voting shall be by raising of hands in favour of the proposal.

(2) In case of equality of votes, the presiding officer shall have a second or casting vote.

7. Quorum.— (1) Five members shall form the quorum for any meeting.

(2) If at a time fixed for any meeting or during the course of any meeting a quorum is not present, the presiding officer shall adjourn the meeting and if a quorum is not present on the expiration of fifteen minutes from such adjournment, the presiding officer shall adjourn the meeting to such hours on the following or on some other future date as he may fix.

(3) No quorum shall be necessary for the adjourned meeting.

(4) No matter which had not been on the agenda of the original meeting shall be discussed at such adjourned meeting.

8. Minutes.— (1) Record shall be kept of the names of members who attended the meeting and of the proceedings at the meeting to be maintained by the Member Secretary and uploaded on the official website of the Board.

(2) The minutes of the previous meeting shall be read at the beginning of the every succeeding meeting, and shall be confirmed and signed by the Presiding Officer at such meeting.

(3) The proceedings shall be open for inspection to any member at the office of the Board during office hours.

9. Maintaining order at meeting.— The Presiding Officer shall maintain order at meeting.

10. Business to be transacted at meeting.— Except with the permission of the Presiding Officer, no business which is not entered in the agenda or of which notice has not been given by a member under sub-rule (5) of rule 4, shall be transacted at any meeting.

11. Order of business.— (1) At any meeting the business to be transacted shall be in the order in which it is entered in the agenda.

(2) Either at the beginning of the meeting or after conclusion of the debate on a motion during the meeting the Presiding Officer or a member may suggest a change in the order of business as entered in the agenda and if the majority of the members present agree, such a change shall take place.

12. Procedure for transaction of business of committees constituted by the Board.— (1) The time and place of the meetings of the Committees constituted by the Board under sub-section (1) of section 9 of the Act shall be as specified by the Chairman and the Member Secretary.

(2) The quorum for a meeting of such committees shall be half of the total number of members of the committee.

(3) The committee so appointed by the Board shall take decisions and convey the same to the Board.

(4) The committee may device its own procedure for transaction of its business at its meeting.

13. Fees and allowances to be paid to members of the committee.— A member of a committee shall be entitled to such travelling allowance and sitting fee as admissible to a member of the Board, and, if he is a Government Servant, he shall be entitled only to travelling allowance and dearness allowance at

the rates, admissible under the relevant rules of the Government under which he is serving.

14. Persons to be temporarily associated with the Board.— The person temporarily associated with the Board shall be paid travelling allowance and sitting fee if he is a non-official, at the rates specified in rule 3 and if he is a Government Servant as specified in rule 13.

15. Powers and duties to be exercised by the Chairman and the Member-Secretary of the Board and appointment of Officers and employees.— (1) Subject to the policy approved by the Board, the general management of the of waters and business of the Board shall be with the Chairman who shall have power to do all things necessary or desirable for the management of affairs of the Board in carrying out its objectives.

(2) The Chairman may,—

(i) with prior approval of the Government undertake tours within India for carrying out the functions of the Board.

(ii) With the prior approval of the Government, visit any foreign country for carrying out the functions of the Board.

(3) The Chairman shall have power to accord administrative and financial sanction to all estimates without any financial limit in the allocation made for such purposes in the budget of the Board.

(4) In the matter of acceptance of tenders, the Chairman shall have full powers without any monetary limit.

16. Powers and duties of the Member Secretary.— The Member Secretary shall be subordinate to the Chairman and shall, subject to the control of the Chairman, exercise the following powers, namely:—

(i) the Member Secretary may undertake tours within India for the performance of duties entrusted to him by the Board provided that he shall keep the Chairman informed of his tours and obtain the previous permission from the Board for his tours outside the State of Goa.

(ii) the Member Secretary shall be in charge of all the confidential papers of the Board and shall be responsible for preserving them.

(iii) the Member Secretary shall produce such papers whenever so directed by the Chairman or by the Board.

(iv) the Member Secretary shall make available to any member of the Board, for his perusal, any record of the Board.

(v) the Member Secretary shall be entitled to issue any direction to any officer or employee of the Board, and call at any time, any file, paper and document, from any section/department of the Board, for checking of accounts, vouchers, bills and other records and stores pertaining to the Board or regional offices there under.

(vi) the Member Secretary may withhold any payment, provided that as soon as may be after such withholding of payment the matter shall be placed before the Board for its approval.

(vii) the Member Secretary shall make all arrangements for holding meetings of the Board and meetings of the committees constituted by the Board.

(viii) all orders, instructions, directions, notices, communications, consents, authorizations or registrations to be issued by the Board shall be under the signature of the Member Secretary or of any other Officer authorized in this behalf by the Chairman or the Board.

(ix) the Member Secretary shall be authorized to sanction or pass and make all payments against estimates sanctioned, within the allocations made for such purposes in the budget approved by the Board.

(x) the Member Secretary shall write and maintain confidential reports of all subordinate officers of the Board and shall get them countersigned by the Chairman.

(xi) (a) the Member Secretary shall sanction the annual increments of the officers of the Board subordinate to him.

(b) the annual increments of officers which the Member Secretary is not competent to sanction shall be sanctioned by the Chairman.

(xii) the Member Secretary shall have full power for according technical sanction to all estimates.

(xiii) the Member Secretary shall exercise such other powers and perform such other functions as may be delegated to him from time to time either by the Board or by the Chairman.

(xiv) the Member Secretary shall have power to execute contract, deed, instrument and assurance of property and in particular (a) all service agreements (b) security bonds (c) conveyance, lease of immovable property and, (d) assurances required by law or otherwise.

(xv) The Member Secretary shall have power to engage legal advisors, Advocates, Attorneys on the terms and conditions to be approved by the Board.

(xvi) The Member Secretary or any other Officer authorized by the Chairman or the Board shall have power to make and give receipts in respect of the claims of and demands on the Board.

(xvii) The Member Secretary shall have power to purchase materials and equipments for execution of construction works up to a limit of the allotments made from time to time.

(xviii) The Member Secretary shall have power to sanction installation of telephones/broadband/internet connections, etc. in the office of the Board.

17. Appointment of Consulting Engineer.— (1) For the purpose of assisting the Board in the performance of its functions, it may appoint a Consultant for a specified period not exceeding one year:

Provided that the Board may, with the prior approval of the Government extend the period of such appointment from time to time:

Provided further that if at the time of the initial appointment, the Board had reason to believe that the services of the Consultant would be required for a period of more than one year, the Board shall not make the appointment without the prior approval of the Government.

(2) The Board may pay such emoluments or fees to the Consulting Engineer depending on the nature of work and his qualifications and experience:

Provided that the Board shall not appoint any person as Consulting Engineer without the prior approval of the Government, if the emoluments or fees payable to him exceeds Rs. 1,00,000/ (Rupees One Lakh only) per month.

18. Power to terminate appointment.— Notwithstanding the appointment of a Consulting Engineer for a specified period, the Board shall have the right to terminate the services of the Consulting Engineer before the expiry of the specified period, if in the opinion of the Board, he is not discharging his duties to the satisfaction of the Board or if such a course of action is necessary in the public interest.

19. Tours by Consulting Engineer.— The Consulting Engineer may undertake tours within the State with prior approval of the Chairman for the performance of the duties entrusted to him by the Board and in respect of such tours, he shall be entitled for travelling and daily allowances as admissible to Grade I Officer of the Government.

20. Consulting Engineer not to disclose information.— The Consulting Engineer shall not disclose any information either given by the Board or obtained during the performance of the duties assigned to him either from the Board or otherwise, to any other person without the written permission of the Board.

21. Duties and functions of the Consulting Engineer.— The Consulting Engineer shall discharge such duties and perform such functions as are assigned to him, by the Board and he shall be duty bound to advise the Board

on all technical matters referred to him by the Board.

22. Form of notice.— The notice referred in clause (a) of sub-section (3) of section 21 shall be made in Form I hereto.

23. Form of Report of the Board Analyst.— The report referred in sub-section (1) of section 22 of the Act shall be in Form II hereto and submitted in triplicate.

24. Form for submission of sample to State water Laboratory and report of the Government Analyst.— The submission of the sample of water or effluent shall be sent for analysis under sub-section (1) section 21 of the Act to the State Water Laboratory by a letter in Form III hereto. The report referred in sub-section (1) of section 22 of the Act shall be in Form IV hereto submitted in triplicate.

25. Application for consent of the Board.— (1) The application referred in sub-section (2) of section 25 shall be made online on the website of the Board at www.goapcb.gov.in as applicable and it shall be accompanied by,—

(a)a certificate from the Chartered Accountant in Form V hereto which shall include value of leasehold land, building and premises and value of hired plant, machinery and equipment,

(b)land allotment/earmarking letter or lease/sale deed;

(c)flow chart and detailed production process;

(d)copy of Project Report for projects costing 5 crores and above;

(e)site Plan (not required for units to be set up in Industrial Estates);

(f) layout plan showing the locations of Manufacturing equipment, water supply/drainage lines, position of Chimneys, effluent/sewage treatment plant and final discharge point, sludge solid waste disposal points and septic tank/soak pits;

(g)Detailed material balance, water balance for Industries categorised under Red and Orange and large scale Industries under green category;

(h)for large enterprises covered under the Schedule of Environment Impact Assessment Notification, 2006 as amended from time to time, copy of the Environment Impact Assessment Study Report;

(i) copy of the prior Environment Clearance issued by the competent Authority as applicable for projects listed in the Environment Impact Assessment Notification, 2006 as amended from time to time.

(j) site plan showing surrounding residential area, public places, water streams, etc, of the proposed factory/operation/process/mine/quarry site within a radius of five kilometers with Waste water treatment and disposal systems clearly indicating where waste water is proposed to be disposed off after treatment (for medium and large scale enterprises).

(k)schematic sketch of the proposed Effluent/sewage treatment system/plant (ETP/STP) and or septic tank or soakpits duly signed by Authorised person along with detailed design calculation as applicable.

(l) original Authorisation letter of the person to whom authorisation is made to sign this application form except individual proprietary concern.

(m) any other document/clarification as requisitioned by the Board.

(n)*Fees as specified in the Table 1 of Schedule I (2022)* appended hereto as applicable, to the respective category of industry.

(2) An application without requisite fee shall not be entertained by the Board.

(3) The fees shall be paid by a bank draft or NEFT/RTGS or NET Banking in favour of the Board.

(4) The Consent to Establish issued by the Board shall be valid for a period of five years from the date of issue.

(5) The Categorization of Industries/establishments as Red, Orange, Green category shall be as specified in Table 3 annexed herewith.

(6) When any industry, operation, process, treatment/disposal system or/and extension/addition thereto is established, an application for consent to operate/renewal of Consent to Operate under sub-section (2) of section 25 of the Act shall be made online on the website of the Board www.goaocmms.nic.in⁽²⁰²²⁾ as applicable to the respective category of industry, operation or process at least two months prior to the scheduled date of commencing operation, and shall be accompanied by,—

(a) a certificate from the Chartered Accountant as specified in Form V which shall also include value of leasehold land, building and premises and value of hired plant, machinery and equipment;

(b) copy of the previous Consent issued by the Board.

(c) stack analysis report/analysis report of treated effluent/sewage wherever applicable.

(d) any changes/modifications carried out in the Industry/operation or process after obtaining previous Consent;

(e) in case of Renewal of Orange and Green Category Industry, application for Auto Renewal to be accompanied by an Affidavit as specified at Annexure 'B' in SCHEDULE I hereto;

(f) Fees as specified in the Table 2(A), 2(B) or 2(C) of Schedule I as applicable to the respective category of industry;

(g) an application without requisite fees shall not be entertained by the Board;

(h) the fees referred herein shall be paid by a bank draft or NEFT/RTGS or NET Banking in favour of the Goa State Pollution Control Board;

(i) The validity of consent to operate and renewal of consent to operate shall normally be

five years for Red category, ten years for orange category and fifteen years for green category industry, operation or process;

(j) An application for renewal of consent to operate submitted upon expiry of the validity period shall also be accompanied by late fees equivalent to 50% of the fees payable for renewal.

26. Manner of enquiry in respect of application for consent.— (1) On receipt of an application for consent under section 21 of the Act, the Board may depute any of its officers, accompanied by as many assistants as may be necessary, to visit the premises of the applicant, to which such application relates for the purpose of verifying the correctness or otherwise of the particulars furnished in the application or for obtaining such further particulars or information as the Board may consider necessary as specified under sections 23, 24 and 25 of the Act. Such officer may, for that purpose, inspect any place where water emissions or water pollutant are discharged by the applicant or water pollution control equipments and measures and may require the applicant to furnish to him any plan, specification and other data relating to such water pollution control equipments and measures, systems or any part thereof, he considers necessary.

(2) Such officer shall before visiting any premises of the applicant for the purpose of inspection under sub-rule (1), give notice to the applicant of his intention to do so in Form VI hereto. The applicant shall furnish to such officer all facilities that such officer may legitimately require for the purpose.

(3) An officer of the Board may, before or after carrying out an inspection under subrule (1), require the applicant to furnish to him, orally or in writing such additional information or clarification, or to produce before him such documents, as he may consider necessary and may, for that purpose, summon the applicant or his authorized agent to the office of the Board.

(4) The Board shall conduct water quality monitoring of such units under sub-section (1) of section 21 of the Act and shall levy such fees as specified by the Board from time to time.

(5) The Board shall conduct environmental audit under sub-section (3) of section 21 of the Act through an Environmental Auditor or Engineering/Scientific Institutions or Officials of the Board upon submission of Environmental Statement by the industry/ Organization and shall follow such procedure as specified in SCHEDULE II hereto.

(6) The Board shall constitute an Environmental Audit Committee comprising of such members as specified in SCHEDULE II hereto.

(7) The tenure of the Environmental Audit committee shall be for a period of 5 year;

(8) For the purpose of carrying out Environmental Audit the Board shall levy fees as per actual expenses incurred by the Board for conducting the Environmental Audit plus 25 percent administrative charges.

(9) The Board shall Empanel Environment Auditors by following such procedures as specified in SCHEDULE II hereto;

(10) The Institutions/Agencies/Professionals/Individuals eligible for Empanelment as Environment Auditor with the Board shall be as specified in SCHEDULE II hereto;

(11) The Environment Audit Committee shall review the Environment Audit Report submitted by the Environment Auditors and recommend such actions as specified in SCHEDULE II hereto;

(12) The Environment Audit Committee shall meet at least once in 3 months;

(13) The Empanelled Auditor shall conduct an Environment Audit as per the procedure and submit a Report as specified in SCHEDULE II hereto;

(14) The fee to be paid to Empanelled Environment Auditor shall be as specified in SCHEDULE II hereto.

27. Form of budget.— (1) Before the last day of the preceding financial year, the budget in respect of the ensuing year showing the estimated receipts and expenditure of the Board shall be prepared under section 38 of the Act in Forms VII hereto;

(2) The estimated receipts and expenditure shall be accompanied by the revised budget estimates for the current year;

(3) The budget shall, as far as may be, based on the account heads specified in SCHEDULE III hereto.

28. Submission of budget estimates to the Board.— (1) The budget estimates shall be placed by the Member Secretary before the Board by the 5th October each year for approval.

(2) After approval of the budget estimates by the Board, four copies of the final budget proposals incorporating therein such modifications as have been decided upon by the Board shall be submitted to the Government by the 15th October each year.

29. Estimates of establishment expenditure and fixed recurring charges.— The estimates of expenditure on fixed establishment as well as fixed monthly recurring charges on account of rent, allowances, etc. shall provide for the gross amount without deductions of any kind.

30. Re-appropriations and emergent expenditure.— No expenditure which is not covered by a provision in the sanctioned budget estimates or which is likely to be in excess over the amount provided under any head, shall be incurred without the approval of the Board and by the Board without provision being made for re-appropriation from some other head, under which savings are firmly established and available.

31. Power to incur expenditure.— The Member Secretary shall have power to incur expenditure against allotments made in the budget estimates sanctioned by the Board and against sanctioned estimates out of the funds of

the Board subject to observance of the general financial rules for the purposes of procedure.

32. Operation of fund of the Board.—The fund of the Board shall be operated by the Member Secretary of the Board and in his absence by any officer of the Board duly authorized by the Board in that behalf. The Board shall create and maintain a Corpus Fund.

33. Form of annual report.— The annual report referred in sub-section (2) of section 39 of the Act shall be in Form VIII hereto.

34. Form of annual statement of accounts of the Board.— The annual statement of accounts of the Board referred in sub-section (1) of section 40 shall be in Forms IX, X XI, XII and XIII hereto.

35. Audit of the annual statement of Account.— The annual statement of account of the Board shall be audited by an Auditor appointed by the Government for the purpose in consultation with the Office of the Comptroller and Auditor General in Goa.

36. Directions of the Government.— The Board shall comply with the directions issued by Government from time to time.

37. Repeal and savings.— (1) The Goa Water (Prevention and Control of Pollution) Rules, 1989 are hereby repealed.

(2) Notwithstanding such repeal any action taken or order issued under the provisions of the said repealed Rules prior to the commencement of these Rules shall, in so far as it is not inconsistent with the provisions of these Rules, be deemed to have been taken or issued under the provisions of these Rules.

Rule 38--The service rules as applicable to the Government employees will be made applicable to the employees of the Goa State Pollution Control Board upto 31st October, 2022 or notification for regulation of services of the employees of the Board as provided under the Water (Prevention

and Control of Pollution) Act, 1974 whichever is earlier. ⁽²⁰²²⁾

By order and in the name of the Governor of Goa.

Dasharath M. Redkar, Director (Envt.)/ ex officio Joint Secretary.

Panaji, 17th December, 2021.

FORM I

THE GOA STATE POLLUTION CONTROL BOARD Notice of intention to have sample analysed

(See rule 22)

To,

Take notice that it is intended to have analyzed the sample of water emissions/flue gas emissions/ ambient monitoring/emissions which is being taken today the ... day of ... 20... from (†) ...

Name and designation of the person who takes the sample.

(t) Here specify the stream, well, plant, or place from where the sample is taken.

FORM II

Report by the Board Analyst

[See rule 23]

Report No. ...

Dated the ... 20...

I hereby certify that I, (*) ... Board Analyst duly appointed under sub-section (2) of section 53 of the Water (Prevention and Control of Pollution) Act, 1974 (Act 6 of 1974), received on the (†) ... day of ... 20... (‡) ... a sample of ... for analysis. The sample was in a condition fit for analysis reported below:-

I further certify that I have analysed the aforementioned sample on (\$) ... and declare the result of the analysis to be as follows-

(\\$) ...

The condition of the seals fastening and container on receipt was as follows:Signed this ... day of ... 20...

Address ...

| | |
|---|---|
| <p>To</p> <hr/> <p>(*) Here write the full name of the Board Analyst. (†) Here write the date of receipt of the sample. (‡) Here write the name of the Board or person or body of persons or Officer from whom the sample was received.</p> <p>(§) Here write the date of analysis. (\$) Here write the details of the analysis and refer to the method of analysis. If the space is not adequate the details may be given on a separate sheet of paper.</p> <p>— — —</p> | <p>(Signed) Board Analyst</p> <p>Copy forwarded to the Member Secretary, Goa State Pollution Control Board,</p> <p>.....</p> <p>(Name and signature of the officer taking sample)]</p> |
|---|---|

Form of letter for submission of samples to the State Water Laboratory

[See rule 24]

To,
The Government Analyst,
State Water Laboratory

Sir,

I am submitting sample No./Nos.... of water emissions taken from M/s..... on..... according to the provisions of section 54 of the Water (Prevention and Control of Pollution) Act, 1974 (Central Act 6 of 1974).

| Sample No. | Point of collection | Parameters to be analyzed |
|------------|---------------------|---------------------------|
| | | |
| | | |
| | | |

Yours faithfully,

(signature of the officer taking sample)
Designation:-

FORM IV

Report by the Government Analyst
[See rule 24]

Report No.
Dated the ... 20...

I hereby certify that I, (*)
Government Analyst duly appointed under subsection (2) of section 53 of the Water (Prevention and Control of Pollution) Act, 1974 (Act 6 of 1974) received on the (†) ... day of ... 20... from (‡) ... a sample of ... for analysis. The sample was in a condition fit for analysis reported below:-

I further certify that I have analysed the aforementioned sample on (§) and declare the result of the analysis to be as follows:—

(
\$)
....
....
....
Signed this ... day of ... 20...
Address

(Signature)
Government Analyst
To
.....
.....

(*)Here write the full name of the Government Analyst.

(†) Here write the date of receipt of the sample.

(‡) Here write the name of the Board or person or body of persons or Officer from whom the sample was received.

(§) Here write the date of analysis.

(\$) Here write the details of the analysis and refer to the method of analysis. If the space is not adequate the details may be given on a separate sheet of paper.

FORM V (A) (2022)

"FORM V (A)

(Red and Orange Category Industries)

(Form of the certificate to be issued by the Chartered Accountant with Unique Identification Number and without appreciation and depreciation)

[See rule 25(1)(a)]

I, Shri. _____ Son/daughter of _____, aged _____ years, Indian National, resident of _____, hereby solemnly declare an oath as follows.

1. I say that the Proprietor/Director/Authorized Signatory of M/s. _____ located at _____, Goa is Mr/Mrs. _____.

2. I say that the Gross Fixed Asset Value/Gross Estimated Value (in case of NOC) of the unit is as follows (including the value of lease/hold land, building and premises and value of hired plant, machinery and equipment)

a. Land _____

b. Building _____

c. Plant & Machinery _____

d. Other fixed assets _____

Total _____

(Rupees _____)

3. I say that I am filing this Certificate for the limited purpose of producing it before the Board obtaining Consent.

Solemnly affirmed at _____

Dated _____

Chartered Accountant
Name & Signature

Note: Kindly note that application form should be invariably submitted by only authorized person on behalf of the unit.

FORM V (B) ⁽²⁰²²⁾**"FORM V (B)****(Green Category Industries)**

(Form of the Affidavit to be submitted by the applicant without appreciation and depreciation)

[See rule 25(1)(a)]

I, Shri. _____ son/daughter of _____, aged _____ years, Indian National, resident of _____, hereby solemnly declare an oath as follows.

4. I say that the Proprietor/Director/Authorized Signatory of M/s. _____ located at _____, Goa is Mr/Mrs. _____.

5. I say that the Gross Fixed Asset Value/Gross Estimated Value (in case of NOC) of the unit is as follows (including the value of lease/hold land, building and premises and value of hired plant, machinery and equipment)

e. Land _____

f. Building _____

g. Plant & Machinery _____

h. Other fixed assets _____

Total _____

(Rupees _____)

6. I say that I am filing this Certificate for the limited purpose of producing it before the Board obtaining Consent.

Solemnly affirmed at _____

Dated _____

Applicant
Name & Signature

Note: Kindly note that application form should be invariably submitted by only authorized person on behalf of the unit

FORM VI**THE GOA STATE POLLUTION CONTROL BOARD NOTICE OF
INSPECTION**

[See rule 26(2)]

Chairman

Member

Secretary

Shri

.....

No.

Dated.....

.....

.....

.....

To,

Take Notice that for the purpose of enquiry under section 21 the following officers of the State Board namely:—

i. Shri ii.

Shri iii.

Shri

and the persons authorized by the Board to assist them shall inspectAny systems of
your Industrial Plant.

Any other parts thereof or pertaining thereto under management/control of date
(a)betweenhours when all facilities requested by them for such
inspection should be made available to them on the site. Take Notice that refusal or denial to above stated demand
made under the functions of the State Board shall amount to obstruction punishable under section 37(1) of the Act.

By order of the Board
Member Secretary

Copy to:

1.
2.
3.

FORM VII

THE GOA STATE POLLUTION CONTROL BOARD
'HWDLOHG%XGJHW(VWLPDWHVIRUWKH\HDU««

[See rule 27(1)]

ADMINISTRATION

(Expenditure)

| Head of Account | Actuals for the past three years | | | Sanctioned Estimate for the current year | Actuals for last six months i.e. year | Actuals for last six months of the current year | Revised Estimate for the current year | Budget Estimate for the next year | Variations between column 5 and 8 | Variations between column 8 and 9 | Explanation for columns 10 and 11 | |
|-----------------|----------------------------------|---|---|--|---------------------------------------|---|---------------------------------------|-----------------------------------|-----------------------------------|-----------------------------------|-----------------------------------|----|
| | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 |
| | | | | | | | | | | | | |

Accounts Officer/Accountant

**FORM VIII THE GOA STATE
POLLUTION CONTROL BOARD**
\$QQXDO5HSRUWIRUWKH)LQDQFLDO\HDU\$SULO«7R0DUFK««

(See rule 33)

1. Introductory.
2. Constitution of the Board including changes therein.
3. Constitution of Committees by Board and Meetings of the Committees constituted by it.
4. Meetings of the Board.
5. Activities of the Board including the various functions performed under Section 1 of the Act.
6. Prosecutions launched and convictions secured.
7. Finance and Accounts of the Board.
8. Visits to the Board by Experts, important persons etc.
9. Any other important matter dealt with by the Board.

FORM IX
THE GOA STATE POLLUTION CONTROL BOARD
5HFHLSWVDQGSD\PHQWVIRUWKH\HDUHQGHG««««

(See rule 34)

| Previous year (1) | Receipts (2) | Previous year (3) | Payments (4) |
|----------------------|-----------------|-----------------------|-----------------|
| Opening Balance | ----- | 1.Capital expenditure | |

OFFICIAL GAZETTE — GOVT. OF GOA
SERIES I No. 39 (EXTRAORDINARY) 23RD DECEMBER, 2021

| | | | |
|----------------------------|-----|---|-----|
| Grants received: | | (i) Works | « « |
| (a) From Government | « « | (ii) Fixed Assets | « « |
| (b) From other agencies | « « | (iii) Other Assets: | « « |
| ii. Fees | « « | (a) Laboratory equipments | « « |
| iii. Fines and Forfeitures | « « | (b) Vehicles | « « |
| iv. Interest on Investment | « « | (c) Furniture & Fixtures | « « |
| v. Miscellaneous receipts | « « | (d) Scientific Instruments and Office appliances | « « |
| vi. Miscellaneous Advances | « « | (e) Tools and Plant | « « |
| vii. Deposits | « « | (23) Revenue Expenditure | |
| | | A. Administrative: | |
| | | (i) Salaries | « « |
| | | (ii) Travelling Allowance : | |
| | | a) Chairman | « « |
| | | b) Members | « « |
| | | c) Others | « « |
| | | (iii) Leave salary and pension contributions | « « |
| | | (iv) Office expenditure | « « |
| | | B. (i) Board Laboratory | « « |
| | | (i) Charges to be paid to State Government Analyst Laboratory | « « |
| | | C. Running and Maintenance of Vehicles | « « |
| | | D. Maintenance and Repwaters: | |
| | | (i) Buildings | « « |
| | | (ii) Works | « « |
| | | (iii) Furniture and Fixture | « « |
| | | (iv) Scientific Instruments and office appliances | « « |
| | | (v) Tools and plants | |
| | | E. Fees to consultants and Specialist | « « |
| | | F. Law Charges | « « |
| | | G. Miscellaneous | « « |
| | | H. Fees for Audit | « « |
| | | 3. Purchases | « « |
| | | 4. Miscellaneous | « « |
| | | 5. Advances | « « |
| | | 6. Deposits | « « |
| | | Closing Balance | « « |
| Total | | Total | « « |

| | | |
|-----------------------------|------------------|-----------|
| Accounts Officer/Accountant | Member Secretary | Chair man |
|-----------------------------|------------------|-----------|

FORM X

THE GOA STATE POLLUTION CONTROL BOARD
Expenditure on works as on 31st ODUFK««

(Item 1² Assets of the Balance Sheet)

(See rule 34)

| Upto 31 st March « | | | | | 'XULQJWKH\HDU«« | | | Upto 31 st ODUFK«« | | |
|-------------------------------|------------------|--------------------|------------------|-------------------|--------------------|------------------|-------------------|-------------------------------|------------------|-------------------|
| Sr. No. | Name of the work | Direct expenditure | Overhead Charges | Total expenditure | Direct expenditure | Overhead Charges | Total expenditure | Direct expenditure | Overhead Charges | Total expenditure |
| Total ----- | | | | | | | | | | |
| Accounts Officer/Accountant | | | | | Member Secretary | | | Chairman | | |

FORM XI

THE GOA STATE POLLUTION CONTROL BOARD

ANNUAL STATEMENT OF ACCOUNTS

Fixed Assets as on works as on 31st ODUFK««

(Item 2² Assets of the Balance Sheet) **Other Assets as on 31st ODUFK««**

(Item 3² Assets of the Balance Sheet)

(See rule 34)

| Sr. No. | Particulars of Assets | Balance as on 31 st March « | Additions during the year | Total | Depreciation during the year | Sales or write off during the year | Balance as on 31 st March « | Cumulative depreciation as on 31 st March « |
|-----------------------------|-----------------------|--|---------------------------|-------|------------------------------|------------------------------------|--|--|
| Total ----- | | | | | | | | |
| Accounts Officer/Accountant | | | | | Member Secretary | | Chairman | |

FORM XII

THE GOA STATE POLLUTION CONTROL BOARD

ANNUAL STATEMENT OF ACCOUNT

Income and expenditure accounts for year ended 31st ODUFK«««

(See rule 34)

OFFICIAL GAZETTE — GOVT. OF GOA
SERIES I No. 39 (EXTRAORDINARY) 23RD DECEMBER, 2021

| Expenditure | | | | Income | | | |
|---|---------|-------------------|---------------------|--|---------|------------------|---------------------|
| Previous year | Details | Total of sub-head | Total of Major head | Previous year | Details | Total of subhead | Total of Major head |
| (1) | (2) | (3) | (4) | (5) | (6) | (7) | (8) |
| | Rs. | | | | | | |
| To | | | | By | | | |
| Revenue expenditure | | | | I. Grants received | | | |
| (A) Administrative | | | | (a) From Government | | | |
| (i) Salaries | | | | (b) From other agencies | | | |
| (ii) Travelling allowances | | | | Total | | | |
| (iii) Leave salary and pension contributions | | | | Less: | | | |
| (iv) %RDUG·VFRQWULEXWLRQWR WKH staff provident fund. | | | | Amount utilized for Capital expenditure. Net grant available for Revenue expenditure. | | | |
| (v) Contingent expenditure | | | | | | | |
| (B) Running expenses of laboratories: | | | | II Fees III Service rental charges IV Fines and forfeitures V Interest on investments | | | |
| (i) Main laboratory | | | | | | | |
| (ii) Payments to be made to the State Government Analyst laboratory | | | | | | | |
| (C) Running and maintenance of vehicles | | | | VI Miscellaneous receipts | | | |
| (D) Maintenance and Repwaters | | | | VII Excess of expenditure over income | | | |
| (i) Building and Land | | | | | | | |
| (ii) Drainage Works | | | | | | | |
| (iii) Furniture and Fixtures | | | | | | | |
| (iv) Scientific Instruments and office appliances | | | | | | | |
| (v) Tools and Plant | | | | | | | |
| (E) Fees to consultants and specialists | | | | | | | |
| (F) Law Charges | | | | | | | |

| | | | | | | | |
|--------------------|---|--|--|--|--|--|--|
| (G) Depreciation : | | | | | | | |
| (i) | Buildings | | | | | | |
| (ii) | Laboratory equipment | | | | | | |
| (iii) | Vehicles | | | | | | |
| (iv) | Furniture and Fixtures | | | | | | |
| (v) | Scientific instruments and office appliances | | | | | | |
| (vi) | Tools and Plants | | | | | | |
| (H) | Miscellaneous | | | | | | |
| (i) | Write off losses (as per details in the statement attached). | | | | | | |
| (ii) | Other Miscellaneous expenditure. | | | | | | |
| (I) | Fees for Audit | | | | | | |
| (J) | Excess of Income over expenditure | | | | | | |
| TOTAL | | | | | | | |

Accounts Officer/Accountant Member Secretary

FORM XIII
THE GOA STATE POLLUTION CONTROL BOARD
ANNUAL STATEMENT OF ACCOUNTS
Balance sheet as at 31st ODUFK«
(See rule 34)

| Capital and Liabilities | | | | Property and Assets | | | |
|-------------------------|---------|----------------------|---------------------------|---------------------|---------|----------------------|---------------------------|
| Previous year | Details | Total of sub-head | Total of Major head | Previous year | Details | Total of sub-head | Total of Major head |
| | | | | | | | |

| (1) | (2) | (3) | (4) | (5) | (6) | (7) | (8) |
|---|-----|-----|-----|---|-----|-----|-----|
| (A) Capital Fund | | | | | | | |
| (i) Grants received from Government for Capital Expenditure | | | | 1. Works--- (as per Form XI) | | | |
| (a) Amount utilized upto 31 st March | | | | 2. Fixed Assets (As per Form XII) | | | |
| « | | | | (a) Value of land provided by Govt. (at cost) | | | |
| (ii) Grant from other agencies for Capital expenditure | | | | (b) Buildings ³ Balance as per last Balance | | | |
| (a) Amount utilized | | | | | | | |

OFFICIAL GAZETTE — GOVT. OF GOA
SERIES I No. 39 (EXTRAORDINARY) 23RD DECEMBER, 2021

| upto 31 st March | | | | Sheets | | | |
|---|-----|-----|-----|--|-------|-----|-----|
| (1) | (2) | (3) | (4) | (5) | (6) | (7) | (8) |
| (b) Unutilized balance to 31 st ODUFK« | | | | | | | |
| (iii) Value of land provided by Govt. (Per contra) | | | | | | | |
| (B) Capital Receipts | | | | Total | ---- | | |
| (c) (i) Deposits received for works from outside bodies | | | | 3. Other Assets-- (As per Form XII) | | | |
| Deposits | | | | (a) Laboratory Equipment as per last balance sheet additions during the year | ----- | | |
| Less | | | | | --- | | |
| Expenditure --- | | | | | - | | |
| (ii) Other deposit | | | | | --- | | |
| | | | | | - | | |
| | | | | Total | ---- | | |
| | | | | Less depreciation during the year | | | |
| | | | | Total | | | |
| (D) Amounts due--- | | | | | | | |
| (i) Purchases (ii) Others | | | | (b) Vehicles as per last balance sheet Addition during the year | ----- | | |
| | | | | Total | ----- | | |
| | | | | Less Depreciation during the year | ----- | | |

| | | | | Total | | ----- | | | |
|---|-----|-----|-----|--|-------|-------|-----|--|--|
| (E) Excess of income over expenditure : | | | | (c) Furniture and fixtures as per last Balance Sheet | | | | | |
| | | | | Additions during the year | | | | | |
| | | | | Total | ----- | | | | |
| | | | | Less Depreciation during the year | ----- | | | | |
| | | | | Total | ----- | | | | |
| (1) | (2) | (3) | (4) | (5) | (6) | (7) | (8) | | |
| | | | | (d) Scientific Instruments and Office Appliances --- As per last Balance Sheet | ----- | | | | |
| | | | | | --- | | | | |
| | | | | | -- | | | | |
| | | | | | --- | | | | |
| | | | | Additions during the year | -- | | | | |
| | | | | Total | | | | | |
| | | | | (e) Tools and Plants ----- As per last Balance Sheet | ----- | | | | |
| | | | | | --- | | | | |
| | | | | | -- | | | | |
| | | | | | --- | | | | |
| | | | | Total | -- | | | | |
| | | | | Less Depreciation during the year | --- | | | | |
| | | | | Total | -- | | | | |
| | | | | 4. Sundry Debtors (i) Amounts due from out site bodies for expenditure incurred----- Expenditure Less Amount received | ----- | | | | |
| | | | | | --- | | | | |
| | | | | | -- | | | | |
| | | | | (ii) Other sundry Debtors | | | | | |

OFFICIAL GAZETTE — GOVT. OF GOA
SERIES I No. 39 (EXTRAORDINARY) 23RD DECEMBER, 2021

| | | | | | | | |
|------------------------------------|--|--|--|---|-------|----------|--|
| | | | | 5. Advances | | | |
| | | | | (a) Miscellaneous Advances | | | |
| | | | | (b) Other amount recoverable Cash----- | | | |
| | | | | (c) Notice/Short Term Deposits | ----- | | |
| | | | | (d) Cash at Bank | | | |
| | | | | (e) Cash at Hand | | | |
| | | | | (f) Cash in transit | | | |
| Total | | | | Total | ----- | | |
| Accounts Officer/Account ant | | | | Member Secretary | | Chairman | |

SCHEDULE I ⁽²⁰²²⁾

[See Rule 25]

An Application for Consent to Establish:-

- (i) A Green Category Industry shall be accompanied by Fee as specified in Table 1 below;
- (ii) An Orange Category Industry shall be accompanied by Fee as specified in Table 1 below;
- (iii) A Red Category Industry shall be accompanied by Fee as specified in Table 1 below;

II An Application for Consent to Operate:-

- (i) RED Category Industry (Large, Medium and Small scale) shall be accompanied by Fees as specified in Table 2(A) below.
- (ii) ORANGE Category Industry (Large, Medium and Small scale) shall be accompanied by Fees as specified in Table 2(B) below.
- (iii) GREEN Category Industry (Large, Medium and Small scale) shall be accompanied by Fees as specified in Table 2(C) below.

Table 1

| Total Estimated Investment (TEI) (Rs. in Lakhs) | Fee For Consent to Establish (In Rupees) | |
|--|--|--|
| | Fee (5 years) | Fee (per year) |
| 1 | 350 | 70 |
| 1 - up to 2 | 700 | 140 |
| 2 - up to 3 | 1000 | 200 |
| 3 - up to 4 | 1350 | 270 |
| 4 - up to 5 | 1700 | 340 |
| 5 - up to 6 | 2000 | 400 |
| 6 - up to 7 | 2350 | 470 |
| 7 - up to 8 | 2700 | 540 |
| 8 - up to 9 | 3000 | 600 |
| 9 - up to 10 | 3350 | 670 |
| 10 - up to 15 | 4000 | 800 |
| 15 - up to 20 | 4700 | 940 |
| 20 - up to 25 | 5350 | 1070 |
| 25 - up to 35 | 6700 | 1340 |
| 35 - up to 45 | 8000 | 1600 |
| 45 - up to 55 | 9350 | 1870 |
| 55 - up to 65 | 10700 | 2140 |
| 65 - up to 75 | 12000 | 2400 |
| 75 - up to 100 | 13350 | 2670 |
| 100 - up to 500 | 17350 | 3470 |
| 500 - up to 1000 | 21350 | 4270 |
| 1000 - up to 2000 | 25350 | 5070 |
| 2000 - up to 3000 | 33700 | 6740 |
| 3000 - up to 4000 | 42000 | 8400 |
| 4000 - up to 5000 | 50350 | 10070 |
| 5000 - up to 10000 | 75350 | 15070 |
| 10000 - up to 20000 | 100350 | 20070 |
| Above 20000 | 5 x (a fee of Rs. 200/- for every additional 100 lakhs shall be payable in addition to Rs. 20,070/-) | a fee of Rs. 200/- for every additional 100 lakhs shall be payable in addition to Rs. 20,070/- |

Note: Also 2% increase in the above fees for every subsequent financial year.

Table 2(A)

| Renewal/Consent to operate | Red Category (L) | Red Category (M) | Red Category (S) |
|----------------------------|------------------|------------------|------------------|
| | Per year | | |
| 1 | 500 | 500 | 200 |
| 1 - up to 2 | 1000 | 1000 | 400 |
| 2 - up to 3 | 1500 | 1500 | 600 |
| 3 - up to 4 | 2000 | 2000 | 800 |
| 4 - up to 5 | 2500 | 2500 | 1000 |
| 5 - up to 6 | 3000 | 3000 | 1200 |
| 6 - up to 7 | 3500 | 3500 | 1400 |
| 7 - up to 8 | 4000 | 4000 | 1600 |
| 8 - up to 9 | 4500 | 4500 | 1800 |
| 9 - up to 10 | 5000 | 5000 | 2000 |

| Renewal/Consent to operate | Red Category (L) | Red Category (M) | Red Category (S) |
|----------------------------|---|---|---|
| | Per year | | |
| 10 - up to 15 | 6000 | 6000 | 2400 |
| 15 - up to 20 | 7000 | 7000 | 2800 |
| 20 - up to 25 | 8000 | 8000 | 3200 |
| 25 - up to 35 | 9500 | 9500 | 3800 |
| 35 - up to 45 | 11000 | 11000 | 4400 |
| 45 - up to 55 | 12500 | 12500 | 5000 |
| 55 - up to 65 | 14000 | 14000 | 5600 |
| 65 - up to 75 | 15500 | 15500 | 6200 |
| 75 - up to 100 | 17000 | 17000 | 6800 |
| 100 - up to 500 | 22000 | 22000 | 8800 |
| 500 - up to 1000 | 27000 | 27000 | 10800 |
| 1000 - up to 2000 | 37000 | 37000 | 14800 |
| 2000 - up to 3000 | 47000 | 47000 | 18800 |
| 3000 - up to 4000 | 57000 | 57000 | 22800 |
| 4000 - up to 5000 | 67000 | 67000 | 26800 |
| 5000 - up to 10000 | 97000 | 97000 | 38800 |
| 10000 - up to 20000 | 127000 | 127000 | 50800 |
| Above 20000 | a fee of Rs. 1000/- for every additional 100 lakhs shall be payable in addition to Rs. 1,27,000/- | a fee of Rs. 1000/- for every additional 100 lakhs shall be payable in addition to Rs. 1,27,000/- | a fee of Rs. 1000/- for every additional 100 lakhs shall be payable in addition to Rs. 50,800/- |

NOTE: An application for renewal of Consent submitted after expiry of the validity shall accompany with penalty of 50% of the Consent fees in addition to the prescribed consent fees. Also 2% increase in the above fees for every subsequent financial year.

Table 2(B)

| Renewal/Consent to operate | Orange category (L) | Orange category (M) | Orange category (S) |
|----------------------------|---|---|---|
| | Per year | | |
| 1 | 350 | 350 | 150 |
| 1 - up to 2 | 700 | 700 | 300 |
| 2 - up to 3 | 1000 | 1000 | 450 |
| 3 - up to 4 | 1350 | 1350 | 600 |
| 4 - up to 5 | 1700 | 1700 | 750 |
| 5 - up to 6 | 2000 | 2000 | 900 |
| 6 - up to 7 | 2350 | 2350 | 1000 |
| 7 - up to 8 | 2700 | 2700 | 1200 |
| 8 - up to 9 | 3000 | 3000 | 1300 |
| 9 - up to 10 | 3350 | 3350 | 1450 |
| 10 - up to 15 | 4000 | 4000 | 1750 |
| 15 - up to 20 | 4700 | 4700 | 2000 |
| 20 - up to 25 | 5350 | 5350 | 2300 |
| 25 - up to 35 | 6350 | 6350 | 2800 |
| Renewal/Consent to operate | Orange category (L) | Orange category (M) | Orange category (S) |
| | Per year | | |
| 35 - up to 45 | 7350 | 7350 | 3150 |
| 45 - up to 55 | 8350 | 8350 | 3600 |
| 55 - up to 65 | 9350 | 9350 | 4000 |
| 65 - up to 75 | 10350 | 10350 | 4450 |
| 75 - up to 100 | 11350 | 11350 | 4900 |
| 100 - up to 500 | 14700 | 14700 | 6300 |
| 500 - up to 1000 | 18000 | 18000 | 7750 |
| 1000 - up to 2000 | 24700 | 24700 | 10600 |
| 2000 - up to 3000 | 31350 | 31350 | 13450 |
| 3000 - up to 4000 | 38000 | 38000 | 16300 |
| 4000 - up to 5000 | 44700 | 44700 | 19150 |
| 5000 - up to 10000 | 64700 | 64700 | 27750 |
| 10000 - up to 20000 | 84700 | 84700 | 36300 |
| Above 20000 | a fee of Rs. 1000/- for every additional 100 lakhs shall be payable in addition to Rs. 84,700/- | a fee of Rs. 1000/- for every additional 100 lakhs shall be payable in addition to Rs. 84,700/- | a fee of Rs. 1000/- for every additional 100 lakhs shall be payable in addition to Rs. 36,300/- |

NOTE: An application for renewal of Consent submitted after expiry of the validity shall accompany with penalty of 50% of the Consent fees in addition to the prescribed consent fees. Also 2% increase in the above fees for every subsequent financial year.

Table 2(C)

| Renewal/Consent to operate | Green category (L) | Green category (M) | Green category (S) |
|-------------------------------|--------------------|--------------------|--------------------|
| | Per year | | |
| 1 | 200 | 200 | 100 |
| 1 - up to 2 | 400 | 400 | 200 |
| 2 - up to 3 | 600 | 600 | 300 |
| 3 - up to 4 | 800 | 800 | 400 |
| 4 - up to 5 | 1000 | 1000 | 500 |
| 5 - up to 6 | 1200 | 1200 | 600 |
| 6 - up to 7 | 1400 | 1400 | 700 |
| 7 - up to 8 | 1600 | 1600 | 800 |
| 8 - up to 9 | 1800 | 1800 | 900 |
| 9 - up to 10 | 2000 | 2000 | 1000 |
| 10 - up to 15 | 2400 | 2400 | 1200 |
| 15 - up to 20 | 2800 | 2800 | 1400 |
| 20 - up to 25 | 3200 | 3200 | 1600 |
| 25 - up to 35 | 3800 | 3800 | 1900 |
| 35 - up to 45 | 4400 | 4400 | 2200 |
| 45 - up to 55 | 5000 | 5000 | 2500 |
| 55 - up to 65 | 5600 | 5600 | 2800 |
| 65 - up to 75 | 6200 | 6200 | 3100 |
| 75 - up to 100 | 6800 | 6800 | 3400 |
| 100 - up to 500 | 8800 | 8800 | 4400 |
| 500 - up to 1000 | 10800 | 10800 | 5400 |

| Renewal/Consent to operate | Green category (L) | Green category (M) | Green category (S) |
|-------------------------------|---|---|---|
| | Per year | | |
| 1000 - up to 2000 | 14800 | 14800 | 7400 |
| 2000 - up to 3000 | 18800 | 18800 | 9400 |
| 3000 - up to 4000 | 22800 | 22800 | 11400 |
| 4000 - up to 5000 | 26800 | 26800 | 13400 |
| 5000 - up to 10000 | 38800 | 38800 | 19400 |
| 10000 - up to 20000 | 50800 | 50800 | 25400 |
| Above 20000 | a fee of Rs. 1000/- for every additional 100 lakhs shall be payable in addition to Rs. 50,800/- | a fee of Rs. 1000/- for every additional 100 lakhs shall be payable in addition to Rs. 50,800/- | a fee of Rs. 1000/- for every additional 100 lakhs shall be payable in addition to Rs. 25,400/- |

NOTE: An application for renewal of Consent submitted after expiry of the validity shall accompany with penalty of 50% of the Consent fees in addition to the prescribed consent fees. Also 2% increase in the above fees for every subsequent financial year.

Table 3

(See rule 25)

Categorization of Industries

| |
|--------------|
| RED CATEGORY |
|--------------|

| Sr. No. | Category |
|------------|--|
| 1 | Airports and Commercial Air Strips with overall waste water generation > 100KLD |
| 2 | Aluminium Smelter |
| 3 | Asbestos and asbestos based industries |
| 4 | Automobile Manufacturing (integrated facilities) |
| 5 | Basic chemicals and electro chemicals and its derivatives including manufacturing of acid |
| 6 | %XLOGLQJDQGFRQVWUXFWLRQSURMHFWVKDYLQJZDVWHZDWHUJHQHUDWLRQ•./' |
| 7 | Cement |
| 8 | Chlor Alkali |
| 9 | Chlorates, per-chlorates & peroxides |
| 10 | Chlorine, fluorine, bromine, iodine and their compounds |
| 11 | Coke making , liquefaction, coal tar distillation or fuel gas making |
| 12 | Common treatment and disposal facilities (CETP, TSDF,CBMWTF, effluent conveyance project, incinerator, MSW sanitary landfill site) |
| 13 | Compressed Biogas (CBG)/Bio-CNG plants CBG plants based on Municipal Solid Waste (MSW) WWG is more than 100KLD |
| 14 | Compressed Biogas (CBG)/Bio-CNG plants CBG plants based on process waste (industrial/process liquid effluent & solid waste like press mud, organic sludge, molasses etc. WWG is more than 100KLD |
| 15 | Copper Smelter |
| 16 | DG Set of capacity > 5 MVA |
| 17 | Distillery (molasses/grain/yeast based) |
| 18 | Dyes and Dye- Intermediates |
| 19 | Fertilizer (basic) (excluding formulation) |
| 20 | Fibre glass production and processing (excluding moulding) |
| 21 | Fire crackers manufacturing and bulk storage facilities |
| 22 | Health Care establishments (as defined in Bio-Medical Management Waste Rules, 2016 as amended from time to time) with overall waste water generation >100KLD |
| 23 | Hotel having overall wastewater generation @100KLD and more |
| 24 | Industrial carbon including electrodes and graphite blocks, activated carbon, carbon black |
| 25 | Industries engaged in recycling/reprocessing/recovery/reuse of Hazardous Waste under schedule iv of Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016 and as amended from time to time- Items namely - Spent catalyst containing nickel, cadmium, Zinc, copper, arsenic, vanadium and cobalt, |

| | |
|----|---|
| 26 | Industries engaged in recycling/reprocessing/recovery/reuse of Hazardous Waste under schedule iv of Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016 and as amended from time to time - Items namely - Dismantlers Recycling Plants -Components of waste electrical and electronic assemblies comprising accumulators and other batteries included on list A, mercury-switches, activated glass cullets from cathode-ray tubes and other activated glass and PCB-capacitors, or any other component contaminated with Schedule 2 constituents (e.g. cadmium, mercury, lead, polychlorinated biphenyl) to an extent that they exhibit hazard characteristics indicated in part C of this Schedule. |
| 27 | Industries engaged in recycling/reprocessing/ recovery/reuse of Hazardous Waste under schedule iv of Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016 and as amended from time to time - Items namely - Integrated Recycling Plants -Components of waste electrical and electronic assemblies comprising accumulators and other batteries included on list A, mercury-switches, activated glass cullets from cathode-ray tubes and other activated glass and PCB-capacitors, or any other component contaminated with Schedule 2 constituents (e.g. cadmium, mercury, lead, polychlorinated biphenyl) to an extent that they exhibit hazard characteristics indicated in part C of this Schedule. |
| 28 | Industries engaged in recycling/reprocessing/recovery/reuse of Hazardous Waste under schedule iv of Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016 and as amended from time to time - Item s namely - Lead acid battery 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". |
| 29 | Industries engaged in recycling/reprocessing/recovery/reuse of Hazardous Waste under schedule iv of Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016 and as amended from time to time - Item s namely-Spent cleared metal catalyst containing copper, Spent cleared metal catalyst containing zinc, |
| 30 | Industry having liquid waste water generation of 100 KLD or more including industrial and domestic waste water |
| 31 | Industry or process involving metal surface treatment or process such as pickling/ electroplating/paint stripping/heat treatment using cyanide bath/phosphating or finishing and anodizing/enamellings/galvanizing |
| 32 | Iron & Steel (involving processing from ore/integrated steel plants) and or Sponge Iron units |
| 33 | Isolated storage of hazardous chemicals (as per schedule of manufacturing, storage of hazardous chemicals rules,1989 as amended) |
| 34 | Lead acid battery manufacturing(excluding assembling and charging of lead-acid battery in micro scale) |
| 35 | Manufacturing of explosives, detonators, fuses including management and handling activities |
| 36 | Manufacturing of glue and gelatin |
| 37 | Manufacturing of lubricating oils, grease and petroleum based products |
| 38 | Manufacturing of paints varnishes, pigments and intermediate (excluding blending/mixing) |

| | |
|----|--|
| 39 | Milk processes and dairy products (integrated project) |
| 40 | Mining and ore beneficiation |
| 41 | Nuclear power plant |
| 42 | Oil and gas extraction including CBM (offshore & on-shore extraction through drilling wells) |
| 43 | Oil Refinery (mineral Oil or Petro Refineries) |
| 44 | Organic Chemicals manufacturing |
| 45 | Pesticides (technical) (excluding formulation) |
| 46 | Petrochemicals Manufacturing (including processing of Emulsions of oil and water) |
| 47 | Pharmaceuticals |
| 48 | Phosphate rock processing plant |
| 49 | Phosphorous and its compounds |
| 50 | Photographic film and its chemicals |
| 51 | Ports and harbour, jetties and dredging operations |
| 52 | Power generation plant [except Wind and Solar renewable power plants of all capacities and Mini Hydel power plant of capacity <25MW] |
| 53 | Processes involving chlorinated hydrocarbons |
| 54 | Pulp & Paper (Large-Agro + wood), Small Pulp & Paper (agro based-wheat straw/rice husk) |
| 55 | Pulp & Paper (waste paper based units with bleaching process to manufacture writing & printing paper) |
| 56 | Pulp & Paper (waste paper based without bleaching process to manufacture Kraft Paper) |
| 57 | Railway locomotive work shop/Integrated road transport workshop/Authorized service centers |
| 58 | Railway Stations (Wastewater generDWLRQ•./' |
| 59 | Ship Breaking Industries |
| 60 | Slaughter house (as per notification S.O.270(E)dated 26.03.2001)and meat processing industries, bone mill, processing of animal horn, hoofs and other body parts |
| 61 | Sugar (excluding Khandsari) |
| 62 | Synthetic fibers including rayon , tyre cord, polyester filament yarn |
| 63 | Tanneries |
| 64 | Thermal Power Plants |
| 65 | 7\UHDQGWXEHVPDQXIDFWXULQJXQLW•./'ZDVWHZDWHUJHQHUDWLRQ |
| 66 | Yarn/Textile processing involving any effluent/emission generating processes including bleaching, dyeing, printing and colouring |
| 67 | Zinc Smelter |

| ORANGE CATEGORY | |
|------------------------|--|
| Sr. No. | Category |
| 1 | Airport and Commercial air strips with overall waste water generation <100KLD |
| 2 | Almirah, Grill Manufacturing (Dry Mechanical Process) |
| 3 | Aluminium & copper extraction from scrap using oil fired furnace (dry process only) |
| 4 | Automobile servicing, repairing and painting (excluding only fuel dispensing) |
| 5 | Automobile servicing, repairing and painting (excluding only fuel dispensing) |
| 6 | Ayurvedic and homeopathic medicine |
| 7 | Bakery and confectionary units (with wood fired ovens/furnaces of all capacities) and electric/gas ovens with >1T/day capacity 1T/day ⁽²⁰²²⁾ |
| 8 | Brickfields (excluding fly ash brick manufacturing using lime process) |
| 9 | Building and construction projects having built-up area more than 20000sq.mt and waste ZDWHUJHQHUDWLRQ•./' |
| 10 | Cashew nut processing |
| 11 | Ceramics and Refractories |
| 12 | Chanachur and ladoo from puffed and beaten rice (muri and shira) using husk fired oven |
| 13 | Coal washeries |
| 14 | Coated electrode manufacturing |
| 15 | Coffee seed processing |
| 16 | Compact disc computer floppy and cassette manufacturing/Reel manufacturing |
| 17 | Compressed/Refined Bio-gas production from Biodegradable waste |
| 18 | Compressed Biogas (CBG)/Bio-CNG plants CBG plants based on Municipal Solid Waste (MSW) WWG is less than 100KLD |
| 19 | Compressed Biogas (CBG)/Bio-CNG plants based on process waste (industrial/process liquid effluent & solid waste like press mud, organic sludge, molasses etc. WWG is less than 100KLD) CBG plants |
| 20 | Compressed Biogas (CBG)/Bio-CNG plants CBG plants based on crop residue (paddy straw/wheat straw/corn sweet sorghum/napier grass etc) |
| 21 | Compressed Biogas (CBG)/Bio-CNG plants CBG plants based on animal waste (dairy farms, poultry farms and other animal) WWG is more than 100KLD |
| 22 | Construction and Demolition (C & D) waste processing plants |
| 23 | Cotton spinning and weaving (medium and large scale) |
| 24 | Dairy and dairy products (small scale) |
| 25 | Dairy Farm having 15 animals and above where milching animals (cows/buffaloes) are housed to produce milk for distribution and supply to milk processing plants |

| | |
|----|---|
| 26 | DG set of capacity >1MVA but <5MVA |
| 27 | Dismantling of rolling stocks (wagons/coaches) |
| 28 | Dry cell battery (excluding manufacturing of electrodes) and assembling & charging of acid lead battery on micro scale |
| 29 | Dry coal processing, mineral processing, industries involving ore sintering, pelletising, grinding & pulverization |
| 30 | Fermentation industry including manufacture of yeast, beer, distillation of alcohol (Extra Neutral Alcohol) |
| 31 | Ferrous and Non- ferrous metal extraction involving different furnaces through melting, refining, re-processing, casting and alloy-making |
| 32 | Fertilizer (granulation/formulation/blending only) |
| 33 | Fish feed, poultry feed and cattle feed |
| 34 | Fish processing and packing (excluding chilling of fishes) |
| 35 | Flakes from rejected PET bottle |
| 36 | Foam manufacturing |
| 37 | Food and food processing including fruits and vegetable processing |
| 38 | Forging of ferrous and non- ferrous metals (using oil and gas fired furnaces) |
| 39 | Formulation/pelletization of camphor tablets, naphthalene balls from camphor/naphthalene powders. |
| 40 | Gaushalas where weak, sick, injured, handicapped and abandoned homeless cattle/cows are housed for rehabilitation is 100KLD and more. |
| 41 | Glass ceramics, earthen potteries and tile manufacturing using oil and gas fired kilns, coating on glasses using cerium fluorides and magnesium fluoride etc. |
| 42 | Gold Assaying & Hallmarking Centres |
| 43 | Gravure printing, digital printing on flex, vinyl |
| 44 | Health Care establishments (as defined in Bio-Medical Management Waste Rules, 2016 as amended from time to time) with overall waste water generation >100KLD |
| 45 | Heat treatment using oil fired furnace (without cyaniding) |
| 46 | Hot mix plants |
| 47 | Hotels (< 3 star) or hotels having > 20 rooms and less than 100 rooms |
| 48 | Hotels (<3 star) or hotels having > 20 rooms and less than 100 rooms |
| 49 | Ice cream |

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| 50 | Industries engaged in recycling/reprocessing/recovery/reuse of Hazardous Waste under schedule iv of Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016 and as amended from time to time-Items namely-Brass Dross, Copper Dross, Copper Oxide Mill Scale, Copper Reverts, Cake & Residues, Waste Copper and copper alloys in dispersible form, Slags from copper processing for further processing or refining, Insulated Copper Wire, Scrap/copper with PVC sheathing including ISRI-code material namely "Druid", Jelly filled Copper cables, Zinc Dross-Hot dip Galvanizers SLAB, Zinc DrossBottom Dross, Zinc ash/Skimming arising from galvanizing and die casting operations, Zinc ash/Skimming/other zinc bearing wastes arising from smelting and refining, Zinc ash and residues including zinc alloy residues in dispersible from, |
| 51 | Industries engaged in recycling/reprocessing/recovery/reuse of Hazardous Waste under schedule iv of Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016 and as amended from time to time-Items namely-Paint and ink Sludge/residues |
| 52 | Industries engaged in recycling/reprocessing/recovery/reuse of Hazardous Waste under schedule iv of Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016 and as amended from time to time-Items namely-Used Oil-As per specifications prescribed from time to time. |
| 53 | Industries engaged in recycling/reprocessing/recovery/reuse of Hazardous Waste under schedule iv of Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016 and as amended from time to time-Items namely-Waste Oil ³ As per specifications prescribed from time to time. |
| 54 | Industry or processes involving foundry operations |
| 55 | Jute processing without dyeing |
| 56 | Lime manufacturing (using lime kiln) |
| 57 | Liquid floor cleaner, black phenyl, liquid soap, glycerol mono-stearate manufacturing |
| 58 | Manufacturing of glass |
| 59 | Manufacturing of iodized salt from crude/raw salt |
| 60 | Manufacturing of mirror from sheet glass |
| 61 | Manufacturing of mosquito repellent coil |
| 62 | Manufacturing of silica gel |
| 63 | Manufacturing of Starch/Sago |
| 64 | Manufacturing of tooth powder, toothpaste, talcum powder and other cosmetic items |
| 65 | Mechanized laundrt using oil fired boiler |
| 66 | Mechanized laundry using oil fired boiler |
| 67 | Modular wooden furniture from particle board, MDF<s wan timber etc, Ceiling tiles/partition board from saw dust, wood chips etc., and other agr icultural waste using synthetic adhesive resin, wooden box making (With boiler) |
| 68 | New highway construction project |
| 69 | New highway construction project |
| 70 | Non-alcoholic beverages (soft drink) & bottling of alcohol/non alcoholic products |
| 71 | Paint blending and mixing (Ball mill) |

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| 72 | <u>Paints and varnishes (mixing and blending)</u> |
| 73 | Parboiled Rice Mills |
| 74 | Pharmaceutical formulation and for R & D purpose (F or sustained release/extended release of drugs only and not for commercial purpose) |
| 75 | Ply-board manufacturing(including Veneer and laminate) with oil fired boiler/thermic fluid heater (without resin plant) |
| 76 | Potable alcohol (IMFL) by blending, bottling of alcohol products |
| 77 | Powder Coating Compound manufacturing units |
| 78 | Printing ink manufacturing |
| 79 | Printing or etching of glass sheet using hydrofluoric acid |
| 80 | Printing press |
| 81 | Producer gas plant using conventional up drift coal gasification (linked to rolling mills glass and ceramic industry refectories for dedicated fuel supply) |
| 82 | 5DLOZD\6WDWLRQV:DVWHZDWHUJHQHUDWLRQ•./'EXW./' |
| 83 | Reprocessing of waste plastic including PVC |
| 84 | Rolling mill (oil or coal fired) and cold rolling mill |
| 85 | Scraping Centres (for End of Life of Vehicles and other scraps such as plant and machineries, structural material, railway coaches and wagons etc.) a. Collection, De-Pollution, Dismantling Centres |
| 86 | Scraping Centres (for End of Life of Vehicles and other scraps such as plant and machineries, structural material, railway coaches and wagons etc.) a. Collection, De-Pollution, Dismantling Centres and Shredding Centres |
| 87 | Scraping Centres (for End of Life of Vehicles and other scraps such as plant and machineries, structural material, railway coaches and wagons etc.) a. Shredding Centres (can include white goods "fother scraps also) NoteRecyclingldisnicntling of white goods are covered under E -Waste (Management & Handling Rules, 2016. end have already been categorised in CPCS document-Classification of industrial Sector-(Feb., 2016) |
| 88 | Silk screen printing, sari printing by wooden blocks |
| 89 | Spray painting, paint baking, paint shipping |
| 90 | Steel and steel products using various furnaces like blast furnace/open hearth furnace/induction furnace/arc furnace/submerged arc furnace/basic oxygen furnace/hot rolling reheated furnace |
| 91 | Stone crushers |
| 93 | Stone Quarries |
| 94 | Surgical and medical products including prophylactics and latex |
| 95 | Synthetic detergents and soaps (excluding formulation) |
| 96 | Synthetic resins |
| 97 | Synthetic rubber excluding molding |
| 98 | Teflon based products |

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| 99 | Thermocol manufacturing (with boiler) |
| 100 | Thermometer manufacturing |
| 101 | Tobacco products including cigarettes and tobacco/opium processes |
| 102 | Transformer repairing/ manufacturing (dry process only) |
| 103 | Tyres and tubes vulcanization/ hot retreating |
| 104 | Vegetable oil manufacturing including solvent extraction and refinery/hydrogenated oils |
| 105 | Wire drawing and wire netting |

| GREEN CATEGORY | |
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| Sr. No. | Category |
| 1 | Aluminium utensils from aluminium circles by pressing only (dry mechanical operation) |
| 2 | Assembly of antenna |
| 3 | Ayurvedic and homeopathic medicines (without boiler) |
| 4 | Bakery/confectionery/sweets products (with production capacity <1tpd (with gas or electrical oven)) |
| 5 | Bi-axially oriented PP film along with metalizing operations |
| 6 | Biomass briquettes (sun drying) without using toxic hazardous wastes |
| 7 | Blending of melamine resins & different powder, additives by physical mixing |
| 8 | Brass and bell metal utensils manufacturing from circles(dry mechanical operation without re-rolling facility) |
| 9 | Building and construction projects having built-up area less than 20000sq.mt and waste ZDWHUJHQHUDWLRQ"./" |
| 10 | Bus body building excluding painting |
| 11 | Candy |
| 12 | Cardboard or paper gated box and paper products (excluding paper or pulp manufacturing and without using boilers) |
| 13 | Carpentry & wooden furniture manufacturing (excluding saw mill) with the help of electrical (motorized) machines such as electrical wood planner, steel saw cutting circular blade, etc. |
| 14 | Catering Service other then on tiffin basis and self help groups. |
| 15 | Cement products (without using asbestos/boiler/steam curing) like pipe ,pillar, jafri, well ring, block/tiles etc. (should be done in closed covered shed to control fugitive emissions) |
| 16 | Ceramic colour manufacturing by mixing & blending only (not using boiler and wastewater recycling process) |
| 17 | Chilling plant and ice making without using ammonia |
| 18 | Chilling plant, cold storage and ice making |
| 19 | CO2 recovery |

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| 20 | Coke briquetting (sun drying) |
| 21 | Compressed/Refined Bio-Gas Production from Bio-degradable Wastes. No waste water discharge from digester and also feed slurry to digester having Volatile Organic Fraction more than 75%. |
| 22 | Compressed Biogas (CBG)/Bio-CNG plants CBG plants based on crop residue (paddy straw/wheat straw/corn sweet sorghum/napier grass etc) WWG is less than 100KLD |
| 23 | Compressed Biogas (CBG)/Bio-CNG plants CBG plants based on animal waste (dairy farms, poultry farms and other animal waste) WWG is less than 100KLD |
| 24 | Cotton spinning and weaving (small scale) |
| 25 | Cutting, sizing and polishing of marble stone |
| 26 | Dal Mills |
| 27 | Decoration of ceramic cups and plates by electric furnace |
| 28 | Diesel generator sets (15KVA to 1MVA) (excluding standalone DG sets. (2022) |
| 29 | Digital printing on PVC clothes |
| 30 | Distilled water (without boiler) with electricity as source of heat |
| 31 | Electrical and electronic item assembling with painting activity |
| 32 | Emery powder (fine dust of sand) manufacturing |
| 33 | Facility of handling, storage and transportation of food grains in bulk |
| 34 | Facility of handling, storage and transportation of food grains in bulk) |
| 36 | Flour mills (dry process) |
| 37 | Flyash export, transport & disposal facilities |
| 38 | Gaushalas where weak, sick, injured, handicapped and abandoned homeless cattle/cows are housed for rehabilitation is less than 100KLD. |
| 39 | Glass , ceramic, earthen potteries, tile and tile manufacturing using electrical kiln or not involving fossil fuel kiln |
| 40 | Glue from starch (physical mixing) with gas/electrically operated oven/boiler. |
| 41 | Gold and silver smithy (purification with acid smelting operation and sulphuric acid polishing operation) (using less or equal to 1 litre of sulphuric acid/nitric acid per month) |
| 42 | Heat treatment with any of the new technology like ultrasound probe, induction hardening , ionization beam, gas carburizing etc. |
| 43 | Hotels (up to 20 rooms and without boilers) and overall waste water generation < 100KLD |
| 44 | Hotels (upto 20 rooms and without boiler) |
| 45 | Insulation and other coated papers (excluding paper or pipe manufacturing) |
| 46 | Leather foot wear and leather products (excluding tanning and hide processing except cottage scale) |
| 47 | Lubricating oil, greases or petroleum based products (only blending at normal temperature) |
| 48 | Manufacture of sanitary pads |

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| 49 | Manufacturing of optical lenses (using electrical furnace) |
| 50 | Manufacturing of pasted veneers using gas fired boiler or thermic fluid heater and by sun drying |
| 52 | Marriage Halls |
| 53 | Mineral stack yard/Railway sidings |
| 55 | Mineralized water |
| 56 | Oil and gas transportation pipeline |
| 57 | Oil mill Ghani and extraction (no hydrogenation/refining) |
| 58 | Packing materials manufacturing from non asbestos fibre, vegetable fibre yarn |
| 59 | Papad and Pickels manufacturing |
| 60 | Phenyl/toilet cleaner formulation and bottling |
| 61 | Polythene and plastic processed products manufacturing (virgin plastic) |
| 62 | Poultry, Hatchery and Piggery |
| 63 | Power looms (without dye and bleaching) |
| 64 | Puffed rice (muri) (using gas or electrical heating system) |
| 65 | Pulverization of bamboo and scrap wood |
| 66 | Railway Stations (Wastewater generation<10KLD) |
| 67 | Ready mix cement concrete |
| 68 | Reprocessing of waste cotton |
| 69 | Rice mill (Rice hullers only) |
| 70 | Rolling mill (gas fired) and cold rolling mill |
| 71 | Rubber goods industry (with gas operated baby boiler) |
| 72 | Saw mills |
| 73 | Seasoning of wood in steam heated chamber |
| 75 | Soap manufacturing (hand made without steam boiling/boiler) |
| 76 | Spice grinding (20 HP motor) |
| 77 | Steel furniture without spray painting |
| 78 | Steeping and processing of grains |
| 79 | Surface treatment using water spray rinsing, degreasing, heating in ovens, electrostatic powder coating and curing using oven |
| 80 | Synthetic detergent formulation |
| 81 | Tamarind powder manufacturing |
| 82 | Tea processing (with boiler) |
| 83 | Tyres and tube retreating (without boilers) |

| WHITE CATEGORY | |
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| Sr. No. | Category |
| 1 | Assembly of air coolers/conditioners, repairing and servicing |
| 2 | Assembly of bicycles, baby carriages and other small non motorizing vehicles |
| 3 | Automobile fuel outlets (only dispensing) |
| 4 | Bailing (hydraulic press) of waste papers |
| 5 | Bio fertilizer and bio-pesticides without using inorganic chemicals |
| 6 | Biscuits trays etc from rolled PVC sheet (using automatic vacuum forming machines) |
| 7 | Blending and packing of tea |
| 8 | Block making of printing without foundry (excluding wooden block making) |
| 9 | Catering serving food on tiffin basis, self help groups. |
| 10 | Cement Godown |
| 11 | Chalk making from plaster of Paris (only casting without boilers etc. (sun drying/electrical oven) |
| 12 | Compressed oxygen gas from crude liquid oxygen (without use of any solvents and by maintaining pressure & temperature only for separation of other gases) |
| 13 | Compressed Biogas (CBG)/Bio-CNG plants CBG plants (irrespective of the type of feed) producing Fermented Organic Manure (FOM) & Liquid Fermented Organic Manure (LFOM) as by-products |
| 14 | Compressed Biogas (CBG)/Bio-CNG plants Household bio-digesters/gobar-gas (cow-dung) plants based on biodegradable wastes etc. |
| 15 | Cotton and woolen hosiers making (Dry process only without any dying/washing operation) |
| 16 | Cycle/motor track |
| 17 | Dairy Farm having less than 15 animals where milching animals (cows/buffaloes) are housed to produce milk for distribution and supply to milk processing plants |
| 18 | Diesel pump repairing and servicing (complete mechanical dry process) |
| 19 | Domestic bio-digestors based on cow-dung or household biodegradable wastes (such as gobar gas plants) |
| 20 | Electric lamp (bulb) and CFL manufacturing by assembling only |
| 21 | Electrical and electronic item assembling (completely dry process) |
| 22 | Engineering and fabrication units (dry process without any heat treatment/metal surface finishing operations/painting) |
| 23 | Fabrication carrying out metal primer application/hand painting activity |
| 24 | Flavoured betel nuts production/grinding (completely dry mechanical operations) |
| 25 | Fly ash bricks/block manufacturing |
| 26 | Fountain pen manufacturing by assembling only |
| 27 | Glass bottles and vilas making from glass tubes |
| 28 | Glass putty and sealant (by mixing with machine only) |

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| 29 | Ground nut decorticating |
| 30 | Handloom/carpet weaving (without dying and bleaching operation) |
| 31 | Leather cutting and stitching (more than 10 machine and using motor) |
| 32 | Manufacturing of coir items from coconut husks |
| 33 | Manufacturing of metal caps containers etc |
| 34 | Manufacturing of shoe brush and wire brush |
| 35 | Medical oxygen |
| 36 | Organic and inorganic nutrients (by physical mixing) |
| 37 | Organic manure (manual mixing) |
| 38 | Packing of powdered milk |
| 39 | Paper pins and u clips |
| 40 | Repairing of electric motors and generators (dry mechanical process) |
| 41 | Rope (plastic and cotton) |
| 42 | Scientific and mathematical instrument manufacturing |
| 43 | Sewage tankers |
| 44 | Solar module non conventional energy apparatus manufacturing unit |
| 45 | Solar power generation through solar photovoltaic cell, wind power and mini hydel power (less than 25 MW) |
| 46 | Surgical and medical products assembling only (not involving effluent / emission generating processes) |
| 47 | Stand-alone Massage Parlours, Beauty Parlour, Hair Cutting Saloon and SPAs |
| 48 | Tea Stall and food cart ⁽²⁰²²⁾ |
| 49 | Used Cooking Oil (UCO) collection centres |

Note: Any industry/industrial activity, process or trades which do not fall under any of the above mentioned categories, the decision with regards to their categorization/classification, will be taken by the Board, from time to time when such need arises, either suo motto or on the specific request by the Industrial unit. Industrial unit concerned may apply to the Goa State Pollution Control Board in this respect for necessary action.

ACCOMPANIMENTS:

The following documents should invariably be attached alongwith the application as follows:

A. Consent to Establish/Consent to Operate

1. Land Allotment/earmarking letter or lease/Sale deed/Form I & XIV.
2. Flow Chart and detailed production process.
3. A copy of Project Report for projects costing Five crores and above.
4. Site plan (not required for units to be set up in Industrial Estates.)
5. Layout plan showing the location of manufacturing equipments, water supply/drainage lines, position of chimneys, effluent treatment plant and final discharge Point, Sludge solid waste disposal points and septic tanks/soak pits.

6. For industries/activities listed in Schedule I of the Environmental Impact Assessment (EIA)
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- Notification 2006 copy of the EIA report/Form/Report submitted for obtaining Environmental Clearance and other survey, if required will have to be furnished in the prescribed time limit.
7. Photocopy of the prior Environmental Clearance (EC) issued by the Competent Authority, if applicable, for project listed in the Environment Impact Assessment (EIA) Notification, 2006, as amended from time to time.
8. Site plan showing surrounding Residential area, public places, water stream, etc., of the factory site within a radius of 5kms with waste water treatment and disposal systems clearly indicating where waste ² water is proposed to be disposed off (for medium and large scale enterprises).
9. Schematic sketch of the proposed effluent/sewage treatment system/plant (ETP/STP) and/or septic tanks/soak pit, duly signed by authorized person, along with detailed design calculation.
10. Certificate from Chartered Accountant certifying the Total Estimated Investment (T.E.I). (refer sample specimen below). In case of leased/hired premises/plant/machinery/ /equipment a certificate from a Registered Valuer towards capital cost is to be submitted without appreciation and depreciation.
11. Original authorization letter of the person to whom authorization is made to sign this application form except individual proprietary concern.
12. Any other documents/clarification as requisition by the Goa State Pollution Control Board.
- B. Renewal of Consent to Operate
1. Certificate from Chartered Accountant certifying the Total Estimated Investment (T.E.I). (refer sample specimen below). In case of leased/hired premises/plant/machinery/ /equipment a certificate from a Registered Valuer towards capital cost is to be submitted without appreciation and depreciation.
 2. Previous Consent to Operate issued by the Board
 3. Stack Analysis Report/Analysis report of Treated effluent/sewage.
 4. Any changes/modifications in the industry after the consent obtained.
13. Application for auto renewal of Orange and Green category will be accompanied by an affidavit annexed hereto for an individual proprietary concern.
14. Any other documents/clarification as requisition by the Goa State Pollution Control Board.

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(See rule 25)

Affidavit in support of obtaining

Auto Renewal of Consent to Establish/Operate I, «««««6R6KUL«««««, DJHG«« years, \$XWKRUL]HGVLJQDWRU\««««« (Designation) of M/V«««««8QLW,'««««..) am submitting this affidavit in favour of Member Secretary, Goa State Pollution Control Board, Panaji for obtaining auto renewal of Consent to Establish/Consent to Operate under the provisions of Water (Prevention and Control of Pollution) Act, 1974 (Act 6 of 1974) and do, hereby take oath and state as under:-

2. That the Consent to Establish/Consent to Operate under the provisions of Water (Prevention and Control of Pollution) Act, 1974 (Act 6 of 1974) was issued vide order No GDWHG«««
3. That the said Consent to Establish/&RQVHQWWR2SHUDWHLVYDOLGXSWR«««
4. That we have not carried out any expansion/modernisation/change in process/product/raw material/fuel or change in pollution load.
5. That we are complying with conditions of previous consent and submitting requisite compliance report of earlier consent alongwith supporting documents as per schedule.
6. That we have submitted Environmental Statement report as prescribed under the rules,

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7. There is no change in information provided in the prescribed application form submitted for obtaining earlier consent to operate.
 8. That no directions were issued during last five years by the State Board under the provisions of section 33(A) of Water (Prevention and Control of Pollution) Act, 1974 (Act 6 of 1974) or 5 of Environment (Protection) Act, 1986 (Act 29 of 1986).
 9. There are no prohibitory directions from Courts/Appellate Authority/National Green Tribunal/other judicial/Quasi-judicial Authority.
 10. We undertake to comply with the conditions and standards stipulated in consent order and with any additional condition/direction which may be stipulated by the Board in future and also to pay additional fee/charges demanded by the Board in future.
 11. That I have understood that any wrong, partial, forged information/document submitted by me or any false affirmation made by the undersigned, I shall be liable for legal action including the prosecution under the provisions of Water (Prevention and Control of Pollution) Act, 1974 (Act 6 of 1974), and Information Technology Act, 2000 (Act 21 of 2000) alongwith the provisions of Indian Penal Code, 1860 (Act 45 of 1860).

DEPONENT

Declaration

I, the above named deponent do hereby attest and verify that the contents of para No. 1 to 11 of this affidavit are true and correct to the best of my knowledge. Nothing material has been concealed therein nor any part of it is false.

DEPONENT

SCHEDULE II

[See Rule 26(5), (6), (9), (10), (11), (13), (14)]

A. MEMBERS OF THE ENVIRONMENTAL AUDIT COMMITTEE

1. Retired Scientist/Engineer from a reputed Scientific Organization/Institution to be nominated by the Chairman : Chairman
2. A Senior Expert on Environmental Audit to be Appointed by GSPCB : Member from any IRCA authorized ISO 14001:2015 Certification Authority
3. Member of the State Expert appraisal Committee nominated by the Expert Committee : Member State
4. Scientist/Engineer of Goa State Pollution Control Board as : Convener nominated by Chairman, Goa State Pollution Control Board

B. OBJECTIVES

Objectives of Environmental Audit Scheme (EAS) is to engage deemed Scientific and Technical experts to provide a clear indication of the Environmental performance and compliance to Consent conditions of the Organization for the period covered by the audit. The preliminary objectives of the EAS are as follows:

- a) Provide an objective analysis of the environmental impacts arising from the Organizations activities;
- b) Assess and Determine that mitigation measures including root cause analysis, corrective and preventive actions are effective in addressing environmental aspects and minimizing or removing environmental impacts;

- c) Identify opportunities and make recommendations for improvements in environmental performance of the Organization
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C. ROLES AND RESPONSIBILITIES

The roles and responsibilities of the various key players is provided in the context of the Environment Audit scheme.

I. RESPONSIBILITIES OF THE ORGANIZATION

- a) The occupier shall be responsible for submitting Environmental Statement and provide all the assistance and necessary documentation for completion of the Environmental audit.
 - (i) GSPCB/CPCB Issued Consents/Directions/Guidelines(e.g. COINDS or related)
 - (ii) Complaint, if any, received by the GSPCB/Organization and corrective and preventive action taken thereof.
 - (iii) Defined and detailed Procedures of production process, Pollution Control Equipment, finished product/services, by products, consumption of raw materials, against finished products, measurement and monitoring of consumption of water, electricity or other fuels and/or other resources/material per unit finished product /service with responsibilities and supporting records.
 - (iv) Defined and detailed Procedures of available addressing identified environmental aspects per unit product output and the corrective -preventive measures to minimize its environmental impacts through the use of alternative technology, pollution control equipment or any other related technique with measurement and monitoring data, responsibilities and supporting records.
 - (v) Organizations Policy (Environment, Health and Safety-EHS), if any.
 - (vi) The Occupier of Organizations (as mentioned in the Sr. No. 4) shall carry out a documented Root cause analysis of the Non conformances(NCf)/Non compliances (NCp) identified in the EAR once received from the Auditor along with its corrective and preventive action plan, and comments if any and submit the same within along with Form V Environmental Statement with satisfactory closure of CAPA to the Board by target date agreed upon by the Auditor and Occupier or before 30th June whichever is earlier with copy of the stipulated receipt of scrutiny fees to GSPCB.
- b) The Organizations hereafter applying for consent shall have to here onwards get its Environment Management System inspected by respective auditors regarding adequacy and efficacy thereof, through the Board.
- c) The Organization is also responsible for ensuring timely closures of Non conformances (NC) or Non Compliances or Corrective Action Preventive Action Plans or related observations.

II. RESPONSIBILITIES OF THE GOA STATE POLLUTION CONTROL BOARD

- a. Appointment of auditor/s for conducting Environmental Audit.
- b. The list of Board Authorized Auditors will be made publicly available on Board website.
- c. To ensure effective conduct of the individual audits, the following information should be provided to the audit team leader by GSPCB
 - x Organization Details x History of Defaults if any, and closures or pending issues there off. x Contact name, No. address
- d. Forward a copy of the final EAR to the Organization within 15 days of receipt of the EAR.
- e. Initiate appropriate action due to non closure of Non conformances/Non Compliances within time frame specified.

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- f. Payment to Auditors x Mode of Payment: the State Board will pay the Environmental Auditor the Audit fee as decided by the Board from time to time within one week of submission of bills for conducting the audit.
- x In turn, GSPCB will issue directions to Organizations covered under Audit Scheme to deposit the sum total of the estimated expenses towards auditors fee and auditor expenses from the concerned Organization within 15 days from the date of allocation to the auditor, interim payment within 15 days on receiving of bills from the auditor and final payment within 15 days from submission of final audit report based on actual and 25 percent of total cost incurred for Audit as administrative expenses incurred by the State Board.

III. RESPONSIBILITIES OF THE ENVIRONMENT AUDIT COMMITTEE (EAC)

The GSPCB constituted Environmental Audit Committee members shall not have any conflict of interest with its present assignment. The terms of reference of this Committee are as follows:

- (i) Define and develop audit criteria and its supporting procedure and protocol for the recognition/empanelment/selection of Environmental Auditors, including an DVVHVPHQW RI WKH \$XGLWRUV· RU \$XGLWRU·V VHOHFWHG 7KH (\$& ZLOO VXJHVW QHZ parameters which have been introduced by CPCB/GSPCB. The same will be recommended to GSPCB.
- (ii) Advise and create a guidance/technical document related to the subject which will enable effective auditing including effective auditing and laboratory functions.
- (iii) The committee member(s) will also undertake audit of Recognized Auditors, atleast once annually to ensure due diligence of the Auditor to the and advise them in any relevant matter and will suggest/implement the new parameters which are being introduced by the CPCB/GSPCB. A observation report of the same will be submitted in this regard within 15 days of visit.
- (iv) After scrutiny, the EAC will submit the final (list) of the Auditor(s) with their justifications for selection to the Board for issue of Board Recognition.
- (v) EAC will meet atleast once in three months.
- (vi) Conducting or arranging training programme for capacity building of auditors, Organization Representatives and regulators with respect to EAS.
- (vii) 6KDOOUHYLHZWKHDXGLWUHSRUWDQGVXEPLWWKHLUFRPPHQWVRQWKH1&I·VRU1&S·VDQG WKHLU UHVSHFWLYH 5RRW &DXVH \$QDO\VLV·5&\$ ZLWK FRUUHFWLYH \$FWLRQ DQG 3 UHYHQWLYH Action (CAPA) Plans.
- (viii) Assign the responsibility for conducting the individual audit to be made in sufficient time before the scheduled date of the audit, in order to ensure the effective planning of the audit.

D. ENVIRONMENTAL AUDIT PLANNING AND CONTROL

I. SELECTION OF ENVIRONMENTAL AUDITORS

- (a) The Member Secretary of the Board shall appoint faculty of Engineering College, Science Colleges, University, or retired or serving Engineer or Scientist from reputed Institutions, Government Departments, or IRCA authorized ISO 14001:2015 Certification Agencies to be Environment Auditor/s who shall be preferably located in the State of Goa and have sufficient experience in the relevant field including relevant qualifications with the approval of the Chairman.
- (b) The Member Secretary will constitute Audit team for conducting the Environmental Audit for each audit with approval of the Chairman .
- (c) The entire audit work must be carried out by the auditor himself. In other words, the auditor shall and will not assign the audit work to any other agency/firm/personnel other than those recognized. Any

violation in this regard shall lead to de-recognition of the auditor and imposition of penalty at the discretion of the EAC.

- (d) In case of change in the man power (any member of the team), same shall be communicated to the GSPCB within one month and the auditor shall also obtain the approval of the Board for the replacement.

II. AUDIT CRITERIA

- e) The Member Secretary of the Board will set out the Audit Criteria for each Environmental Audit with approval of the Chairman.

III. ENVIRONMENT AUDIT LABORATORY:

The Board/Agency shall engage the services of NABL recognized Laboratories and also having recognition of MoEF & CC whenever required.

E. AUDIT PROCEDURE

I. FUNCTIONS OF AUDITOR

The Empanelled Auditor on receiving Board recognition shall:

- (a) Conduct audit of the GSPCB allotted Organizations as per schedule provided
- (b) Identify opportunities and make recommendations for improvements in environmental performance of the Organization
- (c) Provide an objective, third-SDUW\UHSRUWWKDWPWHWV*63&%·VUHTXLUHPHQWV
- (d) The auditor shall thoroughly ascertain about all the products/by products, manufactured by the Organization and its related processes & report to the GSPCB immediately by verifying excise registers, Invoices usage of raw materials and other production related documents, if there are any discrepancies
- (e) Provide the information required to develop an Environmental Management Plan (EMP) in the event of any significant findings of negative impacts to the environment
- (f) It shall be open to the auditors to make such recommendation as they may think fit for improvement of the existing environmental management system in the Organization audited, but such recommendation shall not bind the GSPCB in any manner. The recommendation of the GSPCB will be technically and scientifically assessed and the decision of the Board Chairman will be final and so intimated
- (g) Ensure high levels of integrity, sincerity and ethics shall be maintained and practiced by the auditors
- (h) Ascertain & report to GSPCB about the compliance made by Organization of the previous year's recommendations/observations of the auditor in the EARs.
- (i) Report about % reduction in steam/water consumption, mass balance (water, water and solid waste), power consumption & consumption of raw materials etc. carried out by the industries in its observations in the EARs compared to the previous year.
- (j) Pursue, emphasize and recommend about adoption of clean technology/cleaner production, waste segregation, waste minimization, waste reduction, waste exchange, reuse & recycling of effluents etc. & report the same in EARs.
- (k) Guide the industry if possible if any query is raised by the industry.
- (l) Ensuring review of timely closures of Non conformances (NCf) or Non Compliances (NCp) or Corrective Action Preventive Action Plans or related observations jointly with the Organization

-
- (m) Conduct audit in the audit period prescribed i.e financial year ending March and submit the EAR within 15 days of completion of the audit, and the last, no later than by the 30th of April every year.

II. ENVIRONMENTAL AUDIT REPORT SUBMISSION (EAR)

- (a) The EARs must include observations covering each of the seasons under audit, based on the analysis report of the Moef approved Laboratory or Board laboratory for effluents (water + waste water + Solid/hazardous waste + Noise + Weather data as case may be and other pollutants as auditor feels so, etc.) from all discharge points & submit all data of three observations in EARs, otherwise EARs shall be considered incomplete and can be rejected.
- (b) The auditor must prepare and submit the EAR of Organizations under audit within 15 days of completion of the audit.
- (c) The EAR shall be submitted to the Board with a copy marked to the Organization, which will be forwarded by GSPCB within 7 working days of receipt to the Organization to initiate necessary closure of Root Cause Analysis-Corrective and Preventive Action Plans.
- (d) The auditor must clearly report to the Board all critical findings about any inconsistency and malpractice being committed/practiced by the Organization as listed in Sr. 2 (e.g. dilution of effluents, illegal discharge, production without permission, by pass of untreated effluent or any other activities which are likely to create environmental pollution problems & contrary to the directions issued through consent orders & other orders under the different Acts, by the Board) after every inspection within 24 hrs and important recommendations after every inspection as immediately as possible but not later than 3 days and submit Final EAR within 15 days of completion of the Audit.

II. CONTENT OF AUDIT REPORT

- (a) (\$5·VDQGLWVUHSRUWHGILQGLQJVDQGFRQFOXLRQVVKRXOGEH x Clear, timely, concise, easy to understand and objective; x provide a fwatet summary of all the relevant facts; and x demonstrate conformity with the related Environmental requirements x Properly analyzed and concluded, and x Supported by adequate, reliable, and fwatet audit evidence
- (b) The EAR should consist of:
- (i) A title page clearly briefly Indicating AUDIT aim with Organization name
- (ii) Table of Contents
- (iii) Executive Summary comprising of:
- x Description of the Organization Process and facilities(Main, ancillary (related) and Environmental control operations) x
- Description of the environment x
- Contractors and Activity Descriptions x
- Summary of findings
- (iv) Introduction comprising of :
- x Audit Scope, x Audit Objectives identified, and x Audit Criteria identified
- x Auditors and Auditees (Organization representatives who were key contacts for the audit and describe their roles and responsibilities with regard to the audit.)

-
- Reference Documents (include a list of documentation reviewed prior to the audit (e.g., Consents, Directions, previous EARs, environmental assessments, permits, complaints or any other reference deemed relevant.).)
- (v) Site Activity Report comprising of
- (aa) List of Organization Facilities
 - (ab) Developments if any
 - (ac) Assessments of internal controls
 - (ad) Assessments of Organizations Environmental Management Systems and Management Commitment
 - (ae) Typical Environmental Management Plan (that can be) evaluated as applicable Water Quality Control Plan
- Water Quality Control Plan (Waste and wastewater management)
- Waste Management Plan (Waste segregation, management and disposal, Monitoring on pollution assessment and performance evaluation of pollution control devices made by the Auditors)
- Resources Control Plan (Material, Production mass balance Energy, Fuels and equipment management)-
- (Figures or production of products, by products, consumption of Resources like raw materials, figures regarding use of water, fuel consumption and other material utilization to maximize the yield with respect to National/International bench mark mentioned in the Format of Environmental Audit Reports prepared by Auditors.) Soil and Groundwater Contamination Control Plan (Land, water and groundwater management)
- Marine Ecology Control Plan
- Terrestrial Ecology Control Plan
- Process Material Handling Plan(Hazardous and Non Hazardous materials management) Noise and Vibration Control Plan (Noise engineering management)
- Traffic Management Plan (Vehicle and its distribution Management, Status of Pollution under Check(P&VSHIPLWV) Erosion and Sediment Control Plan Other Environmental Program.
- (af) (Gathering of) Audit evidence
 - (ag) Interviews with Personnel/ground staff if any
 - (ah) Identification and assessments of Incidents and Complaints if any
- (vi) Audit Findings of Environmental Management Systems and Management Commitment (Comments on the 2UJDQL]DWLRQ·VSURFHGXUHVIRUGHWHUPLQLQJVHWLQJDQGFRPPXQLFDWLQJRUJDQL]DWLRQ·VPHFKDQLVPVWRGHWHUPLQH Q·V environmental policies and objectives, as well as the overall commitment of senior management to meeting environmental requirements. Supported by evidence of efforts to monitor, measure, and report environmental performance.)
- 3UHYLRXV\$XGLW5HVXOWVFRPPHQWVRQWKH2UJDQL]DWLRQ·VPHFKDQLVPVWRGHWHUPLQH WKH root causes of any identified environmental concerns and on the effectiveness & sufficiency of the actions taken to correct such situations and prevent their recurrence.

\$QGVKRXOGLQFOXGHWKH0DQDJPHQW-VVXSSRUWRIWKHSURFVVHVIRULPSOHPHQWLQJDQ
G tracking corrective and preventive actions)

- x Non-conformances, Observations and Scope for Improvement (Tabulated based on priority based on degree of seriousness of environmental impact)
- x Summary of Root Cause Analysis-Corrective Action-and Preventive Action Plan Status (This section should provide details on any new or previously identified corrective action(s) taken and/or planned in response to non-conformances and/or the observations and/or Scope for Improvement(s)identified, particularly those that have been repetitive or are ongoing issues at the site or facility. In particular, the Corrective Action Plan should include the detailed root cause analysis, type of any required corrective and preventive action, the current status (e.g. open, closed) of corrective and preventive action(s), the date of planned closure, and the date of actual closure and deviation from the committed target and the justification there off.)
- x Incidents and Complaints x Status of Environment
- Management Plans if any
- x The EARs (Environment Audit Reports) shall be prepared and submitted by the auditors in Performa 1: EAR must be accompanied by efficacy & adequacy certificates in Performa 2 prescribed by GSPCB with duly signed acknowledgement by all the team members. If such reports will not be signed by all the team members then, the auditor will be derecognized and punitive action against the Auditor or industries/Project as listed in Sr. No. 2 will be taken, as the case may be.

(vii) CONCLUSIONS AND RECOMMENDATIONS

This section should include the conclusions of the audit with regard to x The status of the conformity and compliance RIWKH2UJDQL]DWLRQ·V(06ZLWKWKH/HJDO and/or other requirements, as well as

- x The effectiveness of the OrgDQL]DWLRQ·V(06LQPHHWLQJLWVenvironmental objectives.
- x RCA-CAPA: the capability and commitment of the Organization management to resolve the issues identified.
- x The auditor may propose to request Organization to adopt an Environment Management Plan(EMP) if issues are identified in the audit that are considered to be repetitive or are ongoing issues, or problems that present significant concern for environmental impact. The EMP is a Corrective Action Plan that must be submitted and approved by EAC and requires formal reporting of the resolution of the issues. Guidance regarding the requirements for developing an EMP should be provided by the Auditor to facilitate the Organization to achieve an effective solution
- x The EAR should have recommendations to address any significant non-conformances or deficiencies, including allocating priorities for corrective action. Any recommendations should be specific and detailed enough to allow GSPCB and Organization management the ability to evaluate the feasibility and appropriateness of implementing the recommendation. Types of recommendations might include further investigation of an issue or implementation of emissions control technology or environmental pollution control best management practices. The emphasis of recommendations should be on removing the source of the problem rather than the use of command-and-control (or end-of-pipe) technology.

The recommendations should be brief and concise to allow Organization management to address the issue and GSPCB & EAC to assess adequate resolution of the same.

(viii) Attach Annexures:

-
- Audit evidence (records, procedures, photographs, supporting documents etc.)
 Audit Protocol (Checklist) duly signed by the Auditing team Figures (if any) Graphs
 (if any) Tables (if any)

 Any other detail felt relevant

The above format is the bare minimum required to be included in the EAR and is open for further additions by the Auditor if felt necessary.

Note: Consult COINDS document of CPCB, BAT document of European union, USA EPA document or any other relevant document to develop to banch mark.

F. POST AUDIT ACTION

I. ACTION/DIRECTON BY THE BOARD

- (a) The BOARD on receiving the EAR from the Recognized Auditor will check status of compliance of the CAPA in the audited Organization, after the stipulated post Target dates and present the status to EAC for their necessary comments with Scientific and Technical comments if any
- (b) Organizations failure to submit compliance to the observations in the EAR with the requisite closures of Non Conformances, Non compliances, Root Cause AnalysisCorrective and Preventive Action Plan may lead to appropriate legal action by GSPCB which may also include disconnection of water/power supply to the industry including closure and or levy of Polluter Pay Penalty.
- (c) Where the Audit report of a particular industry industry/operation/process/activity indicates that the industry does not meet with the requirements as prescribed by or under the aforesaid statutory provisions and that the industry has not complied with terms and conditions of CTE/CTO and those contained in any general or special circular/order of GSPCB, the industry shall be liable for appropriate directions which include direction of closure, after verification of the status of CAPA closures by stipulated dates.

II. ACCOUNTABILITY/LIABILITY OF THE AUDITORS/INDUSTRIES

- (a) If the information provided by the Organization is found to be incorrect or inaccurate the Organization shall be liable to be subjected to the appropriate direct direction.
- (b) The Auditor whose report is found to be incorrect or inaccurate of particular industry then that EAR shall be rejected and action against the auditor will be taken accordingly.
- (c) The Organization has the right to complain against the recognized environmental auditor if felt essential due to misdemeanor or malpractice. In such a case the Organization can register a written complaint against auditor to GSPCB within 15 days of the said grievance, with supporting evidence and due justification. Complaints against the actions or conduct of a certified auditor will be reviewed and investigated by EAC. The EAC will investigate and if validated or substantiated, the complaint may result in cancellation of recognition of the auditors and blacklisting them. However, if the complaint is found to be without merit, the Organization will be appropriately penalized

III. APPEALS

- (a) Any person aggrieved by an order made by the Board under section 16 or section 17 may within thirty days from the date on which the order is communicated to him, prefer an appeal to Appellate Authority constituted under section 28 of Water (Prevention and Control of Pollution) Act, 1974 (Act 6 of 1974).
- (b) On receipt of an appeal preferred under sub-section (1), the Appellate Authority shall after giving the Appellant and Board an opportunity of being heard, dispose of the appeal as expeditiously as possible.

G. FORMAT FOR THE ENVIRONMENTAL AUDIT REPORT

(To be submitted in triplicate)

3HULRGURP««WR««««

To,

The Member Secretary
Goa State Pollution Control Board
1ST floor, Dempo Tower
Patto Plaza Centre
Panjim-403001

| | | |
|-----|---|--|
| A. | GENERAL | |
| 1. | Name of the Industry/operation/process/activity | |
| 2. | Location: | |
| 3. | Registered office Address: | |
| 4. | Month and year of establishment: | |
| 5. | No. of workers employed: | |
| | Male | |
| | Female | |
| 6. | No. of electrical connections with service numbers: | |
| | Total connected load | |
| | Electric consumption per tones of product manufactured: | |
| | Percentage enhancement in energy: | |
| | Saving as compared to previous year: | |
| 7. | Number of D.G. Set and their capacity: | |
| 8. | Name/Residential address of all Directors/ Partners: | |
| 9. | Telephone Nos.: (Residential & Industrial) | |
| | Fax No: | |
| | E-mail of Industry: | |
| | E-mail Partners/Directors: | |
| 10. | No. of shifts and timings: | |
| 11. | Name & Address of the in charge of Environment/Safety Division/Cell/Unit: | |
| 12. | No. of days during which production activities were in operation during the audit period covered: | |
| 13. | Has the industry obtained ISO 9000/ISO 14000/OSHAS 18000/Any other EM accreditation/Certification | |
| 14. | Whether the industry has adopted cleaner production/cleaner technology/CDM? | |
| B. | PRODUCT DETAILS | |
| 1. | Name of products (s) & capacity yield/purity per day, | |

| | | |
|-----|---|--|
| 2. | Efficiency of production (or production yield) | |
| 3. | Name of all by products and its quantity per day: | |
| 4. | Date of commencement of production for each product. Whether production is as per consented quantity: | |
| 5. | All raw materials required per kg of the Products(s): | |
| 6. | Whether the manufacturing process is continuous or batch wise: Indicate the batch capacity: If the process is in batch operation, No. of batches/month along with the duration of the completion of each batch: | |
| 7. | Detailed manufacturing Process with schematic flow diagram:- List of unit operation and processes and with all chemical reactions along with the time required (in hrs.) for | |
| (C) | WATER | |
| 1. | The quantity of water consumed per day as per tones of product manufactured: (Attach water balance diagram)*over the last three years: | |
| 2. | The quantity of waste water (trade effluent) generated per tones of each product per day, as well as per batch*over the last three years. | |
| 3. | The particulars of effluent treatment plant (Attach separate sheets) Name and size of each unit | |
| | Capacity of ETP Flow diagram and Hydraulic diagram, of ETP to be submitted: | |
| | Whether lighting arrangement around ETP is provided: | |
| | Whether separate energy meter is installed for effluent treatment plant. If Yes -readings of the meter for consumption every month: | |
| | Calibration status and validity of energy meter | |
| | Whether flow meters are provided at the inlet and outlet of ETP. Please indicate the type of the flow meter and calibration status if valid | |
| 4. | The method of disposal of final treated effluent and the point of disposal (please attach sketch):Is it in line with the valid Consent Requirements ? | |
| 5. | The quantity of trade effluent at the inlet and outlet of ETP and at various stages of treatment (Attach separate sheets): | |

| | | |
|-----|---|--|
| 6. | The quantity and quality of sewage and its method of treatment and disposal (Attach separate sheets): a) As per norms: b) Total pollution load*: | |
| 7. | The open area available for disposal of the effluent | |
| 8. | Whether the quality of treated effluent meets the specified norms: If no, the extent of deviation and reason thereof: | |
| 9. | Improvement in effluent quality and quantity since previous environmental audit based on performance evaluation of effluent management system: If yes, provide details (Attach separate sheets): | |
| 10. | Retrofitting undertaking to improve performance of ETP: If yes, provide details: | |
| 11. | Major problems encountered during operation of effluent treatment facilities, if any and reasons thereof: | |
| 12. | The details about the Operator/Chemist responsible for operation and maintenance of effluent treatment plant: Name of the operators/employees: Qualification & Experience of each Operator/employee whether trained in such operation or not: | |
| | Salary of operators/employees. Operator using PPE, pls specify type Maintenance and downtime Register maintained and updated, Response time for rectification | |
| 13 | The current status of consent under the Water Act-1974: | |
| D. | Water | |
| 1. | No. of the flue gas stacks, their height (from ground level) nature and consumption of fuel: | |
| 2. | The details pertaining to the stack monitoring facilities: | |
| 3. | Number of process stacks, their height (from ground level) source, expected pollutants and the details pertaining to the provisions of stack monitoring facilities: | |
| 4. | The quality of emission from each flue gas stack and the process stack and the extent of deviation from them: | |
| | Pollution Load determination | |

| | | |
|--|--|--|
| 5. | The ambient water quality within the factory premises, along with the number of ambient water quality monitoring stations outside the industry: | |
| 6. | The status of consent under the water Act-1981: | |
| 7. | The details of water pollution control measures for all process and flue gas stacks | |
| 8. | Improvement in emission quality since previous environmental audit based on performance evaluation of water pollution management system: | |
| | If yes, Provide details. (Attach separate sheets): | |
| 9. | Retrofitting undertaken to improve emission quality. If yes, provide details: | |
| 10. | Major problems encountered during operation of control device, if any and reasons there of: | |
| 11 | equipment status | |
| * Whether production is as per consented quantity | | |
| NOT E: Total pollution load each for water, water and hazardous waste should have mentioned along with the quality of effluent, emission or solid waste as the case maybe. Whether measures taken for reduction of pollution load. | | |
| E. | HAZARDOUS (SOLID) WASTE | |
| 1. | The quantity, sources and composition of hazardous waste/solid waste from each process/sources over the last three years. (Total sludge generation per tonne of product): | |
| 2. | (a) The method of storage, treatment and disposal of hazardous/solid waste: The details should include area of storage and disposal and whether storage and disposal system is covered and made impervious (pucca): | |
| | The quantity of Hazardous waste sent to TSDF. Please also indicate how the quantity of hazardous/solid shall be reduced in next three months: | |
| | (b) The data/information about leachate generation, quantity and characteristics and treatment facility | |
| 3. | The status of authorization under the EPA-86 for solid waste | |
| 4. | Plan, if any to reduce hazardous waste generation or its recycling. | |
| F. | SITE PLAN | |
| 1. | The site plan showing the location of effluent treatment plant, final point of disposal of effluent, sampling point, drainage line, stacks, solid waste storage, disposal area and green belt (its width). | |
| (G) | RESOURCE RECOVERY | |

| | | | | |
|-----|--|------------------------------|--------|-------------------|
| 1. | The details regarding resource recovery including treated effluent for recycle/reuse from environmental pollution control system including effluent treatment plant: | | | |
| | The details regarding resource recovery/by product recovery from manufacturing process by using cleaner production technology: | | | |
| | Energy/Fuel consumption/unit production | | | |
| (H) | ACCIDENTS | | | |
| 1. | The details of accidents in the factory if any and remedial measures taken | | | |
| (I) | SAFETY MEASURES | | | |
| 1. | General Environment of the factory | | | |
| a. | Housekeeping | Good | water | Poor |
| b. | Dustiness | High | Medium | Low |
| c. | Lighting | Good | water | Poor |
| d. | Ventilation | Good | water | Poor |
| 2. | Whether the following personal protective equipment PPC are provided to all the workforce (employees & Contract Workers) | | | |
| | | | | Is yes, How many? |
| | Goggles | Yes / No (utilization level) | | |
| | Gloves | Yes / No (utilization level) | | |
| | Gumboot | Yes / No (utilization level) | | |
| | Helmet | Yes / No (utilization level) | | |
| | Skin cream | Yes / No (utilization level) | | |
| | Soap | Yes / No (utilization level) | | |
| | Ear plug | Yes / No (utilization level) | | |
| | Face masks | Yes / No (utilization level) | | |
| | Clothing | Yes / No (utilization level) | | |
| 3. | The details of facilities for disaster management/gas leakage. | | | |
| 4. | Whether on site/off site emergency plans are prepared and are being implemented/ upgraded regularly; please give details | | | |
| 5. | Whether records of occupational hazards are maintained? | | | |
| 6. | Health checks conducted? | | | |
| 7. | Preventive measures adopted to minimize occupational hazard. | | | |
| 8. | Compliance with work exposure | | | |
| 9. | Noise level status | | | |
| (J) | REMEDIAL MEASURES | | | |
| 1. | The details of sources; monitoring and measures taken for control of noise pollution in and around the industrial premises: | | | |

| | | |
|-----|--|--|
| 2. | The measures taken for prevention treatment and control of odour nuisance in and around the industrial premises: | |
| 3. | The details in respect of cases/complaints under the Water Act-1974, the water Act-1981 and the Environment (P) Act, 1986: | |
| 4. | The compliance report with respect to all the conditions of NOC/Consent (Under all the Acts): | |
| 5. | Incidents of spillages, leakages etc. and remedial measures thereof | |
| 6. | Whether insurance policy obtained under PLI Act. Yes/No | |
| (K) | WATER CESS | |
| 1. | The details regarding payment of the Water cess for the previous and current year: | |
| (L) | The name and address of the Consultant engaged by the Company/Industry | |

Note, if No. reason thereof

| | | | | | |
|--|------|------|---|------|------|
| It is hereby declared that all the information submitted in and with respect to this format correct and we will be responsible for any lapse regarding incorrect or incomplete information. The Root Cause Analysis along with CAPA is attached here with. | | | | | |
| A. | | | B. | | |
| Name and signature of the responsible persons in industry/organization/Institute/CETP/TSDF with the stamp | | | Name and signature of all the members of the Audit Team | | |
| Sr. | Name | Sign | Sr. | Name | Sign |
| | | | | | |
| | | | | | |

H. ADEQUACY CERTIFICATE OF 25*\$1,6\$7,21·6(19,5210(17\$/MANAGEMENT SYSTEM

Mr/Mrs/M/s. _____ of _____ is recognized by the Goa State Pollution Control Board vide order No._____ dated _____ as an Environmental Auditor for the purpose of the auditing, having carried Environmental audit of:

M/s _____

Located at _____ Manufacturing products:

Product (s) _____

Capacity _____

Having completed the environmental audit based on personal monitoring, and audit report, prepared as per the notification via order No. _____ dated _____. It is certified that the Environmental Management System (EMS) provided by this industry for the products manufactured and capacity as stated above is * _____ to achieve the quality of effluents (water +

Waste Water + Solid Waste) as specified in Consent/Notifications by GSPCB, Panjim for the following quantity of waste generation:

| | |
|-----------------|---------------------------|
| Liquid effluent | _____ m ³ /day |
|-----------------|---------------------------|

| | |
|---|---|
| Solid / Hazardous waste | _____ m ³ /day |
| water emissions (flue gas stacks as well as process stacks) | Adequate / Not adequate. Efficacious / Not efficacious (pl. strike which is not applicable) |

This certificate is valid for the Audit report only. However, it is subject to automatic cancellation in case of any change in product profile/capacity, quality and quantity of effluent emission (Water + Waste Water + Solid /Hazardous) and efficiency of EMS equipments.

This Certificate forms part of Environmental Audit Report

Name and address of the Environmental Auditor

Signature of the Environmental Auditor Date:

Place:

*here write, whether adequate and efficient or inadequate and inefficient as applicable

I. CERTIFICATE FOR SAMPLING AND ANALYSIS

This is to certify that the following samples of emissions (water, water, waste water, solid and hazardous wastes) have been collected and analysed as per the following details:

| Sample details | Sampling location | Collected by | Sample collection | | Method of sample collection | Std. Analysis method |
|----------------|-------------------|--------------|-------------------|------|-----------------------------|----------------------|
| | | | Date | Time | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |

| | | |
|----|---|--|
| 1. | Parameters analysed on site | |
| 2. | Parameters analysed off site | |
| 3. | Whether samples were preserved as per standard procedure for offsite analysis: Yes/No | |
| 4. | Parameters analysed by auditors team: | |
| 5. | Parameters analysed by third party: | |
| | Name & Address of laboratory: | |
| | Whether the laboratory is classified under Schedule I of the GSPCB | |
| 6. | Method followed for analysis: | |
| | water emission: | |
| | Water/Waste Water: | |
| | Solid Waste: | |
| | Hazardous Waste: | |

This is to certify that the third party laboratory in which the analysis has been done is approved under EPA/Accredited by NABL/recognised under GSPCB.

Name and address of the Laboratory

SCHEDULE III

BUDGET AND ACCOUNT HEADS

[See rule 27(3)]

ADMINISTRATION

Head of Accounts (Expenditure)

1. Salaries
2. Wages
3. Travel Expenses
4. Office Expenses (a) Furniture
 - (b) Postage
 - (c) Office Machine/Equipment
 - (d) Liveries
 - (e) Telephones
 - (f) Electricity and Water Charges
 - (g) Stationary
 - (h) Printing
 - (i) Staff car and other vehicles
 - (j) Other items
5. Fee and Honoraria
6. Payment for professional and special services
7. Rents, rates and Taxes/Royalty
8. Publication
9. Advertising, Sales and Publicity Expenses
10. Grants in aid/Contribution/Subsidies
11. Hospitality Expenses/Sumptuary/Subsides
12. Pensions/Gratuities
13. Write off/Losses
14. Suspenses
15. Expenses in connection with the setting up and maintenance of the Board Laboratory.
16. Other charges (A residuary head, this will also include rewards and prizes)

Head of Accounts (Receipts)

1. Payments by Government

-
- 2. Fees
 - 3. Fines and other Receipts

GOA AIR RULES AMENDED UPTO 2022

Notification

31-9-2010-STE-DIR/Part-I/Vol.IV/977

In exercise of the powers conferred by subsections (1) and (2) of section 54 of the Air (Prevention and Control of Pollution) Act, 1981 (Central Act 14 of 1981), and in consultation with the Goa State Pollution Control Board, conveyed vide No. 8/25/13-PCB/Vol X/Adm/ 19634/Tech/7864 dated 29-07-2021, the Government of Goa hereby makes the following rules, namely:—

1. Short title and commencement.— (1) These rules may be called the Goa Air (Prevention and Control of Pollution) Rules, 2021.

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

2. Definitions.— (1) In these rules, unless the context otherwise requires,—

(a) “Act” means the Air (Prevention and Control of Pollution) Act, 1981 (Central Act 14 of 1981);

(b) “Air pollutant” means any solid, liquid or gaseous substance [(including noise)] present in the atmosphere in such concentration as may be or tend to be injurious to human beings or other living creatures or plants or property or environment;

(c) “Board” means the Goa State Pollution Control Board constituted under section 4 of the Water (Prevention and Control of Pollution) Act, 1974 (Central Act 6 of 1974);

(d) “Chairman” means the Chairman of the Board;

(e) “Chimney” includes any structure with an opening or outlet from or through which any air pollutant may be emitted.

(f) “Conformity” means fulfillment of a requirement to the Consent conditions or directions issued by the Board from time to time;

(g) “Consequence” means an outcome of an event affecting objectives;

(h) “Control Equipments”: means any apparatus, device, equipment or system to control the quality and manner of emission of any air pollutant, and includes any device used for securing the efficient operation of any industrial plant;

(i) “Correction” means action to eliminate a detected nonconformity;

(j) “CPCB” means Central Pollution Control Board constituted under section 3 of the Water (Prevention and Control of Pollution) Act, 1974 (Central Act 6 of 1974);

(k) “CTE” means Consent to Establish;

(l) “CTO” means Consent to Operate;

(m) “Effluent” includes any liquid, gaseous or solid substance which is discharged from any organization/ premises used for carrying on any activity, Industry, operation or process, or treatment and disposal system including domestic sewage;

(n) “Emission” means any solid or liquid or gaseous substance coming out of any chimney, duct or flue or any other outlet;

(o) “Environment” means the surroundings in which an organization operates, including air, water, land, natural resources, flora, fauna, humans and their interrelationships;

(p) “Environmental Audit” mean an audit conducted by an Empanelled Environmental Auditor of the State Board or officials of the State Board;

(q) “Environmental Audit Committee” (EAC) means an Expert Committee constituted by State Board to assess the Environmental Audit

reports submitted by the Environmental Auditors and recommend action;

(r) "Environmental Audit Conclusion" means outcome of an audit, after consideration of the objectives and all audit findings;

(s) "Environmental Audit Criteria" means the set of policies, procedures, supporting records or requirements which are used as a reference against which audit evidence is compared;

(t) "Environmental Audit Evidence" means records, statements of fact, reports or other information which are relevant to the audit criteria and are verifiable;

(u) "Environmental Audit Findings" means results of the evaluation of the collected audit evidence against audit criteria, indicating conformity or nonconformity and additionally observations and scope for improvement;

(v) "Environmental Audit Plan" means description of the activities and arrangements for an audit;

(w) "Environmental Audit protocol" means the checklist used by Empanelled Auditors of the Board as the guide for conducting the Environmental audit;

(x) "Environmental Audit Scope" means extent and boundaries of an audit;

(y) "Environmental Audit Team" means an Audit team which shall consist of minimum 3 members with an independent Technical/Scientific Expert, if felt required. The qualifications of the team members should be varied to ensure a wider cover having requisite technical and scientific expertise relevant to the Organizations processes and related activities. The composition of the Audit Team shall be as specified in Schedule II;

(z) "Environmental Auditee" means the Organization/Industry and its work force (consisting of employees and contractual or related workers), represented by an authorized full time employee of the organization being audited, no lesser than a representative of senior management;

(aa) "Environmental Auditor" shall mean Goa State Pollution Control Board (GSPCB) empanelled Environmental Auditor from Engineering colleges/Scientific Institutions/ Colleges, Universities, ISO Certified Agencies, Officials of the State Board or any other expert the Board deems fit for conducting an Environmental Audit;

(ab) "Environmental Audit Report" shall mean the Environmental Audit report prepared by the Empanelled Environmental Auditor of the State Board or the Officials of the State Board;

(ac) "Event" means an occurrence or change of a particular set of circumstances with or without consequences and can sometimes be referred to as an "incident" or "accident". An event without consequences can also be referred to as a "near miss", "incident", "near hit" or "close call";

(ad) "Form" means form appended to these Rules;

(ae) "Government" means the Government of Goa;

(af) "Likelihood" means chance of something happening;

(ag) "Member Secretary" means the Member Secretary of the Board;

(ah) "Major Non conformity" means Non operation/inefficient operation of the Air Pollution Control Equipments/ /Measures and/or non-fulfillment/violation of the standard of emission prescribed in the consent or direct violation of specific statutory environmental obligation by the Occupier or act of omission of the occupier or negligence on his part whether by any accident or otherwise;

(ai) Minor Non conformity means nonfulfillment of a requirement of the Consent condition which includes non submission of reports or maintenance of records as specified in the Consent Conditions and which is not defined as major Non conformity;

(aj) "Occupier", in relation to any organization, operation or process, premises, means the authorised person who has documented control over the affairs of the factory or the premises, and includes, in relation to any substance, the persons in possession of the substance;

(ak) "Schedule" means a Schedule appended to these rules;

(al) "section" means a section of the Act;

(am) "Sewage" means effluent from any sewerage system or sewage disposal works and includes sullage from open drains;

(an) "State Air Laboratory" means a laboratory as referred in sub-section (1) of section 28 of the Act;

(ao) "State Board Laboratory" means a laboratory as referred to in sub-section (2) of section 17 of the Act;

(ap) "Total estimated investment" means the total estimated value of the proposed industry, operation, process, treatment/ disposal system or an extension/addition thereto, and includes the value of land, building, plant and machinery including the value of leasehold land, building and premises and value of hired plant, machinery and equipment;

(aq) "Total Investment" means the total value of the completed industry, operation, process, treatment/disposal system or an extension/addition thereto, and includes the value of land, building, plant and machinery including the value of leasehold land, building, and premises and value of hired plant, machinery and equipment;

(ar) "Year" means the financial year commencing on the first day of April.

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

3. Travelling allowance, daily allowance and other allowances for members.— (1) The member of the Board shall be entitled to payment of travelling allowance as admissible to the Grade I

Officer of the Government from the Board's fund for the journey performed by him for the purposes of the Board.

(2) Every member of the Board shall be entitled to payment of sitting fee at such rate as may be decided by the Board from time to time for each day of such sitting, in addition to travelling allowance.

(3) A member of the Board shall not be entitled to any travelling allowance for journey performed by him on first occasion to take charge of post and also after relinquishment of post.

(4) The Member-Secretary of the Board or any other Officer authorized by the Board shall decide about the sitting fees and travelling allowances of the members.

(5) A non-official member of the Board if he happens to be a member of the Legislative Assembly of Goa, he shall not be eligible for payment of travelling allowance if he has claimed travelling allowance for the same journey and period for which such allowance has been claimed in his bills for attending the meetings of the Legislative Assembly or any Committee thereof.

4. Time and place of meetings of the Board and procedure to be followed at such meetings.— (1) The meetings of the Board shall ordinarily be held at the head-quarter of the Board on such dates as may be fixed by the Chairman.

(2) The Chairman shall at his discretion or, upon written request of not less than five members of the Board or upon a direction of the Government, call a special meeting of the Board.

(3) Five clear days' notice for an ordinary meeting and two clear days' notice for a special meeting specifying the time and the place at which such meeting is to be held and the business to be transacted there at, shall be given by the Member Secretary to the members of the Board.

(4) Notice of a meeting of the Board may be given to the members of the Board by delivering the same by messenger or sending it by registered post to their last known place of residence or business or by email or in such other manner as

the Chairman may, in the circumstances of the case, deem fit.

(5) No member of the Board shall be entitled to bring forward for the consideration of the meeting any matter of which he has not given ten clear days' notice to the MemberSecretary, unless the Chairman, in his discretion, permits him to do so.

(6) The Board may adjourn the meeting from day-to-day or to any particular day, and no fresh notice shall be required for such adjourned meeting.

(7) No proceeding shall be invalidated merely on the ground that the provision in this rule relating to the notice is not strictly complied with.

5. Presiding Officer.— Every meeting of the Board shall be presided over by the Chairman and, in his absence, by an authority/officer as approved and notified by the Government.

6. All questions to be decided by majority.— (1) All questions at a meeting shall be decided by a majority of votes of the members present, and voting shall be by raising of hands in favour of the proposal.

(2) In case of equality of votes, the presiding officer shall have a second or casting vote.

7. Quorum.— (1) Five members shall form the quorum for any meeting.

(2) If at a time fixed for any meeting or during the course of any meeting a quorum is not present, the presiding officer shall adjourn the meeting and if a quorum is not present on the expiration of fifteen minutes from such adjournment, the presiding officer shall adjourn the meeting to such hours on the following or on some other future date as he may fix.

(3) No quorum shall be necessary for the adjourned meeting.

(4) No matter which had not been on the agenda of the original meeting shall be discussed at such adjourned meeting.

8. Minutes.— (1) Record shall be kept of the names of members who attended the meeting and of the proceedings at the meeting to be maintained by the Member Secretary and uploaded on the official website of the Board.

(2) The minutes of the previous meeting shall be read at the beginning of the every succeeding meeting, and shall be confirmed and signed by the Presiding Officer at such meeting.

(3) The proceedings shall be open for inspection to any member at the office of the Board during office hours.

9. Maintaining order at meeting.— The Presiding Officer shall maintain order at meeting.

10. Business to be transacted at meeting.— Except with the permission of the Presiding Officer, no business which is not entered in the agenda or of which notice has not been given by a member under sub-rule (5) of rule 4, shall be transacted at any meeting.

11. Order of business.— (1) At any meeting the business to be transacted shall be in the order in which it is entered in the agenda.

(2) Either at the beginning of the meeting or after conclusion of the debate on a motion during the meeting the Presiding Officer or a member may suggest a change in the order of business as entered in the agenda and if the majority of the members present agree, such a change shall take place.

12. Procedure for transaction of business of committees constituted by the Board.— (1) The time and place of the meetings of the Committees constituted by the Board under sub-section (1) of section 11 of the Act shall be as specified by the Chairman and the Member Secretary.

(2) The quorum for a meeting of such committees shall be half of the total number of members of the committee.

(3) The committee so appointed by the Board shall take decisions and convey the same to the Board.

(4) The committee may device its own procedure for transaction of its business at its meeting.

13. Fees and allowances to be paid to members of the committee.— A member of a committee shall be entitled to such travelling

allowance and sitting fee as admissible to a member of the Board, and, if he is a Government Servant, he shall be entitled only to travelling allowance and dearness allowance at the rates, admissible under the relevant rules of the Government under which he is serving.

14. Persons to be temporarily associated with the Board.— The person temporarily associated with the Board shall be paid travelling allowance and sitting fee if he is a non-official, at the rates specified in rule 3 and if he is a Government Servant as specified in rule 13.

15. Powers and duties to be exercised by the Chairman and the Member-Secretary of the Board and appointment of Officers and employees.— (1) Subject to the policy approved by the Board, the general management of the affairs and business of the Board shall be with the Chairman who shall have power to do all things necessary or desirable for the management of affairs of the Board in carrying out its objectives.

(2) The Chairman may,—

(i) with prior approval of the Government undertake tours within India for carrying out the functions of the Board.

(ii) With the prior approval of the Government, visit any foreign country for carrying out the functions of the Board.

(3) The Chairman shall have power to accord administrative and financial sanction to all estimates without any financial limit in the allocation made for such purposes in the budget of the Board.

(4) In the matter of acceptance of tenders, the Chairman shall have full powers without any monetary limit.

16. Powers and duties of the Member Secretary.— The Member Secretary shall be subordinate to the Chairman and shall, subject to the control of the Chairman, exercise the following powers, namely:—

(i) the Member Secretary may undertake tours within India for the performance of duties entrusted to him by the Board provided that he

shall keep the Chairman informed of his tours and obtain the previous permission from the Board for his tours outside the State of Goa.

(ii) the Member Secretary shall be in charge of all the confidential papers of the Board and shall be responsible for preserving them.

(iii) the Member Secretary shall produce such papers whenever so directed by the Chairman or by the Board.

(iv) the Member Secretary shall make available to any member of the Board, for his perusal, any record of the Board.

(v) the Member Secretary shall be entitled to issue any direction to any officer or employee of the Board, and call at any time, any file, paper and document, from any section/department of the Board, for checking of accounts, vouchers, bills and other records and stores pertaining to the Board or regional offices there under.

(vi) the Member Secretary may withhold any payment, provided that as soon as may be after such withholding of payment the matter shall be placed before the Board for its approval.

(vii) the Member Secretary shall make all arrangements for holding meetings of the Board and meetings of the committees constituted by the Board.

(viii) all orders, instructions, directions, notices, communications, consents, authorizations or registrations to be issued by the Board shall be under the signature of the Member Secretary or of any other Officer authorized in this behalf by the Chairman or the Board.

(ix) the Member Secretary shall be authorized to sanction or pass and make all payments against estimates sanctioned, within the allocations made for such purposes in the budget approved by the Board.

(x) the Member Secretary shall write and maintain confidential reports of all subordinate officers of the Board and shall get them countersigned by the Chairman.

(xi) (a) the Member Secretary shall sanction the annual increments of the officers of the Board subordinate to him.

(b) the annual increments of officers which the Member Secretary is not competent to sanction shall be sanctioned by the Chairman.

(xii) the Member Secretary shall have full power for according technical sanction to all estimates.

(xiii) the Member Secretary shall exercise such other powers and perform such other functions as may be delegated to him from time to time either by the Board or by the Chairman.

(xiv) the Member Secretary shall have power to execute contract, deed, instrument and assurance of property and in particular (a) all service agreements (b) security bonds (c) conveyance, lease of immovable property and, (d) assurances required by law or otherwise.

(xv) the Member Secretary shall have power to engage legal advisors, Advocates, Attorneys on the terms and conditions to be approved by the Board.

(xvi) the Member Secretary or any other Officer authorized by the Chairman or the Board shall have power to make and give receipts in respect of the claims of and demands on the Board.

(xvii) the Member Secretary shall have power to purchase materials and equipments for execution of construction works up to a limit of the allotments made from time to time.

(xviii) the Member Secretary shall have power to sanction installation of telephones/broadband/internet connections, etc. in the office of the Board.

17. Appointment of Consultant.— (1) For the purpose of assisting the Board in the performance of its functions, it may appoint a Consultant for a specified period not exceeding one year:

Provided that the Board may, with the prior approval of the Government extend the period of such appointment from time to time:

Provided further that if at the time of the initial appointment, the Board had reason to believe that the services of the Consultant would be required for a period of more than one year, the Board shall not make the appointment without the prior approval of the Government.

a. The Board may pay such emoluments or fees to the Consultant depending on the nature of work and his qualifications and experience:

Provided that the Board shall not appoint any person as Consultant without the prior approval of the Government, if the emoluments or fees payable to him exceeds Rs. 1,00,000/- (Rupees one lakh only) per month.

18. Power to terminate appointment.— Notwithstanding the appointment of a Consultant for a specified period, the Board shall have the right to terminate the services of the Consultant before the expiry of the specified period, if in the opinion of the Board, he is not discharging his duties to the satisfaction of the Board or if such a course of action is necessary in the public interest.

19. Tours by Consultant.— The Consultant may undertake tours within the State of Goa with prior approval of the Chairman for the performance of the duties entrusted to him by the Board and in respect of such tours, he shall be entitled for travelling and daily allowances as admissible to Grade I Officer of the Government.

20. Consultant not to disclose information.— The Consultant shall not disclose any information either given by the Board or obtained during the

performance of the duties assigned to him either from the Board or otherwise, to any other person without the written permission of the Board.

21. Duties and functions of the Consultant.— The Consultant shall discharge such duties and perform such functions as are assigned to him, by the Board and he shall be duty bound to advise the Board on all technical matters referred to him by the Board.

22. Form of notice.— The notice referred in clause (a) of sub-section (3) of section 26 shall be made in Form I hereto.

23. Form of Report of the Board Analyst.— The report referred in sub-section (1) of section 27 of the Act shall be in Form II hereto and submitted in triplicate.

24. Form for submission of sample to State Air Laboratory and report of the Government Analyst.— The submission of the sample of air or emission shall be sent for analysis under section 26 of the Act to the State Air Laboratory by a letter in Form III hereto. The report referred in sub-section (3) of section 27 of the Act shall be in Form IV hereto and submitted in triplicate.

25. Application for consent of the Board.— (1) The application referred in sub-section (2) of section 21, shall be made online on the website of the Board at www.goapcb.gov.in as applicable and it shall be accompanied by,—

a. a certificate from the Chartered Accountant in Form V hereto which shall include value of leasehold land, building and premises and value of hired plant, machinery and equipment;

b. land allotment/earmarking letter or lease/sale deed;

c. flow chart and detailed production process;

d. copy of Project Report for projects costing 5 crores and above;

e. site Plan (not required for units to be set up in Industrial Estates);

f. layout plan showing the locations of Manufacturing equipment, water supply/ drainage lines, position of Chimneys, effluent/sewage treatment plant and final discharge point, sludge solid waste disposal points and septic tank/soak pits;

g. Detailed material balance, water balance for Industries categorised under Red and Orange and large scale Industries under green category;

h. for large enterprises covered under the Schedule of Environment Impact Assessment Notification, 2006 as amended from time to time, copy of the Environment Impact Assessment Study Report.

i. copy of the prior Environment Clearance issued by the competent Authority as applicable for projects listed in the Environment Impact Assessment Notification, 2006 as amended from time to time.

j. site plan showing surrounding residential area, public places, water streams, etc. of the proposed factory/ operation/process/mine/quarry site within a radius of five Kilometers with Waste water treatment and disposal systems clearly indicating where waste water is proposed to be disposed off after treatment (for medium and large scale enterprises)

k. schematic sketch of the proposed Effluent/sewage treatment system/plant (ETP/STP) and or septic tank or soakpits duly signed by Authorised person along with detailed design calculation as applicable.

l. original Authorisation letter of the person to whom authorisation is

made to sign this application form except individual proprietary concern.

m. any other document/clarification as requisitioned by the Board.

n. Fees as specified in the Table 1 of Schedule I ⁽²⁰²²⁾ appended hereto as applicable, to the respective category of industry.

(2) An application without requisite fee shall not be entertained by the Board.

(3) The fees shall be paid by a bank draft or NEFT/RTGS or NET Banking in favour of the Board.

(4) The Consent to Establish issued by the Board shall be valid for a period of five years from the date of issue.

(5) The Categorization of Industries/establishments as Red, Orange, Green category shall be as specified in Table 3 annexed herewith.

(6) When any industry, operation, process, treatment/disposal system or/and extension/addition thereto is established, an application for consent to operate/renewal of Consent to Operate under sub-section (2) of section 21 of the Act shall be made online on the website of the Board www.goaocmms.nic.in ⁽²⁰²²⁾ as applicable to the respective category of industry, operation or process at least two months prior to the scheduled date of commencing operation, and shall be accompanied by,—

(a) a certificate from the Chartered Accountant as specified in Form V which shall also include value of leasehold land, building and premises and value of hired plant, machinery and equipment;

(b) copy of the previous Consent issued by the Board.

(c) stack analysis report/analysis report of treated effluent/sewage wherever applicable.

(d) any changes/modifications carried out in the Industry/operation or process after obtaining previous Consent;

(e) in case of Renewal of Orange and Green Category Industry, application for Auto Renewal to be accompanied by an Affidavit as specified at Annexure 'B' in SCHEDULE I hereto;

(f) fees as specified in the Table 2(A), 2(B) or 2(C) of Schedule I as applicable to the respective category of industry;

(g) an application without requisite fees shall not be entertained by the Board;

(h) the fees referred herein shall be paid by a bank draft or NEFT/RTGS or NET Banking in favour of the Goa State Pollution Control Board;

(i) the Validity of Consent to Operate and renewal of Consent to Operate shall normally be five years for Red category, ten years for orange category and fifteen years for green category industry, operation or process;

(j) an application for renewal of consent to operate submitted upon expiry of the validity period shall also be accompanied by late fees equivalent to 50% of the fees payable for renewal.

26. Manner of enquiry in respect of application for consent.— (1) On receipt of an application for consent under section 21 of the Act, the Board may depute any of its officers, accompanied by as many assistants as may be necessary, to visit the premises of the applicant, to which such application relates for the purpose of verifying the correctness or otherwise of the particulars furnished in the application or for obtaining such further particulars or information as the Board may consider necessary as specified under sections 23, 24 and 25 of the Act. Such officer may, for that purpose, inspect any place where air emissions or air pollutant are discharged by the applicant or air pollution

control equipments and measures and may require the applicant to furnish to him any plan, specification and other data relating to such air pollution control equipments and measures, systems or any part thereof, he considers necessary.

(2) Such officer shall before visiting any premises of the applicant for the purpose of inspection under sub-rule (1), give notice to the applicant of his intention to do so in Form VI hereto. The applicant shall furnish to such officer all facilities that such officer may legitimately require for the purpose.

(3) An officer of the Board may, before or after carrying out an inspection under sub-rule (1), require the applicant to furnish to him, orally or in writing such additional information or clarification, or to produce before him such documents, as he may consider necessary and may, for that purpose, summon the applicant or his authorized agent to the office of the Board.

(4) The Board shall conduct air quality monitoring of such units under sub-section (3) of section 21 and section 26 of the Act and shall levy such fees as specified by the Board from time to time.

(5) The Board shall conduct environmental audit under sub-section (3) of section 21 of the Act through an Environmental Auditor or Engineering/Scientific Institutions or Officials of the Board upon submission of Environmental Statement by the industry/ /Organization and shall follow such procedure as specified in SCHEDULE II hereto.

(6) The Board shall constitute an Environmental Audit Committee comprising of such members as specified in SCHEDULE II hereto.

(7) The tenure of the Environmental Audit committee shall be for a period of 5 year.

(8) For the purpose of carrying out Environmental Audit the Board shall levy fees as per actual expenses incurred by the Board for conducting the Environmental Audit plus 25 percent administrative charges.

(9) The Board shall Empanel Environment Auditors by following such procedures as specified in SCHEDULE II hereto;

(10) The Institutions/Agencies/Professionals /Individuals eligible for Empanelment as Environment Auditor with the Board shall be as specified in SCHEDULE II hereto.

(11) The Environment Audit Committee shall review the Environment Audit Report submitted by the Environment Auditors and recommend such actions as specified in SCHEDULE II hereto;

(12) The Environment Audit Committee shall meet at least once in 3 months;

(13) The Empanelled Auditor shall conduct an Environment Audit as per the procedure and submit a Report as specified in SCHEDULE II hereto;

(14) The fee to be paid to the Empanelled Environment Auditor shall be in SCHEDULE II hereto.

27. Form of budget.— (1) Before the last day of the preceding financial year, the budget in respect of the ensuing year showing the estimated receipts and expenditure of the Board shall be prepared under section 34 of the Act in Form VII hereto;

(2) The estimated receipts and expenditure shall be accompanied by the revised budget estimates for the current year;

(3) The budget shall, as far as may be, based on the account heads specified in SCHEDULE III hereto.

28. Submission of budget estimates to the Board.— (1) The budget estimates shall be placed by the Member Secretary before the Board by the 5th October each year for approval.

(2) After approval of the budget estimates by the Board, four copies of the final budget proposals incorporating therein such modifications as have been decided upon by the Board shall be submitted to the Government by the 15th October each year.

29. Estimates of establishment expenditure and fixed recurring charges.— The estimates of expenditure on fixed establishment as well as fixed monthly recurring charges on account of rent, allowances, etc. shall provide for the gross amount without deductions of any kind.

30. Re-appropriations and emergent expenditure.— No expenditure which is not covered by a provision in the sanctioned budget estimates or which is likely to be in excess over the amount provided under any head, shall be incurred without the approval of the Board and by the Board without provision being made for re-appropriation from some other head, under which savings are firmly established and available.

31. Power to incur expenditure.— The Member Secretary shall have power to incur expenditure against allotments made in the budget estimates sanctioned by the Board and against sanctioned estimates out of the funds of the Board subject to observance of the general financial rules for the purposes of procedure.

32. Operation of fund of the Board.— The fund of the Board shall be operated by the Member Secretary of the Board and in his absence by any officer of the Board duly authorized by the Board in that behalf. The Board shall create and maintain a Corpus Fund.

33. Form of annual report.— The annual report referred in sub-section (2) of section 35 of the Act shall be in form VIII-hereto.

34. Form of annual statement of accounts of the Board.— The annual statement of accounts of the Board referred in sub-section (1) of section 36 shall be in Forms IX, X, XI, XII and XIII hereto.

35. Audit of the annual statement of Account.— The annual statement of account of the Board shall be audited by an Auditor appointed by the Government for the purpose in consultation with the Office of the Comptroller and Auditor General in Goa.

36. Directions of the Government.— The Board shall comply with the directions issued by Government from time to time.

37. Repeal and savings.— (1) The Goa Air (Prevention and Control of Pollution) Rules, 1989 are hereby repealed.

(2) Notwithstanding such repeal any action taken or order issued under the provisions of the said repealed Rules prior to the commencement of these Rules shall, in so far as it is not inconsistent with the provisions of these Rules, be deemed to have been taken or issued under the provisions of these Rules.

Rule 38—The service rules as applicable to the Government employees will be made applicable to the employees of the Goa State Pollution Control Board upto 31st October, 2022 or notification for regulation of services of the employees of the Board as provided under the Water (Prevention and Control of Pollution) Act, 1974 whichever is earlier.⁽²⁰²²⁾

By order and in the name of the Governor of Goa.

Dasharath M. Redkar, Director (Envt.) ex officio Jt. Secretary.

Panaji, 17th December, 2021.

FORM I

THE GOA STATE POLLUTION CONTROL
BOARD

Notice of intention to have sample analysed
(See rule 22)

To,

Take notice that it is intended to have analyzed the sample of air emissions/flue gas emissions/ambient monitoring/emissions which is being taken today the ... day of ... 20... from (†) ...

Name and designation of the person who takes the sample.

(t) Here specify the stream, well, plant, or place from where the sample is taken.

FORM II

Report by the Board Analyst

| | |
|---|--|
| <p>[See rule 23] Report</p> <p>No.</p> <p>Dated the ... 20...</p> <p>I hereby certify that I, (*) ... Board Analyst duly appointed under sub-section (2) of section 29 of the Air (Prevention and Control of Pollution) Act, 1981 (Act 14 of 1981), received on the (†) ... day of ... 20... (‡) ... a sample of ... for analysis. The sample was in a condition fit for analysis reported below:—</p> <p>I further certify that I have analysed the aforementioned sample on (§) ... and declare the result of the analysis to be as follows—</p> <p>(\\$) ...</p> <p>The condition of the seals fastening and container on receipt was as follows:— Signed this ... day of ... 20...</p> <p>Address ...</p> <p>(Signed)</p> <p>Board Analyst To</p> <p>.....</p> | <p>Sample No.</p> <p>Point of collection</p> <p>Parameters to be analyzed</p> <p>.....</p> <p style="text-align: right;">Yours faithfully,</p> <p style="text-align: right;">(Signature of the officer taking sample)</p> <p>Designation:—</p> <p>Copy forwarded to the Member Secretary, Goa State Pollution Control Board,</p> <p>.....</p> <p style="text-align: right;">(Name and signature of the officer taking sample)]</p> |
|---|--|

FORM IV

Report by the Government Analyst

[See rule 24]

Report No.

Dated the ... 20...

I hereby certify that I, (*) ... Government Analyst duly appointed under sub-section (1) of section 29 of the Air (Prevention and Control of Pollution) Act, 1981 (Act 14 of 1981) received on the (†) ... day of ... 20... from (‡) ... a sample of ... for analysis. The sample was in a condition fit for analysis reported below:—

I further certify that I have analysed the aforementioned sample on (§) ... and declare the result of the analysis to be as follows:— (\\$)

.....

.....

Signed this ... day of ... 20...

Address ...

(Signature)

Government Analyst

To

.....

FORM III

Form of letter for submission of samples to the State Air Laboratory

[See rule 24] To,

The Government Analyst, State Air Laboratory.

Sir,

I am submitting sample No./Nos. of air emissions taken from M/s..... on..... according to the provisions of section 54 of the Air (Prevention and Control of Pollution) Act, 1981 (Central Act 14 of 1981).

.....

"FORM V (A)

(Red and Orange Category Industries)

(*) Here write the full name of the Government Analyst.

(†) Here write the date of receipt of the sample.

(‡) Here write the name of the Board or person or body of persons or Officer from whom the sample was received.

(§) Here write the date of analysis.

(\\$) Here write the details of the analysis and refer to the method of analysis. If the space is not adequate the details may be given on a separate sheet of paper.

.....

(Form of the certificate to be issued by the Chartered Accountant with Unique Identification Number and without appreciation and depreciation)

[See rule 25(1)(a)]

I, Shri. _____ Son/daughter of _____, aged _____ years, Indian National, resident of _____, hereby solemnly declare an oath as follows.

1. I say that the Proprietor/Director/Authorized Signatory of M/s. _____ located at _____, Goa is Mr/Mrs. _____.

2. I say that the Gross Fixed Asset Value/Gross Estimated Value (in case of NOC) of the unit is as follows (including the value of lease/hold land, building and premises and value of hired plant, machinery and equipment)

a. Land _____

b. Building _____

c. Plant & Machinery _____

d. Other fixed assets _____

Total _____

(Rupees _____)

3. I say that I am filing this Certificate for the limited purpose of producing it before the Board obtaining Consent.

Solemnly affirmed at _____

Dated _____

Chartered Accountant

Name & Signature

Note: Kindly note that application form should be invariably submitted by only authorized person on behalf of the unit.

FORM V (B) (2022)

"FORM V (B)

(Green Category Industries)

(Form of the Affidavit to be submitted by the applicant without appreciation and depreciation)

[See rule 25(1)(a)]

I, Shri. _____ son/daughter of _____, aged _____ years, Indian National, resident of _____, hereby solemnly declare an oath as follows.

4. I say that the Proprietor/Director/Authorized Signatory of M/s. _____ located at _____, Goa is Mr/Mrs. _____.

5. I say that the Gross Fixed Asset Value/Gross Estimated Value (in case of NOC) of the unit is as follows (including the value of lease/hold land, building and premises and value of hired plant, machinery and equipment)

e. Land _____

f. Building _____

g. Plant & Machinery _____

h. Other fixed assets _____

Total _____

(Rupees _____)

6. I say that I am filing this Certificate for the limited purpose of producing it before the Board obtaining Consent.

Solemnly affirmed at _____

Dated _____

Applicant
Name & Signature

Note: Kindly note that application form should be invariably submitted by only authorized person on behalf of the unit

FORM VI
THE GOA STATE POLLUTION CONTROL BOARD

Notice of Inspection
[See rule 26(2)]

Chairman

Member Secretary.....

Shri.....

No.

Dated.....

.....

.....

.....

To,

Take Notice that for the purpose of enquiry under section 21 the following officers of the State Board namely;—

i. Shri ii.

Shri iii.

Shri

and the persons authorized by the Board to assist them shall inspect—

Any systems of your Industrial Plant.

Any other parts thereof or pertaining thereto under management/control of date (a)

..... between

hours when all facilities requested by them for such inspection should be made available to them on the site. Take Notice that refusal or denial to above stated demand made under the functions of the State Board shall amount to obstruction punishable under section 37(1) of the Act.

By order of the Board
Member Secretary

Copy to:

1.

2.

3.

FORM VII
THE GOA STATE POLLUTION CONTROL BOARD

[See rule 27(1)]

ADMINISTRATION

(Expenditure)

| Head of Account | Actuals for the past three years | | | Sanctioned Estimate for the current year | Actuals for last six months i.e. year | Actuals for last six months of the current year | Revised Estimate for the current year | Budget Estimate for the next year | Variations between column 5 and 8 | Variations between column 8 and 9 | Explanation for columns 10 11 |
|-----------------|----------------------------------|---|---|--|---------------------------------------|---|---------------------------------------|-----------------------------------|-----------------------------------|-----------------------------------|-------------------------------|
| | 1 | 2 | 3 | | 4 | 5 | 6 | 7 | 8 | 9 | |
| | | | | | | | | | | | |

| | | | | | | | | | | | |
|--|--|--|--|--|--|--|--|--|--|--|--|
| | | | | | | | | | | | |
|--|--|--|--|--|--|--|--|--|--|--|--|

Accounts Officer/Accountant

FORM VIII

The GOA STATE POLLUTION CONTROL BOARD

\$QQXDO5HSRUWIRUWKH)LQDQFLDO\HDU\$SULO«7RODUFK« «

(See rule 33)

1. Introductory.
2. Constitution of the Board including changes therein.
3. Constitution of Committees by Board and Meetings of the Committees constituted by it.
4. Meetings of the Board.
5. Activities of the Board including the various functions performed under Section 1 of the Act.
6. Prosecutions launched and convictions secured.
7. Finance and Accounts of the Board.
8. Visits to the Board by Experts, important persons etc.
9. Any other important matter dealt with by the Board.

FORM IX

THE GOA STATE POLLUTION CONTROL BOARD
5HFHLSWVDQGSD\PHQWVIRUWKH\HDUHQGHG« « « «

(See rule 34)

| Previous year | Receipts | Previous year | Payments |
|-------------------------|----------|---------------------------|----------|
| (1) | (2) | (3) | (4) |
| Opening Balance | ----- | 1. Capital expenditure | |
| Grants received: | | (i) Works | « « |
| (a) From Government | « « | (ii) Fixed Assets | « « |
| (b) From other agencies | « « | (iii) Other Assets: | « « |
| ii. Fees | « « | (a) Laboratory equipments | « « |

| | | | |
|-----------------------------------|-----|---|-----|
| <u>iii. Fines and Forfeitures</u> | « « | (b) Vehicles | « « |
| iv. Interest on Investment | « « | (c) Furniture & Fixtures | « « |
| v. Miscellaneous receipts | « « | (d) Scientific Instruments and Office appliances | « « |
| vi. Miscellaneous Advances | « « | (e) Tools and Plant | « « |
| vii. Deposits | « « | (23) Revenue Expenditure | |
| | | A. Administrative: | |
| | | (i) Salaries | « « |
| | | (ii) Travelling Allowance : | |
| | | a) Chairman | « « |
| | | b) Members | « « |
| | | c) Others | « « |
| | | (iii) Leave salary and pension contributions | « « |
| | | (iv) Office expenditure | « « |
| | | B. (i) Board Laboratory | « « |
| | | (i) Charges to be paid to State Government Analyst Laboratory | « « |
| | | C. Running and Maintenance of Vehicles | « « |
| | | D. Maintenance and Repairs: | |
| | | (i) Buildings | « « |
| | | (ii) Works | « « |
| | | (iii) Furniture and Fixture | « « |
| | | (iv) Scientific Instruments and office appliances | « « |
| | | (v) Tools and plants | |
| (1) | (2) | (3) | (4) |
| | | E. Fees to consultants and Specialist | « « |
| | | F. Law Charges | « « |
| | | G. Miscellaneous | « « |
| | | H. Fees for Audit | « « |

OFFICIAL GAZETTE — GOVT. OF GOA
SERIES I No. 39 (EXTRAORDINARY) 23RD DECEMBER, 2021

| | | | |
|-----------------------------|------------------|------------------|-----|
| | | 3. Purchases | « « |
| | | 4. Miscellaneous | « « |
| | | 5. Advances | « « |
| | | 6. Deposits | « « |
| | | Closing Balance | « « |
| Total | | Total | « « |
| | | | |
| Accounts Officer/Accountant | Member Secretary | Chairman | |

FORM X

THE GOA STATE POLLUTION CONTROL BOARD

**Expenditure on works as on 31st ODUFK« « (Item I ² Assets
of the Balance Sheet)**

(See rule 34)

| Upto 31 st March « | | | | 'XULQJWKH\HDU« « | | | Upto 31 st March « « | | | |
|-------------------------------|------------------|--------------------|------------------|-------------------|--------------------|------------------|---------------------------------|--------------------|------------------|-------------------|
| Sr. No. | Name of the work | Direct expenditure | Overhead Charges | Total expenditure | Direct expenditure | Overhead Charges | Total expenditure | Direct expenditure | Overhead Charges | Total expenditure |
| | | | | | | | | | | |
| Total----- | | | | | | | | | | |
| Accounts Officer/Accountant | Member Secretary | Chairman | | | | | | | | |

FORM XI

THE GOA STATE POLLUTION CONTROL BOARD

ANNUAL STATEMENT OF ACCOUNTS

Fixed Assets as on works as on 31st 0DUFK««

(Item 2² Assets of the Balance Sheet)

**Other Assets as on 31st 0DUFK«« (Item 3²
Assets of the Balance Sheet) (See rule 34)**

| Sr. No. | Particulars of Assets | Balance as on 31st March « | Additions during the year | Total | Depreciation during the year | Sales or write off during the year | Balance as on 31st March « | Cumulative depreciation as on 31st 0DUFK« |
|-----------------------------|--------------------------|----------------------------------|---------------------------------|-------|---------------------------------|---|-------------------------------------|--|
| | | | | | | | | |
| Accounts Officer/Accountant | | | Member Secretary | | | | Chairman | |
| | | | | | | | | |

FORM XII

THE GOA STATE POLLUTION CONTROL BOARD

ANNUAL STATEMENT OF ACCOUNT

Income and expenditure accounts for year ended 31st 0DUFK««« (See rule 34)

| Expenditure | | | | Income | | | |
|---------------|---------|-------------------|---------------------|---------------|---------|-------------------|---------------------|
| Previous year | Details | Total of sub-head | Total of Major head | Previous year | Details | Total of sub-head | Total of Major head |
| | | | | | | | |

| (1) | (2) | (3) | (4) | (5) | (6) | (7) | (8) |
|----------------------------|-----|-----|-----|----------------------------|-----|-----|-----|
| | Rs. | | | | | | |
| To | | | | By | | | |
| Revenue expenditure | | | | I. Grants received | | | |
| (A) Administrative | | | | (a) From Government | | | |
| (i) Salaries | | | | (b) From other agencies | | | |
| (ii) Travelling allowances | | | | Total | | | |

OFFICIAL GAZETTE — GOVT. OF GOA
SERIES I No. 39 (EXTRAORDINARY) 23RD DECEMBER, 2021

| (iii) Leave salary and pension contributions | | | | Less: | | | |
|---|-----|-----|-----|--|-----|-----|-----|
| (1) | (2) | (3) | (4) | (5) | (6) | (7) | (8) |
| (iv) %RDUG-s contribution to the staff provident fund . | | | | Amount utilized for Capital expenditure. Net grant available for Revenue expenditure. | | | |
| (v) Contingent expenditure | | | | | | | |
| (B) Running expenses of laboratories: (i) Main laboratory (ii) Payments to be made to the State Government Analyst laboratory | | | | II Fees III Service rental charges IV Fines and forfeitures V Interest on investments | | | |
| (C) Running and maintenance of vehicles | | | | VI Miscellaneous receipts | | | |
| (D) maintenance and Repairs (i) Building and Land (ii) Drainage Works (iii) Furniture and Fixtures (iv) Scientific Instruments and office appliances (v) Tools and Plant | | | | VII Excess of expenditure over income | | | |
| (E) Fees to consultants and specialists | | | | | | | |
| (F) Law Charges | | | | | | | |
| (G) Depreciation : (i) Buildins (ii) Laboratory equipment (iii) Vehicles (iv) Furniture and Fixtures (v) Scientific instruments and office appliances (vi) Tools and Plants | | | | | | | |
| (H) Miscellaneous (i) Write off losses (as per details in the statement attached). (ii) Other Miscellaneous expenditure. | | | | | | | |
| (I) Fees for Audit | | | | | | | |

| | | | | | | |
|---------------------------------------|--|--|--|--|--|--|
| (I) Excess of Income over expenditure | | | | | | |
| TOTAL | | | | | | |

Accounts Officer/Accountant

Member Secretary

FORM XIII

THE GOA STATE POLLUTION CONTROL BOARD

ANNUAL STATEMENT OF ACCOUNTS

Balance sheet as at 31st 0DUFK«

(See rule 34)

| Capital and Liabilities | | | | Property and Assets | | | |
|-------------------------|---------|-------------------|---------------------|---------------------|---------|-------------------|---------------------|
| Previous year | Details | Total of sub-head | Total of Major head | Previous year | Details | Total of sub-head | Total of Major head |

| (1) | (2) | (3) | (4) | (5) | (6) | (7) | (8) |
|---|-----|-----|-----|--|------|-----|-----|
| (A) Capital Fund | | | | | | | |
| (i) Grants received from Government for Capital Expenditure | | | | 1. Works--- (as per Form XI) | | | |
| (a) Amount utilized upto 31 st 0DUFK« | | | | 2. Fixed Assets (As per Form XII) | | | |
| (ii) Grant from other agencies for Capital expenditure | | | | (a) Value of land provided by Govt. (at cost) | | | |
| (a) Amount utilized upto 31 st 0DUFK« | | | | (b) Buildings ³ Balance as per last Balance Sheets Additions during the year | | | |
| (b) Unutilized balance to 31 st 0DUFK« | | | | | ---- | | |
| (iii) Value of land provided by Govt. (Per contra) | | | | | | | |
| (B) Capital Receipts | | | | Total | ---- | | |

OFFICIAL GAZETTE — GOVT. OF GOA
SERIES I No. 39 (EXTRAORDINARY) 23RD DECEMBER, 2021

| (c) (i) Deposits received for works from outside bodies | | | | 3. Other Assets----- (As per Form XII) (a) Laboratory Equipment as per last balance sheet additions during the year | | | |
|---|-----------------------|-----|-----|---|-------|-----|-----|
| | Deposits | | | | ----- | | |
| | Less Expenditure ---- | | | | ----- | | |
| | (ii) Other deposit | | | Total | ----- | | |
| | | | | Less depreciation during the year | ----- | | |
| | | | | Total | | | |
| (1) | (2) | (3) | (4) | (5) | (6) | (7) | (8) |
| (D) Amounts due----- (i) Purchases (ii) Others | | | | (b) Vehicles as per last balance sheet Addition during the year | ----- | | |
| | | | | Total | ----- | | |
| | | | | Less Depreciation during the year | ----- | | |
| | | | | Total | ----- | | |
| | | | | | | | |
| (E) Excess of income over expenditure : (i) Up to 31 st March « (ii) Add for the year (iii) Deduct --- Excess of expenditure over income | | | | (c) Furniture and fixtures as per last Balance Sheet Additions during the year | | | |
| | | | | Total | ----- | | |
| | | | | Less Depreciation during the year | ----- | | |
| | | | | Total | ----- | | |
| | | | | | | | |
| | | | | (d) Scientific Instruments and | ----- | | |

| | | | | Office Appliances ---- | ----- | | |
|-------|-----|-----|-----|--|-------|-----|-----|
| | | | | - | | | |
| | | | | As per last Balance Sheet | ----- | | |
| | | | | Additions during the year | ----- | | |
| | | | | Total | | | |
| | | | | (e) Tools and Plants ----- | | | |
| | | | | As per last Balance Sheet | ----- | | |
| | | | | Additions during the year | ----- | | |
| | | | | Total | ----- | | |
| | | | | Less Depreciation during the year | ----- | | |
| | | | | Total | | | |
| (1) | (2) | (3) | (4) | (5) | (6) | (7) | (8) |
| | | | | 4. Sundry Debtors | | | |
| | | | | (i) Amounts due from out site bodies for expenditure incurred----- | | | |
| | | | | Expenditure | | | |
| | | | | Less Amount received | | | |
| | | | | (ii) Other sundry Debtors | | | |
| | | | | 5. Advances----- | | | |
| | | | | (a) Miscellaneous Advances | | | |
| | | | | (b) Other amount recoverable Cash----- | | | |
| | | | | (c) Notice/ShortTerm Deposits | | | |
| | | | | (d) Cash at Bank | ----- | | |
| | | | | (e) Cash at Hand | | | |
| | | | | (f) Cash in transit | | | |
| Total | | | | Total | ----- | | |

OFFICIAL GAZETTE — GOVT. OF GOA
SERIES I No. 39 (EXTRAORDINARY) 23RD DECEMBER, 2021

| | | |
|--------------------------------|------------------|----------|
| Accounts Officer/Accountant | Member Secretary | Chairman |
| | | |

SCHEDULE I (2022)

[See Rule 25]

An Application for Consent to Establish;-

- (iv) A Green Category Industry shall be accompanied by Fee as specified in Table 1 below;
- (v) An Orange Category Industry shall be accompanied by Fee as specified in Table 1 below;
- (vi) A Red Category Industry shall be accompanied by Fee as specified in Table 1 below;

II An Application for Consent to Operate;-

- (iii) RED Category Industry (Large, Medium and Small scale) shall be accompanied by Fees as specified in Table 2(A) below.
- (iv) ORANGE Category Industry (Large, Medium and Small scale) shall be accompanied by Fees as specified in Table 2(B) below.
- (iii) GREEN Category Industry (Large, Medium and Small scale) shall be accompanied by Fees as specified in Table 2(C) below.

Table 1

| Total Estimated Investment (TEI) (Rs. in Lakhs) | Fee For Consent to Establish (In Rupees) | |
|--|---|--|
| | Fee (5 years) | Fee (per year) |
| 1 | 350 | 70 |
| 1 - up to 2 | 700 | 140 |
| 2 - up to 3 | 1000 | 200 |
| 3 - up to 4 | 1350 | 270 |
| 4 - up to 5 | 1700 | 340 |
| 5 - up to 6 | 2000 | 400 |
| 6 - up to 7 | 2350 | 470 |
| 7 - up to 8 | 2700 | 540 |
| 8 - up to 9 | 3000 | 600 |
| 9 - up to 10 | 3350 | 670 |
| 10 - up to 15 | 4000 | 800 |
| 15 - up to 20 | 4700 | 940 |
| 20 - up to 25 | 5350 | 1070 |
| 25 - up to 35 | 6700 | 1340 |
| 35 - up to 45 | 8000 | 1600 |
| 45 - up to 55 | 9350 | 1870 |
| 55 - up to 65 | 10700 | 2140 |
| 65 - up to 75 | 12000 | 2400 |
| 75 - up to 100 | 13350 | 2670 |
| 100 - up to 500 | 17350 | 3470 |
| 500 - up to 1000 | 21350 | 4270 |
| 1000 - up to 2000 | 25350 | 5070 |
| 2000 - up to 3000 | 33700 | 6740 |
| 3000 - up to 4000 | 42000 | 8400 |
| 4000 - up to 5000 | 50350 | 10070 |
| 5000 - up to 10000 | 75350 | 15070 |
| 10000 - up to 20000 | 100350 | 20070 |
| Above 20000 | 5 x (a fee of Rs. 200/- for every additional 100 lakhs shall be payable in addition to Rs. 20,070/-) | a fee of Rs. 200/- for every additional 100 lakhs shall be payable in addition to Rs. 20,070/- |

Note: Also 2% increase in the above fees for every subsequent financial year.

Table 2(A)

| Renewal/Consent to operate | Red Category (L) | Red Category (M) | Red Category (S) |
|----------------------------|------------------|------------------|------------------|
| | Per year | | |
| 1 | 500 | 500 | 200 |
| 1 - up to 2 | 1000 | 1000 | 400 |
| 2 - up to 3 | 1500 | 1500 | 600 |
| 3 - up to 4 | 2000 | 2000 | 800 |
| 4 - up to 5 | 2500 | 2500 | 1000 |
| 5 - up to 6 | 3000 | 3000 | 1200 |
| 6 - up to 7 | 3500 | 3500 | 1400 |
| 7 - up to 8 | 4000 | 4000 | 1600 |
| 8 - up to 9 | 4500 | 4500 | 1800 |
| 9 - up to 10 | 5000 | 5000 | 2000 |

| Renewal/Consent to operate | Red Category (L) | Red Category (M) | Red Category (S) |
|----------------------------|---|---|---|
| | Per year | | |
| 10 - up to 15 | 6000 | 6000 | 2400 |
| 15 - up to 20 | 7000 | 7000 | 2800 |
| 20 - up to 25 | 8000 | 8000 | 3200 |
| 25 - up to 35 | 9500 | 9500 | 3800 |
| 35 - up to 45 | 11000 | 11000 | 4400 |
| 45 - up to 55 | 12500 | 12500 | 5000 |
| 55 - up to 65 | 14000 | 14000 | 5600 |
| 65 - up to 75 | 15500 | 15500 | 6200 |
| 75 - up to 100 | 17000 | 17000 | 6800 |
| 100 - up to 500 | 22000 | 22000 | 8800 |
| 500 - up to 1000 | 27000 | 27000 | 10800 |
| 1000 - up to 2000 | 37000 | 37000 | 14800 |
| 2000 - up to 3000 | 47000 | 47000 | 18800 |
| 3000 - up to 4000 | 57000 | 57000 | 22800 |
| 4000 - up to 5000 | 67000 | 67000 | 26800 |
| 5000 - up to 10000 | 97000 | 97000 | 38800 |
| 10000 - up to 20000 | 127000 | 127000 | 50800 |
| Above 20000 | a fee of Rs. 1000/- for every additional 100 lakhs shall be payable in addition to Rs. 1,27,000/- | a fee of Rs. 1000/- for every additional 100 lakhs shall be payable in addition to Rs. 1,27,000/- | a fee of Rs. 1000/- for every additional 100 lakhs shall be payable in addition to Rs. 50,800/- |

NOTE: An application for renewal of Consent submitted after expiry of the validity shall accompany with penalty of 50% of the Consent fees in addition to the prescribed consent fees. Also 2% increase in the above fees for every subsequent financial year.

Table 2(B)

| Renewal/Consent to operate | Orange category (L) | Orange category (M) | Orange category (S) |
|----------------------------|---|---|---|
| | Per year | | |
| 1 | 350 | 350 | 150 |
| 1 - up to 2 | 700 | 700 | 300 |
| 2 - up to 3 | 1000 | 1000 | 450 |
| 3 - up to 4 | 1350 | 1350 | 600 |
| 4 - up to 5 | 1700 | 1700 | 750 |
| 5 - up to 6 | 2000 | 2000 | 900 |
| 6 - up to 7 | 2350 | 2350 | 1000 |
| 7 - up to 8 | 2700 | 2700 | 1200 |
| 8 - up to 9 | 3000 | 3000 | 1300 |
| 9 - up to 10 | 3350 | 3350 | 1450 |
| 10 - up to 15 | 4000 | 4000 | 1750 |
| 15 - up to 20 | 4700 | 4700 | 2000 |
| 20 - up to 25 | 5350 | 5350 | 2300 |
| 25 - up to 35 | 6350 | 6350 | 2800 |
| Renewal/Consent to operate | Orange category (L) | Orange category (M) | Orange category (S) |
| | Per year | | |
| 35 - up to 45 | 7350 | 7350 | 3150 |
| 45 - up to 55 | 8350 | 8350 | 3600 |
| 55 - up to 65 | 9350 | 9350 | 4000 |
| 65 - up to 75 | 10350 | 10350 | 4450 |
| 75 - up to 100 | 11350 | 11350 | 4900 |
| 100 - up to 500 | 14700 | 14700 | 6300 |
| 500 - up to 1000 | 18000 | 18000 | 7750 |
| 1000 - up to 2000 | 24700 | 24700 | 10600 |
| 2000 - up to 3000 | 31350 | 31350 | 13450 |
| 3000 - up to 4000 | 38000 | 38000 | 16300 |
| 4000 - up to 5000 | 44700 | 44700 | 19150 |
| 5000 - up to 10000 | 64700 | 64700 | 27750 |
| 10000 - up to 20000 | 84700 | 84700 | 36300 |
| Above 20000 | a fee of Rs. 1000/- for every additional 100 lakhs shall be payable in addition to Rs. 84,700/- | a fee of Rs. 1000/- for every additional 100 lakhs shall be payable in addition to Rs. 84,700/- | a fee of Rs. 1000/- for every additional 100 lakhs shall be payable in addition to Rs. 36,300/- |

NOTE: An application for renewal of Consent submitted after expiry of the validity shall accompany with penalty of 50% of the Consent fees in addition to the prescribed consent fees. Also 2% increase in the above fees for every subsequent financial year.

Table 2(C)

| Renewal/Consent to operate | Green category (L) | Green category (M) | Green category (S) |
|-------------------------------|--------------------|--------------------|--------------------|
| | Per year | | |
| 1 | 200 | 200 | 100 |
| 1 - up to 2 | 400 | 400 | 200 |
| 2 - up to 3 | 600 | 600 | 300 |
| 3 - up to 4 | 800 | 800 | 400 |
| 4 - up to 5 | 1000 | 1000 | 500 |
| 5 - up to 6 | 1200 | 1200 | 600 |
| 6 - up to 7 | 1400 | 1400 | 700 |
| 7 - up to 8 | 1600 | 1600 | 800 |
| 8 - up to 9 | 1800 | 1800 | 900 |
| 9 - up to 10 | 2000 | 2000 | 1000 |
| 10 - up to 15 | 2400 | 2400 | 1200 |
| 15 - up to 20 | 2800 | 2800 | 1400 |
| 20 - up to 25 | 3200 | 3200 | 1600 |
| 25 - up to 35 | 3800 | 3800 | 1900 |
| 35 - up to 45 | 4400 | 4400 | 2200 |
| 45 - up to 55 | 5000 | 5000 | 2500 |
| 55 - up to 65 | 5600 | 5600 | 2800 |
| 65 - up to 75 | 6200 | 6200 | 3100 |
| 75 - up to 100 | 6800 | 6800 | 3400 |
| 100 - up to 500 | 8800 | 8800 | 4400 |
| 500 - up to 1000 | 10800 | 10800 | 5400 |

| Renewal/Consent to operate | Green category (L) | Green category (M) | Green category (S) |
|-------------------------------|---|---|---|
| | Per year | | |
| 1000 - up to 2000 | 14800 | 14800 | 7400 |
| 2000 - up to 3000 | 18800 | 18800 | 9400 |
| 3000 - up to 4000 | 22800 | 22800 | 11400 |
| 4000 - up to 5000 | 26800 | 26800 | 13400 |
| 5000 - up to 10000 | 38800 | 38800 | 19400 |
| 10000 - up to 20000 | 50800 | 50800 | 25400 |
| Above 20000 | a fee of Rs. 1000/- for every additional 100 lakhs shall be payable in addition to Rs. 50,800/- | a fee of Rs. 1000/- for every additional 100 lakhs shall be payable in addition to Rs. 50,800/- | a fee of Rs. 1000/- for every additional 100 lakhs shall be payable in addition to Rs. 25,400/- |

NOTE: An application for renewal of Consent submitted after expiry of the validity shall accompany with penalty of 50% of the Consent fees in addition to the prescribed consent fees. Also 2% increase in the above fees for every subsequent financial year.

Table 3

(See rule 25(5))

Categorization of Industries

| RED CATEGORY | |
|---------------------|---|
| Sr. No. | Category |
| 1 | 2 |
| 1 | Airports and Commercial Air Strips with overall waste water generation > 100KLD |
| 2 | Aluminium Smelter |
| 3 | Asbestos and asbestos based industries |
| 4 | Automobile Manufacturing (integrated facilities) |
| 5 | Basic chemicals and electro chemicals and its derivatives including manufacturing of acid |
| 6 | %XLOGLQJDQGFRQVWUXFWLRQSURMHFWVKDYLQJZDVWHZDWHUJHQHUDWLRQ•./' |
| 7 | Cement |
| 8 | Chlor Alkali |
| 9 | Chlorates, per-chlorates & peroxides |
| 10 | Chlorine, fluorine, bromine, iodine and their compounds |
| 11 | Coke making , liquefaction, coal tar distillation or fuel gas making |
| 12 | Common treatment and disposal facilities (CETP, TSDF,CBMWTF, effluent conveyance project, incinerator, MSW sanitary landfill site) |
| 13 | Compressed Biogas (CBG)/Bio-CNG plants CBG plants based on Municipal Solid Waste (MSW) WWG is more than 100KLD |
| 14 | Compressed Biogas (CBG)/Bio-CNG plants CBG plants based on process waste (industrial/process liquid effluent & solid waste like press mud, organic sludge, molasses etc. WWG is more than 100KLD |
| 15 | Copper Smelter |
| 16 | DG Set of capacity > 5 MVA |
| 17 | Distillery (molasses/grain/yeast based) |
| 18 | Dyes and Dye- Intermediates |
| 19 | Fertilizer (basic) (excluding formulation) |
| 20 | Fibre glass production and processing (excluding moulding) |
| 21 | Fire crackers manufacturing and bulk storage facilities |
| 22 | Health Care establishments (as defined in Bio-Medical Management Waste Rules, 2016 as amended from time to time) with overall waste water generation >100KLD |
| 23 | Hotel having overall wastewater generation @100KLD and more |

| | |
|----|---|
| 24 | Industrial carbon including electrodes and graphite blocks, activated carbon, carbon black |
| 25 | Industries engaged in recycling/reprocessing/recovery/reuse of Hazardous Waste under schedule iv of Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016 and as amended from time to time-Items namely ² Spent catalyst containing nickel, cadmium, Zinc, copper, arsenic, vanadium and cobalt, |
| 1 | 2 |
| 26 | Industries engaged in recycling/reprocessing/recovery/reuse of Hazardous Waste under schedule iv of Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016 and as amended from time to time-Items namely-Dismantlers Recycling Plants-Components of waste electrical and electronic assemblies comprising accumulators and other batteries included on list A, mercury-switches, activated glass cullets from cathode-ray tubes and other activated glass and PCB-capacitors, or any other component contaminated with Schedule 2 constituents (e.g. cadmium, mercury, lead, polychlorinated biphenyl) to an extent that they exhibit hazard characteristics indicated in part C of this Schedule. |
| 27 | Industries engaged in recycling/reprocessing/recovery/reuse of Hazardous Waste under schedule iv of Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016 and as amended from time to time-Items namely-Integrated Recycling Plants -Components of waste electrical and electronic assemblies comprising accumulators and other batteries included on list A, mercury- switches, activated glass cullets from cathode-ray tubes and other activated glass and PCB-capacitors, or any other component contaminated with Schedule 2 constituents (e.g. cadmium, mercury, lead, polychlorinated biphenyl) to an extent that they exhibit hazard characteristics indicated in part C of this Schedule. |
| 28 | Industries engaged in recycling/reprocessing/recovery/reuse of Hazardous Waste under schedule iv of Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016 and as amended from time to time-Items namely-Lead acid battery plates and other lead scrap/ashes/residues not covered under Batteries (Management and Handling) Rules, 2001. [* Battery scrap, namely: Lead battery plates FRYHUhGE\,65,&RGHZRUG'5DLOVµ Battery IXJVFRYHUhGE\,65,&RGHZRUG'5DNHVµ. Scrap drained/dry while intact, lead batterLHVFRYHUhGE\,65,&RGHZRUG'UDLQVµ. |
| 29 | Industries engaged in recycling/reprocessing/recovery/reuse of Hazardous Waste under schedule iv of Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016 and as amended from time to time-Items namely-Spent cleared metal catalyst containing copper, Spent cleared metal catalyst containing zinc,, |
| 30 | Industry having liquid waste water generation of 100KLD or more including industrial and domestic waste water |
| 31 | Industry or process involving metal surface treatment or process such as pickling/ electroplating/paint stripping/heat treatment using cyanide bath/phosphating or finishing and anodizing/enamellings/galvanizing |
| 32 | Iron & Steel (involving processing from ore/integrated steel plants) and or Sponge Iron units |
| 33 | Isolated storage of hazardous chemicals (as per schedule of manufacturing, storage of hazardous chemicals rules, 1989 as amended) |
| 34 | Lead acid battery manufacturing(excluding assembling and charging of lead-acid battery in micro scale) |
| 35 | Manufacturing of explosives, detonators, fuses including management and handling activities |

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| 36 | <u>Manufacturing of glue and gelatin</u> |
| 37 | Manufacturing of lubricating oils, grease and petroleum based products |
| 38 | Manufacturing of paints varnishes, pigments and intermediate (excluding blending/mixing) |
| 39 | Milk processes and dairy products (integrated project) |
| 40 | Mining and ore beneficiation |
| 41 | Nuclear power plant |
| 1 | 2 |
| 42 | Oil and gas extraction including CBM (offshore & on-shore extraction through drilling wells) |
| 43 | Oil Refinery (mineral Oil or Petro Refineries) |
| 44 | Organic Chemicals manufacturing |
| 45 | Pesticides (technical) (excluding formulation) |
| 46 | Petrochemicals Manufacturing (including processing of Emulsions of oil and water) |
| 47 | Pharmaceuticals |
| 48 | Phosphate rock processing plant |
| 49 | Phosphorous and its compounds |
| 50 | Photographic film and its chemicals |
| 51 | Ports and harbour, jetties and dredging operations |
| 52 | Power generation plant [except Wind and Solar renewable power plants of all capacities and Mini Hydel power plant of capacity <25MW] |
| 53 | Processes involving chlorinated hydrocarbons |
| 54 | Pulp & Paper (Large-Agro + wood), Small Pulp & Paper (agro based-wheat straw/rice husk) |
| 55 | Pulp & Paper (waste paper based units with bleaching process to manufacture writing & printing paper) |
| 56 | Pulp & Paper (waste paper based without bleaching process to manufacture Kraft Paper) |
| 57 | Railway locomotive work shop/Integrated road transport workshop/Authorized service centers |
| 58 | Railway Stations (Wastewater JHQHUDWLRQ•./' |
| 59 | Ship Breaking Industries |
| 60 | Slaughter house (as per notification S.O.270(E)dated 26-03-2001)and meat processing industries, bone mill, processing of animal horn, hoofs and other body parts |
| 61 | Sugar (excluding Khandsari) |
| 62 | Synthetic fibers including rayon, tyre cord, polyester filament yarn |
| 63 | Tanneries |

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| 64 | Thermal Power Plants |
| 65 | 7\UHDQGWXEHVPDQXIDFWXULQJXQLW•./'ZDVWHZDWHUJHQHUDWLRQ |
| 66 | Yarn/Textile processing involving any effluent/emission generating processes including bleaching, dyeing, printing and colouring |
| 67 | Zinc Smelter |

ORANGE CATEGORY

| Sr. No. | Category |
|---------|---|
| 1 | 2 |
| 1 | Airport and Commercial air strips with overall waste water generation <100KLD |
| 2 | Almirah, Grill Manufacturing (Dry Mechanical Process) |

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| 1 | 2 |
|----|---|
| 3 | Aluminium & copper extraction from scrap using oil fired furnace (dry process only) |
| 4 | Automobile servicing, repairing and painting (excluding only fuel dispensing) |
| 5 | Automobile servicing, repairing and painting (excluding only fuel dispensing) |
| 6 | Ayurvedic and homeopathic medicine |
| 7 | Bakery and confectionary units (with wood fired ovens/furnaces of all capacities) and electric/gas ovens with >1T/day capacity 1T/day ⁽²⁰²²⁾ |
| 8 | Brickfields (excluding fly ash brick manufacturing using lime process) |
| 9 | Building and construction projects having built-up area more than 20000sq.mt and waste ZDWHUJHQHUDWLRQ•./' |
| 10 | Cashew nut processing |
| 11 | Ceramics and Refractories |
| 12 | Chanachur and ladoo from puffed and beaten rice(muri and shira) using husk fired oven |
| 13 | Coal washeries |
| 14 | Coated electrode manufacturing |
| 15 | Coffee seed processing |
| 16 | Compact disc computer floppy and cassette manufacturing / Reel manufacturing |
| 17 | Compressed/Refined Bio-gas production from Biodegradable waste |
| 18 | Compressed Biogas (CBG)/Bio-CNG plants CBG plants based on Municipal Solid Waste (MSW) WWG is less than 100KLD |
| 19 | Compressed Biogas (CBG)/Bio-CNG plants CBG plants based on process waste (industrial/process liquid effluent & solid waste like press mud, organic sludge, molasses etc. WWG is less than 100KLD |
| 20 | Compressed Biogas (CBG)/Bio-CNG plants CBG plants based on crop residue (paddy straw/wheat straw/corn sweet sorghum/napier grass etc) |

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| 21 | Compressed Biogas (CBG)/Bio-CNG plants CBG plants based on animal waste (dairy farms, poultry farms and other animal) WWG is more than 100KLD |
| 22 | Construction and Demolition (C & D) waste processing plants |
| 23 | Cotton spinning and weaving (medium and large scale) |
| 24 | Dairy and dairy products (small scale) |
| 25 | Dairy Farm having 15 animals and above where milching animals (cows/buffaloes) are housed to produce milk for distribution and supply to milk processing plants |
| 26 | DG set of capacity >1MVA but < 5MVA |
| 27 | Dismantling of rolling stocks (wagons/coaches) |
| 28 | Dry cell battery (excluding manufacturing of electrodes) and assembling & charging of acid lead battery on micro scale |
| 1 | 2 |
| 29 | Dry coal processing, mineral processing, industries involving ore sintering, pelletising, grinding & pulverization |
| 30 | Fermentation industry including manufacture of yeast, beer, distillation of alcohol (Extra Neutral Alcohol) |
| 31 | Ferrous and Non-ferrous metal extraction involving different furnaces through melting, refining, re-processing, casting and alloy-making |
| 32 | Fertilizer (granulation/formulation/blending only) |
| 33 | Fish feed, poultry feed and cattle feed |
| 34 | Fish processing and packing (excluding chilling of fishes) |
| 35 | Flakes from rejected PET bottle |
| 36 | Foam manufacturing |
| 37 | Food and food processing including fruits and vegetable processing |
| 38 | Forging of ferrous and non-ferrous metals (using oil and gas fired furnaces) |
| 39 | Formulation/pelletization of camphor tablets, naphthalene balls from camphor/naphthalene powders. |
| 40 | Gaushalas where weak, sick, injured, handicapped and abandoned homeless cattle/cows are housed for rehabilitation is 100KLD and more. |
| 41 | Glass ceramics, earthen potteries and tile manufacturing using oil and gas fired kilns, coating on glasses using cerium fluorides and magnesium fluoride etc. |
| 42 | Gold Assaying & Hallmarking Centres |

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| 43 | Gravure printing, digital printing on flex, vinyl |
| 44 | Health Care establishments (as defined in Bio-Medical Management Waste Rules, 2016 as amended from time to time) with overall waste water generation >100KLD |
| 45 | Heat treatment using oil fired furnace (without cyaniding) |
| 46 | Hot mix plants |
| 47 | Hotels (< 3 star) or hotels having > 20 rooms and less than 100 rooms. |
| 48 | Hotels (<3 star) or hotels having>20 rooms and less than 100 rooms |
| 49 | Ice cream |
| 50 | Industries engaged in recycling/reprocessing/recovery/reuse of Hazardous Waste under schedule iv of Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016 and as amended from time to time-Items namely-Brass Dross, Copper Dross, Copper Oxide Mill Scale, Copper Reverts, Cake & Residues, Waste Copper and copper alloys in dispersible form, Slags from copper processing for further processing or refining, Insulated Copper Wire, Scrap/copper with PVC sheathing including ISRI-code PDWHULDO QDPHO\ 'DruiGμ -HOO\ ILOOHG & RSSHU FDEOHV, Zinc Dross-Hot dip Galvanizers SLAB,, Zinc Dross-Bottom Dross, Zinc ash/Skimming arising from galvanizing and die casting operations, Zinc ash/Skimming/other zinc bearing wastes arising from smelting and refining, Zinc ash and residues including zinc alloy residues in dispersible form, |
| 51 | Industries engaged in recycling/reprocessing/recovery/reuse of Hazardous Waste under schedule iv of Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016 and as amended from time to time-Items namely-Paint and ink Sludge/residues |
| 1 | 2 |
| 52 | Industries engaged in recycling/reprocessing/recovery/reuse of Hazardous Waste under schedule iv of Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016 and as amended from time to time-Items namely-Used Oil-As per specifications prescribed from time to time. |
| 53 | Industries engaged in recycling/reprocessing/recovery/reuse of Hazardous Waste under schedule iv of Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016 and as amended from time to time-Items namely-Waste Oil ³ As per specifications prescribed from time to time. |
| 54 | Industry or processes involving foundry operations |
| 55 | Jute processing without dyeing |
| 56 | Lime manufacturing (using lime kiln) |
| 57 | Liquid floor cleaner, black phenyl, liquid soap, glycerol mono-stearate manufacturing |
| 58 | Manufacturing of glass |
| 59 | Manufacturing of iodized salt from crude/ raw salt |
| 60 | Manufacturing of mirror from sheet glass |
| 61 | Manufacturing of mosquito repellent coil |
| 62 | Manufacturing of silica gel |
| 63 | Manufacturing of Starch/Sago |
| 64 | Manufacturing of tooth powder, toothpaste, talcum powder and other cosmetic items |
| 65 | Mechanized laundrt using oil fired boiler |

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| 66 | Mechanized laundry using oil fired boiler |
| 67 | Modular wooden furniture from particle board, MDF< swan timber etc, Ceiling tiles/ partition board from saw dust, wood chips etc., and other agricultural waste using synthetic adhesive resin, wooden box making (With boiler) |
| 68 | New highway construction project |
| 69 | New highway construction project |
| 70 | Non-alcoholic beverages(soft drink) & bottling of alcohol/non alcoholic products |
| 71 | Paint blending and mixing (Ball mill) |
| 72 | Paints and varnishes (mixing and blending) |
| 73 | Parboiled Rice Mills |
| 74 | Pharmaceutical formulation and for R & D purpose (For sustained release/extended release of drugs only and not for commercial purpose) |
| 75 | Ply-board manufacturing (including Veneer and laminate) with oil fired boiler/thermic fluid heater(without resin plant) |
| 76 | Potable alcohol (IMFL) by blending, bottling of alcohol products |
| 77 | Powder Coating Compound manufacturing units |
| 78 | Printing ink manufacturing |
| 79 | Printing or etching of glass sheet using hydrofluoric acid |
| 80 | Printing press |
| 81 | Producer gas plant using conventional up drift coal gasification (linked to rolling mills glass and ceramic industry refactories for dedicated fuel supply) |
| 82 | 5DLOZD\6WDWLRQV:DVWHZDWHUJHQHUDWLRQ•./'EXW./' |

| 1 | 2 |
|-----|---|
| 83 | Reprocessing of waste plastic including PVC |
| 84 | Rolling mill (oil or coal fired) and cold rolling mill |
| 85 | Scrapping Centres (for End of Life of Vehicles and other scraps such as plant and machineries, structural material, railway coaches and wagons etc.) a. Collection, DePollution, Dismantling Centres |
| 86 | Scrapping Centres (for End of Life of Vehicles and other scraps such as plant and machineries, structural material, railway coaches and wagons etc.) a. Collection, DePollution, Dismantling Centres and Shredding Centres |
| 87 | Scrapping Centres (for End of Life of Vehicles and other scraps such as plant and machineries, structural material, railway coaches and wagons etc.) a. Shredding Centres (can include white goods) IRWKHUVFUDSVDOVR1RWH-Recycling/Disposal of white goods are covered under E-Waste (Management & Handling Rules, 2016. and have already been categorised in CPCB document-Classification of industrial Sector-(Feb. 2016) |
| 88 | Silk screen printing, sari printing by wooden blocks |
| 89 | Spray painting, paint baking, paint shipping |
| 90 | Steel and steel products using various furnaces like blast furnace/open hearth furnace/ induction furnace/arc furnace/submerged arc furnace/basic oxygen reheated furnace/hot rolling furnace |
| 91 | Stone crushers |
| 93 | Stone Quarries |
| 94 | Surgical and medical products including prophylactics and latex |
| 95 | Synthetic detergents and soaps (excluding formulation) |
| 96 | Synthetic resins |
| 97 | Synthetic rubber excluding molding |
| 98 | Teflon based products |
| 99 | Thermocol manufacturing (with boiler) |
| 100 | Thermometer manufacturing |
| 101 | Tobacco products including cigarettes and tobacco/opium processes |
| 102 | Transformer repairing/manufacturing (dry process only) |
| 103 | Tyres and tubes vulcanization/hot retreating |
| 104 | Vegetable oil manufacturing including solvent extraction and refinery/hydrogenated oils |
| 105 | Wire drawing and wire netting |

| GREEN CATEGORY | |
|-----------------------|--|
| Sr. No. | Category |
| 1 | 2 |
| 1 | Aluminium utensils from aluminium circles by pressing only (dry mechanical operation) |
| 2 | Assembly of antenna |
| 3 | Ayurvedic and homeopathic medicines (without boiler) |
| 4 | Bakery/confectionery/sweets products (with production capacity <1tpd (with gas electrical oven) or |
| 5 | Bi-axially oriented PP film along with metalizing operations |
| 6 | Biomass briquettes (sun drying) without using toxic hazardous wastes |
| 1 | 2 |
| 7 | Blending of melamine resins & different powder, additives by physical mixing |
| 8 | Brass and bell metal utensils manufacturing from circles(dry mechanical operation without re-rolling facility) |
| 9 | Building and construction projects having built-up area less than 20000sq.mt and waste ZDWHUJHQHUDWLRQ"./' |
| 10 | Bus body building excluding painting |
| 11 | Candy |
| 12 | Cardboard or paper gated box and paper products (excluding paper or pulp manufacturing and without using boilers) |
| 13 | Carpentry & wooden furniture manufacturing (excluding saw mill) with the help of electrical (motorized) machines such as electrical wood planner, steel saw cutting circular blade, etc. |
| 14 | Catering Service other then on tiffin basis and self help groups. |
| 15 | Cement products (without using asbestos/boiler/steam curing) like pipe ,pillar, jafri, well ring, block/tiles etc.(should be done in closed covered shed to control fugitive emissions) |
| 16 | Ceramic colour manufacturing by mixing & blending only (not using boiler and wastewater recycling process) |
| 17 | Chilling plant and ice making without using ammonia |
| 18 | Chilling plant, cold storage and ice making |
| 19 | CO ₂ recovery |
| 20 | Coke briquetting (sun drying) |
| 21 | Compressed/Refined Bio-Gas Production from Bio-degradable Wastes.No waste water discharge from digester and also feed slurry to digester having Volatile Organic Fraction more than 75%. |

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| 22 | Compressed Biogas (CBG)/Bio-CNG plants CBG plants based on crop residue (paddy straw/wheat straw/corn straw/sorghum/napier grass etc) WWG is less than 100KLD |
| 23 | Compressed Biogas (CBG)/Bio-CNG plants CBG plants based on animal waste (dairy farms, poultry farms and other animal waste) WWG is less than 100KLD |
| 24 | Cotton spinning and weaving (small scale) |
| 25 | Cutting, sizing and polishing of marble stone |
| 26 | Dal Mills |
| 27 | Decoration of ceramic cups and plates by electric furnace |
| 28 | Diesel generator sets (15KVA to 1MVA) (excluding standalone DG sets. (2022) |
| 29 | Digital printing on PVC clothes |
| 30 | Distilled water (without boiler) with electricity as source of heat |
| 31 | Electrical and electronic item assembling with painting activity |
| 32 | Emery powder (fine dust of sand) manufacturing |
| 33 | Facility of handling, storage and transportation of food grains in bulk |
| 34 | Facility of handling, storage and transportation of food grains in bulk) |
| 36 | Flour mills (dry process) |
| 37 | Flyash export, transport & disposal facilities |
| 38 | Gaushalas where weak, sick, injured, handicapped and abandoned homeless cattle/cows are housed for rehabilitation is less than 100KLD. |

| 1 | 2 |
|----|--|
| 39 | Glass, ceramic, earthen potteries, tile and tile manufacturing using electrical kiln or not involving fossil fuel kiln |
| 40 | Glue from starch (physical mixing) with gas/electrically operated oven/boiler. |
| 41 | Gold and silver smithy (purification with acid smelting operation and sulphuric acid polishing operation) (using less or equal to 1 litre of sulphuric acid/nitric acid per month) |
| 42 | Heat treatment with any of the new technology like ultrasound probe, induction hardening, ionization beam, gas carburizing etc. |
| 43 | Hotels (up to 20 rooms and without boilers) and overall waste water generation < 100KLD |
| 44 | Hotels (upto 20 rooms and without boiler) |
| 45 | Insulation and other coated papers (excluding paper or pipe manufacturing) |
| 46 | Leather foot wear and leather products (excluding tanning and hide processing except cottage scale) |

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| 47 | Lubricating oil, greases or petroleum based products (only blending at normal temperature) |
| 48 | Manufacture of sanitary pads |
| 49 | Manufacturing of optical lenses (using electrical furnace) |
| 50 | Manufacturing of pasted veneers using gas fired boiler or thermic fluid heater and by sun drying |
| 52 | Marriage Halls |
| 53 | Mineral stack yard/Railway sidings |
| 55 | Mineralized water |
| 56 | Oil and gas transportation pipeline |
| 57 | Oil mill Ghani and extraction (no hydrogenation/refining) |
| 58 | Packing materials manufacturing from non asbestos fibre, vegetable fibre yarn |
| 59 | Papad and Pickels manufacturing |
| 60 | Phenyl/toilet cleaner formulation and bottling |
| 61 | Polythene and plastic processed products manufacturing (virgin plastic) |
| 62 | Poultry, Hatchery and Piggery |
| 63 | Power looms (without dye and bleaching) |
| 64 | Puffed rice (muri) (using gas or electrical heating system) |
| 65 | Pulverization of bamboo and scrap wood |
| 66 | Railway Stations (Wastewater generation<10KLD) |
| 67 | Ready mix cement concrete |
| 68 | Reprocessing of waste cotton |
| 69 | Rice mill (Rice hullers only) |
| 70 | Rolling mill (gas fired) and cold rolling mill |
| 71 | Rubber goods industry (with gas operated baby boiler) |
| 72 | Saw mills |
| 73 | Seasoning of wood in steam heated chamber |
| 75 | Soap manufacturing (hand made without steam boiling / boiler) |
| 76 | Spice grinding (20 HP motor) |
| 1 | 2 |
| 77 | Steel furniture without spray painting |
| 78 | Steeping and processing of grains |
| 79 | Surface treatment using water spray rinsing, degreasing, heating in ovens, electrostatic powder coating and curing using oven |

| | |
|----|---|
| 80 | Synthetic detergent formulation |
| 81 | Tamarind powder manufacturing |
| 82 | Tea processing (with boiler) |
| 83 | Tyres and tube retreating (without boilers) |

WHITE CATEGORY

| Sr. No. | Category |
|---------|--|
| 1 | 2 |
| 1 | Assembly of air coolers/conditioners, repairing and servicing |
| 2 | Assembly of bicycles, baby carriages and other small non motorizing vehicles |
| 3 | Automobile fuel outlets (only dispensing) |
| 4 | Bailing (hydraulic press) of waste papers |
| 5 | Bio fertilizer and bio-pesticides without using inorganic chemicals |
| 6 | Biscuits trays etc from rolled PVC sheet (using automatic vacuum forming machines) |
| 7 | Blending and packing of tea |
| 8 | Block making of printing without foundry (excluding wooden block making) |
| 9 | Catering serving food on tiffin basis, self help groups. |
| 10 | Cement Godown |
| 11 | Chalk making from plaster of Paris (only casting without boilers etc. (sun drying/electrical oven)) |
| 12 | Compressed oxygen gas from crude liquid oxygen (without use of any solvents and by maintaining pressure & temperature only for separation of other gases) |
| 13 | Compressed Biogas (CBG)/Bio-CNG plants CBG plants (irrespective of the type of feed) producing Fermented Organic manure (FOM) & Liquid Fermented Organic Manure (LFOM) as by-products |
| 14 | Compressed Biogas (CBG)/Bio-CNG plants Household bio-digesters/gobar-gas (cow-dung) plants based on biodegradable wastes etc. |
| 15 | Cotton and woolen hosiers making (Dry process only without any dying/washing operation) |
| 16 | Cycle/motor track |
| 17 | Dairy Farm having less than 15 animals where milching animals (cows/buffaloes) are housed to produce milk for distribution and supply to milk processing plants |
| 18 | Diesel pump repairing and servicing (complete mechanical dry process) |
| 19 | Domestic bio-digestors based on cow-dung or household biodegradable wastes (such as gobar gas plants) |

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| 20 | Electric lamp (bulb) and CFL manufacturing by assembling only | |
| 21 | Electrical and electronic item assembling (completely dry process) | |
| 1 | | 2 |
| 22 | Engineering and fabrication units (dry process without any heat treatment/metal surface finishing operations/painting) | |
| 23 | Fabrication carrying out metal primer application/hand painting activity | |
| 24 | Flavoured betel nuts production/grinding (completely dry mechanical operations) | |
| 25 | Fly ash bricks/block manufacturing | |
| 26 | Fountain pen manufacturing by assembling only | |
| 27 | Glass bottles and vilas making from glass tubes | |
| 28 | Glass putty and sealant (by mixing with machine only) | |
| 29 | Ground nut decorticating | |
| 30 | Handloom/carpet weaving (without dying and bleaching operation) | |
| 31 | Leather cutting and stitching (more than 10 machine and using motor) | |
| 32 | Manufacturing of coir items from coconut husks | |
| 33 | Manufacturing of metal caps containers etc | |
| 34 | Manufacturing of shoe brush and wire brush | |
| 35 | Medical oxygen | |
| 36 | Organic and inorganic nutrients (by physical mixing) | |
| 37 | Organic manure (manual mixing) | |
| 38 | Packing of powdered milk | |
| 39 | Paper pins and u clips | |
| 40 | Repairing of electric motors and generators (dry mechanical process) | |
| 41 | Rope (plastic and cotton) | |
| 42 | Scientific and mathematical instrument manufacturing | |
| 43 | Sewage tankers | |
| 44 | Solar module non conventional energy apparatus manufacturing unit | |
| 45 | Solar power generation through solar photovoltaic cell, wind power and mini hydel power (less than 25 MW) | |
| 46 | Surgical and medical products assembling only (not involving effluent/emission generating processes) | |
| 47 | Stand-alone Massage Parlours, Beauty Parlour, Hair Cutting Saloon and SPAs | |
| 48 | Tea Stall and food cart (2022) | |
| 49 | Used Cooking Oil (UCO) collection centres | |

Note: Any industry/industrial activity, process or trades which do not fall under any of the above mentioned categories, the decision with regards to their categorization/classification, will be taken by the Board, from time to time when such need arises, either suo motto or on the specific request by the Industrial unit. Industrial unit concerned may apply to the Goa State Pollution Control Board in this respect for necessary action.

ACCOMPANIMENTS:

The Following documents should invariably be attached alongwith the application as follows:

A. Consent to Establish/Consent to Operate

1. Land Allotment/earmarking letter or lease/Sale deed/Form I & XIV.
2. Flow Chart and detailed production process.
3. A copy of Project Report for projects costing Five crores and above.
4. Site plan (not required for units to be set up in Industrial Estates.)
5. Layout plan showing the location of manufacturing equipments, water supply/drainage lines, position of chimneys, effluent treatment plant and final discharge Point, Sludge solid waste disposal points and septic tanks/soak pits.
6. For industries/activities listed in Schedule I of the Environmental Impact Assessment (EIA) Notification 2006 copy of the EIA report/Form/Report submitted for obtaining Environmental Clearance and other survey, if required will have to be furnished in the prescribed time limit.
7. Photocopy of the prior Environmental Clearance (EC) issued by the Competent Authority, if applicable, for project listed in the Environment Impact Assessment (EIA) Notification, 2006, as amended from time to time.
8. Site plan showing surrounding Residential area , public places, water stream, etc., of the factory site within a radius of 5kms with waste water treatment and disposal systems clearly indicating where waste ² water is proposed to be disposed off (for medium and large scale enterprises).
9. Schematic sketch of the proposed effluent/sewage treatment system/plant (ETP/STP) and/or septic tanks/soak pit, duly signed by authorized person, along with detailed design calculation.
10. Certificate from Chartered Accountant certifying the Total Estimated Investment (T.E.I). (refer sample specimen below). In case of leased/hired premises/plant/machinery/equipment a certificate from a Registered Valuer towards capital cost is to be submitted without appreciation and depreciation.
11. Original authorization letter of the person to whom authorization is made to sign this application form except individual proprietary concern.
12. Any other documents/clarification as requisition by the Goa State Pollution Control Board.

B. Renewal of Consent to Operate

1. Certificate from Chartered Accountant certifying the Total Estimated Investment (T.E.I). (refer sample specimen below). In case of leased/hired premises/plant/machinery/equipment a certificate from a Registered Valuer towards capital cost is to be submitted without appreciation and depreciation.
2. Previous Consent to Operate issued by the Board
3. Stack Analysis Report/Analysis report of Treated effluent/sewage.
4. Any changes/modifications in the industry after the consent obtained.
13. Application for auto renewal of Orange and Green category will be accompanied by an affidavit annexed hereto for an individual proprietary concern.
14. Any other documents/clarification as requisition by the Goa State Pollution Control Board.

\$11(85)(¶%).
[See rule 25(6) (e).]

**Affidavit in support of obtaining
Auto Renewal of Consent to Establish/Operate**

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Panaji for obtaining auto renewal of Consent to Establish/Consent to Operate under the provisions of Air (Prevention and Control of Pollution) Act, 1981 (Act 14 of 1981) and do, hereby take oath and state as under:³ 2. That the Consent to Establish/Consent to Operate under the provisions of Air (Prevention and Control of Pollution) Act, 1981 (Act 14 of 1981) was issued vide order No dateG ««««

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3. That the said Consent to Establish/&RQVHQWWR2SHUDWHLVYDOLGXSWR««««
 4. That we have not carried out any expansion/modernisation/change in process/product/raw material/ fuel or change in pollution load.
 5. That we are complying with conditions of previous consent and submitting requisite compliance report of earlier consent alongwith supporting documents as per schedule.
 6. That we have submitted Environmental Statement report as prescribed under the rules,
 7. There is no change in information provided in the prescribed application form submitted for obtaining earlier consent to operate.
 8. That no directions were issued during last five years by the State Board under the provisions of section 31 (A) of Air (Prevention and Control of Pollution) Act, 1981 and section 5 of Environment (Protection) Act, 1986 (Act 29 of 1986).
 9. There are no prohibitory directions from Courts/Appellate Authority/National Green Tribunal/ other judicial/Quassi judicial Authority.
 10. We undertake to comply with the conditions and standards stipulated in consent order and with any additional condition/direction which may be stipulated by the Board in future and also to pay additional fee/charges demanded by the Board in future.
 11. That I have understood that any wrong, partial, forged information/document submitted by me or any false affirmation made by the undersigned, I shall be liable for legal action including the prosecution under the provisions of Air (Prevention and Control of Pollution) Act, 1981 (Act 29 of 1981) and Information Technology Act, 2000 (Act 21 of 2000) alongwith the provisions of Indian Penal Code, 1860 (Act 45 of 1860).

DEPONENT

Declaration

I, the above named deponent do hereby attest and verify that the contents of para No. 1 to 11 of this affidavit are true and correct to the best of my knowledge. Nothing material has been concealed therein nor any part of it is false.

DEPONENT

SCHEDULE II

[see Rule 26(5), (6), (9), (10), (11), (13), (14)]

A. MEMBERS OF THE ENVIRONMENTAL AUDIT COMMITTEE

1 Retired Scientist/ Engineer from a reputed Scientific : Chairman

- Organization/Institution to be nominated by the Chairman
- 2 A Senior Expert on Environmental Audit to be Appointed by GSPCB : Member from any IRCA authorized ISO 14001:2015 Certification Authority
- 3 Member of the State Expert appraisal Committee nominated by the State Expert Committee : Member
- 4 Scientist/Engineer of Goa State Pollution Control Board as : Convener nominated by Chairman, Goa State Pollution Control Board

B. OBJECTIVES

Objectives of Environmental Audit Scheme (EAS) is to engage deemed Scientific and Technical experts to provide a clear indication of the Environmental performance and compliance to Consent conditions of the Organization for the period covered by the audit.

The preliminary objectives of the EAS are as follows:

- a) Provide an objective analysis of the environmental impacts arising from the Organizations activities;
- b) Assess and Determine that mitigation measures including root cause analysis, corrective and preventive actions are effective in addressing environmental aspects and minimizing or removing environmental impacts;
- c) Identify opportunities and make recommendations for improvements in environmental performance of the Organization

C. ROLES AND RESPONSIBILITIES

The roles and responsibilities of the various key players is provided in the context of the Environment Audit scheme.

I. RESPONSIBILTIES OF THE ORGANIZATION

- a) The occupier shall be responsible for submitting Environmental Statement and provide all the assistance and necessary documentation for completion of the Environmental audit.
 - (i) GSPCB/CPCB Issued Consents/Directions/Guidelines (e.g. COINDS or related)
 - (ii) Complaint, if any, received by the GSPCB/Organization and corrective and preventive action taken thereof.
 - (iii) Defined and detailed Procedures of production process, Pollution Control Equipment, finished product/services, by products, consumption of raw materials, against finished products, measurement and monitoring of consumption of water, electricity or other fuels and/or other resources/material per unit finished product/service with responsibilities and supporting records.
 - (iv) Defined and detailed Procedures of available addressing identified environmental aspects per unit product output and the corrective-preventive measures to minimize its environmental impacts through the use of alternative technology, pollution control equipment or any other related technique with measurement and monitoring data, responsibilities and supporting records.
 - (v) Organizations Policy (Environment, Health and Safety-EHS), if any.
 - (vi) The Occupier of Organizations (as mentioned in the Sr. No.4) shall carry out a documented Root cause analysis of the Non conformances (NCf)/Non compliances (NCp) identified in the EAR once received from the Auditor along with its corrective and preventive action plan, and comments if any and submit the same within along with Form V Environmental Statement with satisfactory closure of CAPA to the Board by target date agreed upon by the Auditor and Occupier or before 30th June whichever is earlier with copy of the stipulated receipt of scrutiny fees to GSPCB

- b) The Organizations hereafter applying for consent shall have to here onwards get its Environment Management System inspected by respective auditors regarding adequacy and efficacy thereof, through the Board.
- c) The Organization is also responsible for ensuring timely closures of Non conformances(NC) or Non Compliances or Corrective Action Preventive Action Plans or related observations.

II. RESPONSIBILITIES OF THE GOA STATE POLLUTION CONTROL BOARD

- a. Appointment of auditor/s for conducting Environmental Audit.
- b. The list of Board Authorized Auditors will be made publicly available on Board website.
- c. To ensure effective conduct of the individual audits, the following information should be provided to the audit team leader by GSPCB x Organization Details x History of Defaults if any, and closures or pending issues there off. x Contact name, No. address
- d. Forward a copy of the final EAR to the Organization within 15 days of receipt of the EAR.
- e. Initiate appropriate action due to non closure of Non conformances/Non Compliances within time frame specified.
- f. **Payment to Auditors x Mode of Payment:** the State Board will pay the Environmental Auditor the Audit fee as decided by the Board from time to time within one week of submission of bills for conducting the audit.
x In turn, GSPCB will issue directions to Organizations covered under Audit Scheme to deposit the sum total of the estimated expenses towards auditors fee and auditor expenses from the concerned Organization within 15 days from the date of allocation to the auditor, interim payment within 15 days on receiving of bills from the auditor and final payment within 15 days from submission of final audit report based on actual and 25 percent of total cost incurred for Audit as administrative expenses incurred by the State Board

III. RESPONSIBILITIES OF THE ENVIRONMENT AUDIT COMMITTEE (EAC)

The GSPCB constituted Environmental Audit Committee members shall not have any conflict of interest with its present assignment. The terms of reference of this Committee are as follows:

- (i) Define and develop audit criteria and its supporting procedure and protocol for the recognition/empanelment/selection of Environmental Auditors, including an assessment of the AUGLWRUV-RU\$XGLWRU-VVHOHFWHG. The EAC will suggest new parameters which have been introduced by CPCB/GSPCB. The same will be recommended to GSPCB.
- (ii) Advise and create a guidance/technical document related to the subject which will enable effective auditing including effective auditing and laboratory functions.
- (iii) The committee member(s) will also undertake audit of Recognized Auditors., atleast once annually to ensure due diligence of the Auditor to the and advise them in any relevant matter and will suggest/implement the new parameters which are being introduced by the CPCB/GSPCB. A observation report of the same will be submitted in this regard within 15 days of visit
- (iv) After scrutiny, the EAC will submit the final (list) of the Auditor(s) with their justifications for selection to the Board for issue of Board Recognition.
- (v) EAC will meet atleast once in three months.
- (vi) Conducting or arranging training programme for capacity building of auditors, Organization Representatives and regulators with respect to EAS.

- (vii) 6 KDOOUHYLHZWKHDXGLWUHSRUWDQGVXEPLWWKHLUFRPPHQVWRQWKH1&I·VRU1&S·VDQG WKHLU UHVSHFWLYH 5RRW &DXVH \$QDO\VLV·5&\$ ZLWK FRUUHFVLYH \$FWLRQ DQG 3 UHYHQWLHY Action (CAPA) Plans

Assign the responsibility for conducting the individual audit to be made in sufficient time before the scheduled date of the audit, in order to ensure the effective planning of the audit.

D. ENVIRONMENTAL AUDIT PLANNING AND CONTROL

I. SELECTION OF ENVIRONMENTAL AUDITORS

- (a) The Member Secretary of the Board shall appoint faculty of Engineering College, Science Colleges, University, or retired or serving Engineer or Scientist from reputed Institutions, Government Departments, or IRCA authorized ISO 14001:2015 Certification Agencies to be Environment Auditor/s who shall be preferably located in the State of Goa and have sufficient experience in the relevant field including relevant qualifications with the approval of the Chairman.
- (b) The Member Secretary will constitute Audit team for conducting the Environmental Audit for each audit with approval of the Chairman.
- (c) The entire audit work must be carried out by the auditor himself. In other words, the auditor shall and will not assign the audit work to any other agency/firm/personnel other than those recognized. Any violation in this regard shall lead to de-recognition of the auditor and imposition of penalty at the discretion of the EAC.
- (d) In case of change in the man power (any member of the team), same shall be communicated to the GSPCB within one month and the auditor shall also obtain the approval of the Board for the replacement.

II. AUDIT CRITERIA

- (e) The Member Secretary of the Board will set out the Audit Criteria for each Environmental Audit with approval of the Chairman.

III. ENVIRONMENT AUDIT LABORATORY:

The Board/Agency shall engage the services of NABL recognized Laboratories and also having recognition of MoEF & CC whenever required.

E. AUDIT PROCEDURE

I. FUNCTIONS OF AUDITOR

The Empanelled Auditor on receiving Board recognition shall:

- (a) Conduct audit of the GSPCB allotted Organizations as per schedule provided
- (b) Identify opportunities and make recommendations for improvements in environmental performance of the Organization
- (c) Provide an objective, third-party report that PHHWV*63&%·VUHTXLUHPHQWV
- (d) The auditor shall thoroughly ascertain about all the products/by products , ,manufactured by the Organization and its related processes& report to the GSPCB immediately by verifying excise registers, Invoices usage of raw materials and other production related documents, if there are any discrepancies
- (e) Provide the information required to develop an Environmental Management Plan (EMP) in the event of any significant findings of negative impacts to the environment

- (f) It shall be open to the auditors to make such recommendation as they may think fit for improvement of the existing environmental management system in the Organization audited, but such recommendation shall not bind the GSPCB in any manner. The recommendation of the GSPCB will be technically and scientifically assessed and the decision of the Board Chairman will be final and so intimated
- (g) Ensure high levels of integrity, sincerity and ethics shall be maintained and practiced by the auditors
- (h) Ascertain & report to GSPCB about the compliance made by Organization of the previous year's recommendations/observations of the auditor in the EARs.
- (i) Report about % reduction in steam/water consumption, mass balance (air, water and solid waste), power consumption & consumption of raw materials etc. carried out by the industries in its observations in the EARs compared to the previous year.
- (j) Pursue, emphasize and recommend about adoption of clean technology/cleaner production, waste segregation, waste minimization, waste reduction, waste exchange, reuse & recycling of effluents etc. & report the same in EARs.
- (k) Guide the industry if possible if any query is raised by the industry.
- (l) Ensuring review of timely closures of Non conformances (NCf) or Non Compliances(NCp) or Corrective Action Preventive Action Plans or related observations jointly with the Organization
- (m) Conduct audit in the audit period prescribed i.e financial year ending March and submit the EAR within 15 days of completion of the audit, and the last, no later than by the 30th of April every year.

II. ENVIRONMENTAL AUDIT REPORT SUBMISSION (EAR)

- (a) The EARs must include observations covering each of the seasons under audit, based on the analysis report of the Moef approved Laboratory or Board laboratory for effluents (air + waste water + Solid/hazardous waste + Noise + Weather data as case may be and other pollutants as auditor feels so, etc.) from all discharge points & submit all data of three observations in EARs, otherwise EARs shall be considered incomplete and can be rejected.
- (b) The auditor must prepare and submit the EAR of Organizations under audit within 15 days of completion of the audit.
- (c) The EAR shall be submitted to the Board with a copy marked to the Organization, which will be forwarded by GSPCB within 7 working days of receipt to the Organization to initiate necessary closure of Root Cause Analysis-Corrective and Preventive Action Plans.
- (d) The auditor must clearly report to the Board all critical findings about any inconsistency and malpractice being committed/practiced by the Organization as listed in Sr. 2 (e.g. dilution of effluents, illegal discharge, production without permission, bypass of untreated effluent or any other activities which are likely to create environmental pollution problems, & contrary to the directions issued through consent orders & other orders under the different Acts, by the Board) after every inspection within 24 hrs and important recommendations after every inspection as immediately as possible but not later than 3 days and submit Final EAR within 15 days of completion of the Audit.

III. CONTENT OF AUDIT REPORT

- (a) (\$5-VDQGLWVUHSRUWHGILQGLQJVDQGFRQFOXVLRQVVKRXOGEH x Clear, timely, concise, easy to understand and objective; x provide a fair summary of all the relevant facts; and x demonstrate conformity with the related Environmental requirements x Properly analyzed and concluded, and

x Supported by adequate, reliable, and fair audit evidence (b) The EAR
should consist of :

(i) A title page clearly briefly Indicating AUDIT aim with Organization name

(ii) **Table of Contents**

(iii) Executive Summary comprising of:

x Description of the Organization Process and facilities (Main, ancillary (related) and Environmental control operations) x Description of the environment x Contractors and Activity Descriptions x Summary of findings

(iv) Introduction comprising of : x Audit Scope, x Audit Objectives identified, and x Audit Criteria identified

x Auditors and Auditees (Organization representatives who were key contacts for the audit and describe their roles and responsibilities with regard to the audit.)

x Reference Documents (include a list of documentation reviewed prior to the audit (e.g., Consents, Directions, previous EARs, environmental assessments, permits, complaints or any other reference deemed relevant.).

(v) **Site Activity Report** comprising of

(aa) List of Organization Facilities

(ab) Developments if any

(ac) Assessments of internal controls

(ad) Assessments of Organizations Environmental Management Systems and Management Commitment

(ae) Typical Environmental Management Plan (that can be) evaluated as applicable x Air Quality Control

Plan x Water Quality Control Plan (Waste and wastewater management)

x Waste Management Plan (Waste segregation, management and disposal ,Monitoring on pollution assessment and performance evaluation of pollution control devices made by the Auditors)

x Resources Control Plan (Material ,Production mass balance Energy, Fuels and equipment management)-

(Figures or production of products, by products, consumption of Resources like raw materials, figures regarding use of water, fuel consumption and other material utilization to maximize the yield with respect to National/International bench mark mentioned in the Format of Environmental Audit Reports prepared by Auditors.)

x Soil and Groundwater Contamination Control Plan (Land, water and groundwater management)

x Marine Ecology Control Plan x Terrestrial

Ecology Control Plan

x Process Material Handling Plan (Hazardous and Non Hazardous materials management)

x Noise and Vibration Control Plan (Noise engineering management)

x Traffic Management Plan (Vehicle and its distribution Management, Status of 3ROOXWLRQXQGHU&KHFN38&·VSHUPLWV x Erosion and Sediment Control Plan

x Other Environmental Program.

(af) (Gathering of)Audit evidence

(ag) Interviews with Personnel/ ground staff if any

(ah) Identification and assessments of Incidents and Complaints if any

(vi) Audit Findings of x Environmental Management Systems and Management Commitment (Comments on WKH 2UJDQL]DWLRQ·V SURFHGXUHV IRU GHWHUPLQLQJ VHWWLQJ DQG FRPPXQLFDWLQJ RUJDQL]DWLRQ·V HQYLURQPHQWDO SROLFLHV DQG REMHFWLYHV DV ZHOO DV WKH RYHUDII commitment of senior management to meeting environmental requirements. Supported by evidence of efforts to monitor, measure, and report environmental performance.)

x 3UHYLRXV \$XGLW 5HVXOWV FRPPHQWV RQ WKH 2UJDQL]DWLRQ·V PHFKDQLVPV WR GHWHUPLQH the root causes of any identified environmental concerns and on the effectiveness & sufficiency of the actions taken to correct such situations and prevent their UHFXUUHQFH \$QG VKRXOG LQFOXGH WKH 0DQDJHPHQW·V VXSSRUW RI WKH SURFHVVHV IRU implementing and tracking corrective and preventive actions)

x Non-conformances , Observations and Scope for Improvement (Tabulated based on priority based on degree of seriousness of environmental impact)

x Summary of Root Cause Analysis -Corrective Action- and Preventive Action Plan Status (This section should provide details on any new or previously identified corrective action(s) taken and/or planned in response to non-conformances and/or the observations and/or Scope for Improvement(s)identified, particularly those that have been repetitive or are ongoing issues at the site or facility. In particular, the Corrective Action Plan should include the detailed root cause analysis, type of any required corrective and preventive action, the current status (e.g. open, closed) of corrective and preventive action(s), the date of planned closure, and the date of actual closure and deviation from the committed target and the justification there off.) x Incidents and Complaints x Status of Environment Management Plans if any

x The EARs (Environment Audit Reports) shall be prepared and submitted by the auditors in Performa 1: EAR must be accompanied by efficacy & adequacy certificates in Performa 2 prescribed by GSPCB with duly signed acknowledgement by all the team members. If such reports will not be signed by all the team members then, the auditor will be derecognized and punitive action against the Auditor or industries/Project as listed in Sr. No. 2 will be taken, as the case may be.

(vii) CONCLUSIONS AND RECOMMENDATIONS

This section should include the conclusions of the audit with regard to x 7 KHVWDWXVRIWKHFRQIRUPLW\ DQGFRPSOLDQFHRIWKH2UJDQL]DWLRQ·V(06ZLWKWKH/HJDO and/or other requirements, as well as

x 7KHHIIHFVLYHQHVVRWKH2UJDQL]DWLRQ·V(06LQPHHWLQJLWV environmental objectives.

x RCA-CAPA: the capability and commitment of the Organization management to resolve the issues identified.

x The auditor may propose to request Organization to adopt an Environment Management Plan (EMP) if issues are identified in the audit that are considered to be repetitive or are ongoing issues, or problems that present significant concern for environmental impact. The EMP is a Corrective Action Plan that must be submitted and approved by EAC and requires formal reporting of the resolution of the issues. Guidance regarding the requirements for developing an EMP should be provided by the Auditor to facilitate the Organization to achieve an effective solution

x The EAR should have recommendations to address any significant non-conformances or deficiencies, including allocating priorities for corrective action. Any recommendations should be specific and

detailed enough to allow GSPCB and Organization management the ability to evaluate the feasibility and appropriateness of implementing the recommendation. Types of recommendations might include further investigation of an issue or implementation of emissions control technology or environmental pollution control best management practices. The emphasis of recommendations should be on removing the source of the problem rather than the use of command-and-control (or end-of-pipe) technology.

The recommendations should be brief and concise to allow Organization management to address the issue and GSPCB& EAC to assess adequate resolution of the same.

- (viii) **Attach Annexures:** Audit evidence (records, procedures, photographs ,supporting documents etc.) Audit Protocol(Checklist) duly signed by the Auditing team Figures (if any)
- Graphs (if any) Tables (if any)
- Any other detail felt relevant

The above format is the bare minimum required to be included in the EAR and is open for further additions by the Auditor if felt necessary.

Note: Consult COINDS document of CPCB, BAT document of European union, USA EPA document or any other relevant document to develop to banch mark.

F. POST AUDIT ACTION

I. ACTION/DIRECTON BY THE BOARD

- (a) The BOARD on receiving the EAR from the Recognized Auditor will check status of compliance of the CAPA in the audited Organization , after the stipulated post Target dates and present the status to EAC for their necessary comments with Scientific and Technical comments if any
- (b) Organizations failure to submit compliance to the observations in the EAR with the requisite closures of Non Conformances, Non compliances, Root Cause Analysis-Corrective and Preventive Action Plan may lead to appropriate legal action by GSPCB which may also include disconnection of water/power supply to the industry including closure and or levy of Polluter Pay Penalty.
- (c) Where the Audit report of a particular industry industry/operation/process/activity indicates that the industry does not meet with the requirements as prescribed by or under the aforesaid statutory provisions and that the industry has not complied with terms and conditions of CTE/CTO and those contained in any general or special circular/ order of GSPCB, the industry shall be liable for appropriate directions which include direction of closure, after verification of the status of CAPA closures by stipulated dates.

II. ACCOUNTABILITY/LIABILITY OF THE AUDITORS/INDUSTRIES

- (a) If the information provided by the Organization is found to be incorrect or inaccurate the Organization shall be liable to be subjected to the appropriate direct direction.
- (b) The Auditor whose report is found to be incorrect or inaccurate of particular industry then that EAR shall be rejected and action against the auditor will be taken accordingly.
- (c) The Organization has the right to complain against the recognized environmental auditor if felt essential due to misdemeanour or malpractice. In such a case the Organization can register a written complaint against auditor to GSPCB within 15 days of the said grievance, with supporting evidence and due justification. Complaints against the actions or conduct of a certified auditor will be reviewed and investigated by EAC. The EAC will investigate and if validated or substantiated, the complaint may result in cancellation of

recognition of the auditor s and blacklisting them. However, If the complaint is found to be without merit, the Organization will be appropriately penalized **III. APPEALS**

- (a) Any person aggrieved by an order made by the Board under section 16 or section 17 may within thirty days from the date on which the order is communicated to him, prefer an appeal to Appellate Authority constituted under section 31 of Air (Prevention and Control of Pollution) Act, 1981 (Act 14 of 1981).
- (b) On receipt of an appeal preferred under sub-section (1), the Appellate Authority shall after giving the Appellant and Board an opportunity of being heard, dispose of the appeal as expeditiously as possible.

G. FORMAT FOR THE ENVIRONMENTAL AUDIT REPORT

(To be submitted in triplicate)

3HULRGURP««WR««««

To,
The Member secretary
Goa State Pollution Control Board
1ST floor, Dempo Tower
Patto Plaza Centre
Panjim-403001

| A. | GENERAL |
|----|---|
| 1. | Name of the Industry/operation/process/activity |
| 2. | Location: |
| 3. | Registered office Address: |
| 4. | Month and year of establishment: |
| 5. | No. of workers employed: Male Female |
| 6. | No. of electrical connections with service numbers: Total connected load Electric consumption per tones of product manufactured: Percentage enhancement in energy: Saving as compared to previous year: |
| 7. | Number of D.G. Set and their capacity: |
| 8. | Name/Residential address of all Directors/Partners: |
| 9. | Telephone Nos: (Residential & Industrial) Fax No: E-mail of Industry: |

| | | |
|------|---|--|
| | E-mail Partners/Directors: | |
| 10. | No. of shifts and timings: | |
| 11. | Name & Address of the in charge of Environment/ /Safety Division/Cell/Unit: | |
| 12. | No. of days during which production activities were in operation during the audit period covered: | |
| 13. | Has the industry obtained ISO 9000/ISO 14000/ /OSHAS 18000/Any other EM accreditation/ /Certification | |
| 14. | Whether the industry has adopted cleaner production/cleaner technology/CDM? | |
| B. | PRODUCT DETAILS | |
| 1. | Name of products (s) & capacity yield/purity per day, | |
| 2. | Efficiency of production (or production yield) | |
| 3. | Name of all by products and its quantity per day: | |
| 4. | Date of commencement of production for each product. Whether production is as per consented quantity: | |
| 5. | All raw materials required per kg of the Products(s): | |
| 6. | Whether the manufacturing process is continuous or batch wise: Indicate the batch capacity: If the process is in batch operation, no. of batches/month along with the duration of the completion of each batch: | |
| 7. | Detailed manufacturing Process with schematic flow diagram:- List of unit operation and processes and with all chemical reactions along with the time required (in hrs.) for | |
| (C) | WATER | |
| 1. | The quantity of water consumed per day as per tones of product manufactured: (Attach water balance diagram)*over the last three years: | |
| 2. | The quantity of waste water (trade effluent) generated per tones of each product per day, as well as per batch* over the last three years. | |

| | | |
|-----|--|--|
| 3. | The particulars of effluent treatment plant (Attach separate sheets) | |
| | Name and size of each unit | |
| | Capacity of ETP | |
| | Flow diagram and Hydraulic diagram, of ETP to be submitted: | |
| | Whether lighting arrangement around ETP is provided: | |
| | Whether separate energy meter is installed for effluent treatment plant. If Yes -readings of the meter for consumption every month: | |
| | Calibration status and validity of energy meter | |
| | Whether flow meters are provided at the inlet and outlet of ETP. Please indicate the type of the flow meter and calibration status if valid | |
| 4. | The method of disposal of final treated effluent and the point of disposal (please attach sketch): Is it in line with the valid Consent Requirements ? | |
| 5. | The quantity of trade effluent at the inlet and outlet of ETP and at various stages of treatment (Attach separate sheets): | |
| 6. | The quantity and quality of sewage and its method of treatment and disposal (Attach separate sheets): | |
| | a) As per norms: | |
| | b) Total pollution load*: | |
| 7. | The open area available for disposal of the effluent | |
| 8. | Whether the quality of treated effluent meets the specified norms: | |
| | If no, the extent of deviation and reason thereof: | |
| 9. | Improvement in effluent quality and quantity since previous environmental audit based on performance evaluation of effluent management system: | |
| | If yes, provide details (Attach separate sheets): | |
| 10. | Retrofitting undertaking to improve performance of ETP: | |
| | If yes, provide details: | |

| | | |
|-----|--|--|
| 11. | Major problems encountered during operation of effluent treatment facilities, if any and reasons thereof: | |
| 12. | The details about the Operator/Chemist responsible for operation and maintenance of effluent treatment plant: Name of the operators/employees: Qualification & Experience of each Operator/ /employee whether trained in such operation or not: Salary of operators/employees. Operator using PPE, pls specify type Maintenance and downtime Register maintained and updated, Response time for rectification | |
| 13 | The current status of consent under the Water Act1974: | |
| D. | AIR | |
| 1. | No. of the flue gas stacks, their height (from ground level) nature and consumption of fuel: | |
| 2. | The details pertaining to the stack monitoring facilities: | |
| 3. | Number of process stacks, their height (from ground level) source, expected pollutants and the details pertaining to the provisions of stack monitoring facilities: | |
| 4. | The quality of emission from each flue gas stack and the process stack and the extent of deviation from them: | |
| | Pollution Load determination | |
| 5. | The ambient air quality within the factory premises, along with the number of ambient air quality monitoring stations outside the industry: | |
| 6. | The status of consent under the Air Act-1981: | |
| 7. | The details of air pollution control measures for all process and flue gas stacks | |
| 8. | Improvement in emission quality since previous environmental audit based on performance evaluation of air pollution management system: If yes, Provide details. (Attach separate sheets): | |
| 9. | Retrofitting undertaken to improve emission quality. If yes ,provide details: | |

| | | |
|---|---|--|
| 10. | Major problems encountered during operation of control device, if any and reasons there of: | |
| 11 | equipment status | |
| * Whether production is as per consented quantity | | |
| NOTE: Total pollution load each for air, water and hazardous waste should have mentioned along with the quality of effluent, emission or solid waste as the case maybe. Whether measures taken for reduction of pollution load. | | |
| E. | HAZARDOUS (SOLID) WASTE | |
| 1. | The quantity, sources and composition of hazardous waste/solid waste from each process/sources over the last three years. (Total sludge generation per tonne of product): | |
| 2. | (a) The method of storage, treatment and disposal of hazardous/solid waste: The details should include area of storage and disposal and whether storage and disposal system is covered and made impervious (pucca): The quantity of Hazardous waste sent to TSDF. Please also indicate how the quantity of hazardous/solid shall be reduced in next three months: (b) The data/information about leachate generation, quantity and characteristics and treatment facility | |
| 3. | The status of authorization under the EPA-86 for solid waste | |
| 4. | Plan, if any to reduce hazardous waste generation or its recycling. | |
| F. | SITE PLAN | |
| 1. | The site plan showing the location of effluent treatment plant, final point of disposal of effluent, sampling point, drainage line, stacks, solid waste storage, disposal area and green belt (its width). | |
| (G) | RESOURCE RECOVERY | |
| 1. | The details regarding resource recovery including treated effluent for recycle/reuse from environmental pollution control system including effluent treatment plant: The details regarding resource recovery/by product recovery from manufacturing process by using cleaner production technology: | |

| | | |
|--|---|--|
| | Energy/Fuel consumption/unit production | |
|--|---|--|

| (H) ACCIDENTS | | | | | |
|----------------------------|--|------------------------------|--------|------|-------------------|
| 1. | The details of accidents in the factory if any and remedial measures taken | | | | |
| (I) SAFETY MEASURES | | | | | |
| 1. | General Environment of the factory. Please tick (✓) the appropriate column | | | | |
| a. | Housekeeping | Good | Fair | Poor | |
| b. | Dustiness | High | Medium | Low | |
| c. | Lighting | Good | Fair | Poor | |
| d. | Ventilation | Good | Fair | Poor | |
| 2. | Whether the following personal protective equipment PPC are provided to all the workforce (employees & Contract Workers) | | | | |
| | | | | | Is yes, How many? |
| | Goggles | Yes / No (utilization level) | | | |
| | Gloves | Yes / No (utilization level) | | | |
| | Gumboot | Yes / No (utilization level) | | | |
| | Helmet | Yes / No (utilization level) | | | |
| | Skin cream | Yes / No (utilization level) | | | |
| | Soap | Yes / No (utilization level) | | | |
| | Ear plug | Yes / No (utilization level) | | | |
| | Face masks | Yes / No (utilization level) | | | |
| | Clothing | Yes / No (utilization level) | | | |
| 3. | The details of facilities for disaster management/gas leakage. | | | | |
| 4. | Whether on site/off site emergency plans are prepared and are being implemented/upgraded regularly; please give details | | | | |
| 5. | Whether records of occupational hazards are maintained? | | | | |
| 6. | Health checks conducted? | | | | |
| 7. | Preventive measures adopted to minimize occupational hazard. | | | | |
| 8. | Compliance with work exposure | | | | |
| 9. | Noise level status | | | | |

| (J) | REMEDIAL MEASURES |
|-----|---|
| 1. | The details of sources; monitoring and measures taken for control of noise pollution in and around the industrial premises: |
| 2. | The measures taken for prevention treatment and control of odour nuisance in and around the industrial premises: |
| 3. | The details in respect of cases/complaints under the Water Act-1974, the Air Act-1981 and the Environment (P) Act, 1986: |
| 4. | The compliance report with respect to all the conditions of NOC/Consent (Under all the Acts): |
| 5. | Incidents of spillages, leakages etc. and remedial measures thereof |
| 6. | Whether insurance policy obtained under PLI Act. Yes/No |
| (K) | WATER CESS |
| 1. | The details regarding payment of the Water cess for the previous and current year: |
| (L) | The name and address of the Consultant engaged by the Company/Industry |

Note, if No, reason thereof

It is hereby declared that all the information submitted in and with respect to this format correct and we will be responsible for any lapse regarding incorrect or incomplete information.

The Root Cause Analysis along with CAPA is attached here with.

| | | | | | |
|--|------|------|---|------|------|
| A. | | | B. | | |
| Name and signature of the responsible persons industry/organization/Institute/CETP/TSDF with the stamp | | | Name and signature of all the members of the Audit Team | | |
| Sr. | Name | Sign | Sr. | Name | Sign |
| | | | | | |
| | | | | | |

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SYSTEM

OFFICIAL GAZETTE — GOVT. OF GOA
SERIES I No. 39 (EXTRAORDINARY) 23RD DECEMBER, 2021

Mr./Mrs./M/s. _____ of _____ is recognized by the Goa State Pollution Control Board vide order No. _____ dated _____ as an Environmental Auditor for the purpose of the auditing, having carried Environmental audit of:

M/s _____

Located at _____

Manufacturing products:

Product (s) _____

Capacity _____

Having completed the environmental audit based on personal monitoring, and audit report, prepared as per the notification via order no. _____ dated. _____. It is certified that the Environmental Management System (EMS) provided by this industry for the products manufactured and capacity as stated above is * _____ to achieve the quality of effluents (Air + Waste Water + Solid Waste) as specified in Consent/Notifications by GSPCB, Panjim for the following quantity of waste generation:

| | |
|---|---|
| Liquid effluent | _____ m ³ /day |
| Solid/Hazardous waste | _____ m ³ /day |
| Air emissions (flue gas stacks as well as process stacks) | Adequate/Not adequate. Efficacious/Not efficacious (pl. strike which is not applicable) |

This certificate is valid for the Audit report only. However, it is subject to automatic cancellation in case of any change in product profile/capacity, quality and quantity of effluent emission (Air + Waste Water + Solid/Hazardous) and efficiency of EMS equipments.

This Certificate forms part of Environmental Audit Report

Name and address of the Environmental Auditor

Signature of the Environmental Auditor

Date:

Place:

*here write, whether adequate and efficient or inadequate and inefficient as applicable

I. CERTIFICATE FOR SAMPLING AND ANALYSIS

This is to certify that the following samples of emissions (air, water, waste water, solid and hazardous wastes) have been collected and analysed as per the following details:

| Sample details | Sampling location | Collected by | Sample collection | | Method of sample collection | Std. Analysis method |
|----------------|-------------------|--------------|-------------------|------|-----------------------------|----------------------|
| | | | Date | Time | | |
| | | | | | | |

| | | | | | | |
|--|--|--|--|--|--|--|
| | | | | | | |
| | | | | | | |

| | | |
|----|--|--|
| 1. | Parameters analysed on site | |
| 2. | Parameters analysed off site | |
| 3. | Whether samples were preserved as per standard procedure for offsite analysis: Yes/No | |
| 4. | Parameters analysed by auditors team: | |
| 5. | Parameters analysed by third party: Name & Address of laboratory: Whether the laboratory is classified under Schedule I of the GSPCB | |
| 6. | Method followed for analysis: Air emission : Water/Waste Water : Solid Waste : Hazardous Waste: | |

This is to certify that the third party laboratory in which the analysis has been done is approved under EPA/Accredited by NABL/recognised under GSPCB.

Name and address of the Laboratory

Signature of Authorised Signatory of the Laboratory

SCHEDULE III

BUDGET AND ACCOUNT HEADS

[See rule 27(3)]

ADMINISTRATION

Head of Accounts (Expenditure)

1. Salaries
2. Wages
3. Travel Expenses
4. Office Expenses (a) Furniture

- (b) Postage
 - (c) Office Machine/Equipment
 - (d) Liveries
 - (e) Telephones
 - (f) Electricity and Water Charges
 - (g) Stationary
 - (h) Printing
 - (i) Staff car and other vehicles
 - (j) Other items
5. Fee and Honoraria
 6. Payment for professional and special services
 7. Rents, rates and Taxes/Royalty
 8. Publication
 9. Advertising, Sales and Publicity Expenses
 10. Grants in aid/Contribution/Subsidies
 11. Hospitality Expenses/Sumptuary/Subsides
 12. Pensions/Gratuities
 13. Write off/Losses
 14. Suspenses
 15. Expenses in connection with the setting up and maintenance of the Board Laboratory.
 16. Other charges (A residuary head, this will also include rewards and prizes)

Head of Accounts (Receipts)

1. Payments by Government
2. Fees
3. Fines and other Receipts

OFFICIAL GAZETTE — GOVT. OF GOA
SERIES I No. 39 (EXTRAORDINARY) 23RD DECEMBER, 2021

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THE STATE POLLUTION CONTROL BOARD (MANNER OF NOMINATION AND OTHER TERMS AND CONDITIONS OF SERVICE OF CHAIRMAN) RULES, 2024.

G.S.R.727(E).— In exercise of the powers conferred by sub-section (2) of section 4 and subsection (9) of section 5, read with clause (aa) of sub-section (2) of section 63 of the Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974), the Central Government after consultations with the Central Pollution Control Board, hereby makes the following rules, namely:-

1. Short title and commencement. (1) These rules may be called the State Pollution Control Board (Manner of Nomination and other Terms and Conditions of Service of Chairman) Rules, 2024.

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

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

(a) "Act" means the Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974);

(b) "Chairman" means the Chairman of the State Pollution Control Board;

(c) "Selection Committee" means the Search-cum-Selection Committee;

(c) "State Board" means the State Pollution Control Board constituted under section 4 of the Act.

(2) The words and expressions used and not defined in these rules but defined in the Act made thereunder, shall have the same meanings respectively assigned to them in the Act.

3. Manner of nomination of Chairman.-(1)The nomination of the Chairman shall be made by the State Government on the recommendations of a Selection Committee consisting of the following members, namely:-

(i) Chief Secretary of the State Government -- Chairperson;

(ii) Additional Chief Secretary or the Principal Secretary or the Secretary in charge of the Department of Personnel of the State Government-- Member,

(iii) a representative of the Central Government in the Ministry of Environment, Forest and Climate Change not below the rank of Director to the Government of India-Member

(iv) an expert in the field of environment to be nominated by the State Government - Member;

(v) Additional Chief Secretary or the Principal Secretary or the Secretary in charge of the Department of Environment of the State Government - Member Secretary.

(2) No selection of Chairman shall be invalid merely by reason of any vacancy or absence in the committee.

(3) The State Government shall, within one month from the date of occurrence of any vacancy by reason of death, resignation or removal; and six months before any anticipated vacancy, make a reference to the Selection Committee for filling up of the post.

(4) The Selection Committee shall determine its procedure for making its recommendations.

(5) The Selection Committee shall make its recommendations and submit a panel of three suitable persons in alphabetical order to the State Government.

(6) The Selection Committee shall after inviting the applications from the candidates having special knowledge or practical experience as specified in section 4 of the Act through open advertisement published in at least three national newspapers, one of which shall be in Vernacular language, recommend a panel of three or more persons for selection of the Chairman, within three months from the date on which the reference is made to the Committee.

(7) The State Government may nominate the Chairman from amongst the panel of persons recommended by the Selection Committee.

(8) Before recommending any person for appointment as a Chairman, the Selection Committee shall satisfy itself that such person does not have any financial or other interests, which is likely to affect prejudicially his functions as a Chairman.

(9) Any person holding the office of the Chairman on the date of commencement of these rules shall continue to hold such office till expiry of his term.

3A. The Selection Committee will consider the candidates having special knowledge or practical experience in respect of matters relating to environmental protection or a person having knowledge and experience in administering institutions dealing with the matters aforesaid, and make recommendation to the state Government accordingly.

4. Pay and allowances: The Chairman shall be entitled to receive a pay and other allowances as admissible to a Central Government officer holding a Group 'A' post carrying Pay in Level-17 in the pay matrix of the Seventh Central Pay Commission.

5. Other terms and conditions of service.-(1) The Chairman shall be a person who shall not have any financial or other interests as are likely to affect prejudicially his functions as Chairman of the State Board;

(2) In case of a person as a Chairman, who retired from service under the Central Government or the State Government and he receives pension, if applicable, his pay as Chairman shall be reduced by gross amount of pension received by him.

(3) The Chairman ceasing to hold that office shall be ineligible for employment under the Central Government or any State Government for a period of two years from the date he ceases to hold such office.

(4) The Chairman shall not, for a period of two years from the date on which he ceases to hold office, accept any employment, except in the field of academics.

(5) If the Chairman is not able to perform his duties temporarily due to illness, leave or such other causes, the State Government may assign the charge of Chairman to any member nominated under clause (b) of subsection (2) of section 4 of the Act.

(6) The other conditions of service of a chairman with respect to which no express provision has been made in these rules, shall be such as are admissible to a Central Government officer holding a Group 'A' post carrying Pay in Level-17 in the pay matrix of the Seventh Central Pay Commission.

6. Disqualification.- No person,-

(a) who has entered into or contracted a marriage with a person having a spouse living, or

(b) having a spouse living, has entered into or contracted a marriage with any person, shall be eligible for appointment to the said post:

Provided that the State Government may, if satisfied that such marriage is permissible under the personal law applicable to such person and the other party to the marriage and that there are other grounds for so doing, exempt any person from the operation of this rule.

7. Tenure of Chairman. (1) The Chairman shall hold office for a term not exceeding three years from the date on which he enters upon office or until he attains the age of sixty-five years, whichever is earlier.

(2) Any person nominated as Chairman shall be eligible for nomination as Chairman for another term in accordance with these rules, subject to maximum age of sixty-five years.

8. Removal of Chairman.-(1) The State Government may, remove from office the Chairman on the following grounds of misconduct or incapacity, who- (a) has been adjudged as an insolvent; or

(b) has been convicted of an offence which, in the opinion of the State Government, involves moral turpitude; or

(c) has become physically or mentally incapable of acting as the chairman; or

(d) has acquired such financial or other interest as is likely to affect prejudicially his functions as the chairman; or

(e) has so abused his position as to render his continuance in office prejudicial to the public

(2) The Chairman shall not be removed under clauses (b) to (e) of sub-rule (1), unless he has been given a reasonable opportunity of being heard in the matter.

9. Subject to provisions of the Act and these rules, the Central Government may issue Standard Operating Procedures for smooth implementation of these rules, if required.

Panaji, 2nd May, 2024 (Vaisakha 12, 1946)

SERIES I NO. 5

OFFICIAL GAZETTE

GOVERNMENT OF GOA

PUBLISHED BY AUTHORITY

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GOVERNMENT OF GOA
 Department of Environment &
 Climate Change

Notification

7/4/98/STE/DIR/Part-IV/51

Amended Noise Action Plan

Ministry of Environment, Forest and Climate Change issued the Noise Pollution (Regulation and Control) Rules, 2000 vide S. O. 123 (E) dated 14-02-2000. Since the year 2000, the said Rules have been further amended by notifications till date.

2. The Hon'ble NGT in O. A. 681/2018 has issued various directions including Preparation of Action Plan for Noise Mapping/Monitoring and emphasized on Remedial Action to be taken to curb the Noise Menace and as a result streamlined the process of Noise Mapping and Monitoring in order to meet the standards prescribed in the Rules.

3. The State Government in exercise of powers vested under Rule 4 (2) read with Rule 2 (c) of the Noise Pollution (Regulation and Control) Rules, 2000 notified the State Action Plan for control of Noise Pollution vide Notification dated 7/4/98/STE/DIR/Part IV/

/1071 dated 05-01-2022 and published in Official Gazette, Series II No. 42 dated 13-01-2022.

4. Now the Revised State Action Plan for Control of Noise Pollution is being issued in supersession of the Notification dated 7/4/98/STE/DIR/Part IV/1071 dated 05-01-2022 and published in Official Gazette, Series II No. 42 dated 13-01-2022.

5. *Authority.*— a) As per Rule 2 (c) of the Rules, Authority means and includes any Authority or Officer Authorised by the Central Government or as the case may be, the State Government in accordance with Laws in force and includes District Magistrate, Police Commissioner or any other officer not below the rank of Deputy Superintendent of Police designated for the maintenance of the Ambient Air Quality Standards in respect of Noise under any law for the time being in Force.

b) The Department of Environment and Climate Change be construed as an Authority for the purpose of the definition as contained in Clause (c) of Rule 2 of the Noise Pollution (Regulation and Control) Rules, 2000.

c) In addition and in pursuance of the directives of the Hon. High Court of Bombay at Goa in MCA No. of 588/2010 in *Suo Motu*

Writ Petition No. 4 of 2006, the names and the Telephone Number of the Designated are displayed on the website of the Department (www.doecc.gov.in) for easy access and updated at regular intervals, for the information of the public.

d) The State Government has designated "Authority" vide Notification No. 7/4/98/STE//DIR/Part I/922 dated 04-12-2007 and amended the same from time to time. The copy of the prevalent Notification is Annexed as Annexure I.

6. The Roles and Responsibilities of the various Authorities are as provided in Annexure-II.— i) Rule 2 (i) defines "Public Place" as any place to which the public have access, whether as of right or not, and includes auditorium, hotels, public waiting rooms, convention centre's, public offices, shopping malls, cinema halls, educational institutions, libraries, open grounds and the like which are visited by the general public.

ii) Rule 20 (j) defines "Night Time" as the period between 10.00 p.m. and 6.00 a.m.

iii) Rule 3 (1) of the Rules prescribes the Ambient Air Quality Standards in respect of Noise for different areas/zones shall be such as specified in the Schedule annexed to this Rules. The Standards are annexed as (Scheduled I of the Rule) Annexure-III.

iv) Rule 3(2) prescribes that the State Government shall categorise the Areas into Industrial, Commercial, Residential or Silence Areas/Zones for the purpose of the implementation of the noise standards for different areas.

7. The Notifications issued by the State Government for categorization of areas is annexed as Annexure IV.— i) Rule 3(3) prescribes that the State Government shall take measures for abatement of noise including noise emanating from vehicular movements, blowing of horns, bursting of sound emitting fire crackers, use of loud speakers or public address system and sound producing instruments and ensure that the existing noise levels do not exceed the

ambient air quality standards specified under these rules.

ii) Rule 3(4) prescribes that all development authorities, local bodies and other concerned authorities while planning developmental activity or carrying out functions relating to Town and Country Planning shall take into consideration all aspects of noise pollution as a parameter of quality of life to avoid noise menace and to achieve the objective of maintaining the ambient air quality standards in respect of noise.

iii) Rule 4(1) prescribes that the noise levels in any area/zone shall not exceed the ambient air quality standards in respect of noise as specified in the Schedule I.

iv) Rule 4(2) prescribes that the Authority shall be responsible for the enforcement of noise pollution control measures and the due compliance of the ambient air quality standards in respect of noise.

v) Rule 4(3) prescribes that the respective State Pollution Control Board or Pollution Control Committees in consultation with the Central Pollution Control Board shall collect, compile and publish technical and statistical data relating to noise pollution control and measures devised for its effective prevention, control and abatement.

8. Action by Goa State Pollution Control Board.— 1) The Goa State Pollution Control Board shall carry out noise level mapping along with the Police Officials after identifying locations in different zones and suggest remedial measures required if any based on the noise level mapping.

2) The Noise level Mapping shall be extended to other areas if required on the recommendations of the District Magistrate and the locations will be selected as recommended by CPCB in their guidelines titled "Methodology for Formulation of Noise Mapping in India" annexed as Annexure V.

9. Procedure or Processing of Permissions.— i) Rule 5(1) prescribes that a loud speaker or a public address system shall not be used

except after obtaining written permission from the authority.

Vide Notification No. 7/4/98/STE/DIR/Part-IV/412 dated 31-07-2020 published in Official Gazette, Series II No. 19 dated 06-08-2020, the State Government has directed "authority" to ensure that no audio system or public address system shall be let out/installed without being fitted with sound limiter in any Government or non-Government function in the whole of the State of Goa for outdoor functions. Annexed as Annexure "VI"

ii) Recently, CPCB has carried out demonstration of sound limiters and it has been found that the sound limiter is not a full proof system and same can easily tamper with. It is difficult for Authorities to set limits for sound limiter in absence of source standard for loudspeaker while granting permission for public address system.

10. There will be no requirement for permission for functions and events having less than 100 persons and for private functions held within the precinct of residential houses and for community religious functions.

A. Permanent Venues.— Those Open Air Permanent venues for Events including hotels lawns, open air halls, venues on beach etc., marriages/weddings/functions/parties etc., shall be issued permission for not more than 3 years by the concerned Deputy Collector.

B. Temporary Venues.— In case of those open air temporary venues for Events including marriages/weddings/functions/parties etc.; such venues. These venues shall obtain permission for every individual event being organized by them from the concerned Deputy Collector.

C. Private Function.— Functions such as marriage, birthday, anniversaries, religious activities etc., without any commercial charge held at any venues shall be defined as private functions.

D. Religious and traditional cultural function.— Functions such as Feasts, Zatra, Urus etc., and the cultural events associated with such religious festivities will be termed as Religious/traditional cultural function.

E. Commercial Functions.— Musical and other recreational events where the organiser levies charge for entry at open air or closed auditorium shall be defined as commercial function.

11. The Owners of the Permanent Open Air Venues including, hotel lawns, restaurants, temporary party/event areas, open hall wedding/party/event venues etc., requiring use of loud speaker, public address system or sound amplifier in open areas and/or open air venues shall have to submit an application in the prescribed format to the prescribed Authority namely; the Director, Department of Environment & Climate Change, Government of Goa online, along with details of site, location map along with fee of Rupees 60,000/- year (Rupees sixty thousand per year only) to the Goa State Pollution Control Board.

12. The application shall be made in Form I annexed to this Plan as Annexure VII.— 1) The Department of Environment & Climate Change on receipt of the said application, shall forward the same online to the Goa State Pollution Control Board (GSPCB), concerned Deputy Collector and the Police Officials.

On receipt of the said application and the fee, the GSPCB shall conduct a site inspection of the venue and submit its findings to the Director, Department of Environment & Climate Change, Government of Goa, within fifteen days from the date of receipt of the application.

Department of Environment & Climate Change, Police Officials shall convey their comments on the application within 3 working days to the concerned Deputy Collector online failing which it will be presumed that there are no comments.

The concerned Deputy Collector shall, after receipt of the Report of the GSPCB,

Department of Environment & Climate Change, Police Officials grant permission for a period based on applicants request; however not exceeding a period of three years for the permanent venues indicating the conditions to be complied with by the Applicant. The permission may also be refused, if deemed necessary, indicating the reasons thereof. The grant or rejection of the permission shall be communicated to the Applicant by the concerned Deputy Collector, Government of Goa within a period of 3 working days from the date of receipt of the Report of the GSPCB/Department of Environment & Climate Change and Police Officials.

2) In case the permanent venue that have not obtained annual/triannual permission and the temporary venues shall have to submit an Application in the prescribed format to the prescribed Authority namely; the Director, Department of Environment & Climate Change, Government of Goa online, for issue of permission, alongwith details of site, location map alongwith fee of Rupees 15,000/- (Rupees fifteen thousand only) for commercial functions and Rs. 3,000/- (Rupees three thousand only) with the fees payable to the Goa State Pollution Control Board or private functions at least fifteen days in advance.

13. The application shall be made in Form I annexed to this Plan as Annexure VII.— The Department of Environment & Climate Change on receipt of the said Application, shall forward the same to the Goa State Pollution Control Board (GSPCB)/concerned Deputy Collector and Police Officials.

On receipt of the said Application and the Fee, the GSPCB shall conduct a site inspection of the venue and submit its findings to the Director, Department of Environment & Climate Change, Government of Goa, within seven days from the date of receipt of the application.

14. The Director, Department of Environment & Climate Change.— Government of Goa shall, after receipt of the Report of the GSPCB, shall convey their comments on the application within 3 working days to the concerned Deputy Collector online failing which it will be presumed that there are no comments.

The concerned Deputy Collector shall, after receipt of the Report of the GSPCB, Department of Environment & Climate Change, Police Officials grant permission. The permission may also be refused, if deemed necessary, indicating the reasons thereof. The grant or rejection of the permission shall be communicated to the Applicant by the concerned Deputy Collector within a period of 3 working days from the date of receipt of the Report of the GSPCB.

15. There shall be no Application fee for events proposed to be conducted by Government, religious institutions and sport events and for religious and traditional cultural functions.—

I) Rule 5(2) prescribes that a loud speaker or a public address system or any sound producing instrument or a musical instrument or a sound amplifier shall not be used at night time except in closed premises for communication within, like auditoria, conference rooms, community halls, banquet halls or a public emergency.

There shall be no requirement for grant of permission by the prescribed Authority namely; the Director, Department of Environment & Climate Change, Government of Goa for use of loud speaker or a public address system or any sound producing instrument or a musical instrument or a sound amplifier used either at day time or at night time; in closed premises which will include auditoria, conference rooms, community halls, banquet halls. Day time shall mean as defined

under the Noise Rules, 2000; from 06.00 a.m. to 10.00 p.m. while night time shall mean from 10.00 p.m. to 6.00 a.m.

II) Rule 5(3) prescribes that notwithstanding anything contained in sub-rule (2), the State Government may subject to such terms and conditions as are necessary to reduce noise pollution, permit use of loud speakers or public address system and the like during night hours (between 10.00 p.m. to 12.00 midnight) on or during any cultural, religious or festive occasions of a limited duration not exceeding fifteen days in all during a calendar year and the concerned State Government or District Authority in respect of its jurisdiction as authorized by the concerned State Government shall generally specify in advance, the number and particulars of the days on which such exemption should be operative.

Explanation.— For the purpose of this sub-rule, the expressions.

(i) “festive occasion” shall include any National function or State function as notified by the Central Government or State Government and

(ii) National function or State function “shall include”

(A) Republic Day

(B) Independence Day

(C) State Day

(D) Such other day as notified by the Central Government or the State Government.

III) Rule 5(4) prescribes that the noise level at the boundary of the public place, where loud speaker or public address system or any other noise source is being used shall not exceed 10 dB (A) above the ambient noise standard for the area or 75 dB (A) whichever is lower.

IV) Rule 5(5) prescribes that the peripheral noise level of a privately owned sound system or a sound producing instruments shall not, at the Boundary of the private place, exceed by more than 5 dB(A) the ambient noise standard specified for the area in which it is used.

16. *Monitoring of Noise Levels.*— The Central Pollution Control Board in their report on “Scale of compensation to be recovered for violation of Noise Pollution (Regulation and Control) Rules, 2000” submitted in compliance to Hon’ble NGT order dated 01-08-2019 in the matter of OA/519/2016 at para 4.0, recorded the limitations of the Noise Rules and sub-para (ii) has recorded as follows;

“In order to verify compliance, ambient noise monitoring is to be carried out for 16 hours (day time) and violation of specific source of noise can be identified due to background noise. Further, as impact of the noise source, duration of which mostly varies from few seconds to few minutes gets leveled when monitoring for long duration (16 hrs) is carried out.”

17. The Central Pollution Control Board has issued a protocol for Ambient Level Noise Monitoring in July, 2015 wherein at para 6.0 the CPCB has prescribed the monitoring time as follows;

18. “6.0 The monitoring should be carried out minimum 75% of the prescribed day time (6.00 am to 10.00 pm) and night time (10.00 pm to 6.00 pm). The exercise has to be carried out for 6 to 8 hours, in the said time frame of day and night. It is always preferable to have a large number of data sets, thus 1 sec sampling frequency is recommended.”

19. However, in order to effectively monitor the event, the monitoring team will record one hourly/half hourly result to ensure that the noise levels do not exceed the prescribed

limits. Action will be initiated based on the 6/8 hourly results or minimum 3 hour average depending on the nature and duration of the event/function/programme.

20. The Noise Level Monitoring will be carried out as per the protocol for Ambient Noise Monitoring of the CPCB published in July, 2015.

21. *Action by Transport Department.*— i) Rule 5A (1) prescribes that no horn shall be used in silence zones or during night time in residential areas except during a public emergency.

a) The horns or other Noise producing devices on vehicles should comply with Rule 119 of the Motor Vehicles Rules. No vehicle with sound boxes or Modified exhaust should be permitted to ply. Requirement for complying with these should be indicated in the licenses and looked into while issuing and renewing license. While appropriate legal action may be taken for the first offence committed by the driver/vehicle, in case the offence happening for the second time, route permit, wherever applicable, of such vehicle/driver shall be cancelled and sound box seized.

b) The Transport Department may conduct a study to identify major Noise Generating Zones/Junctions in the State. Based on the findings of this Study; the Department should make appropriate Noise Pollution Control Measures in consultation with GSPCB.

1) The Road Transport Authority/Car dealer/Audio equipment seller shall ensure that audio system in the vehicle shall be installed with a Noise Limiter. The Noise level of any such audio system installed in a vehicle shall not exceed 75 dB(A) at 2 meters distance from the vehicle.

2) Penalties for the first offence will be levied in accordance to the provision of the Motor Vehicles Act. For subsequent offence action as per the provision of Section 15 of the Environment (Protection) Act, 1986 in addition to the provision of the Motor Vehicles Act and removal of audio system and accessories/confiscation.

22. *Fire Crackers.*— i) Rule 5A (2) prescribes that sound emitting fire crackers shall not be burst in silence zone or during night time.

1. As per direction of the Hon'ble Supreme Court, following time limits are prescribed for bursting fire crackers.

Diwali: 8.00 pm to 10.00 pm. Guru purnima: 4.00 am to 5.00 am and 9.00 pm to 10.00 pm. New Year and Christmas: 11.55 p.m. to 12.30 am.

ii) Rule 5A (3) prescribes that the sound emitting construction equipments shall not be used or operated during night time in residential areas and silence zones.

23. *Procedure or Action in case of Violations.*— 1) Rule 6 of the Noise Rules sets out the Consequences of any violation in silence zone/area as follows; Whoever, in any place covered under the silence zone/area commits any of the following offence, he shall be liable for penalty under the provisions of the Environment Protection Act:

(i) whoever, plays any music or uses any sound amplifiers,

(ii) whoever, beats a drum or tom-tom or blows a horn either musical or pressure, or trumpet or beats or sounds any instrument, or

(iii) whoever, exhibits any mimetic, musical or other performances of a nature to attract crowds.

(iv) whoever, bursts sound emitting fire crackers; or

(v) Whoever, uses a loud speaker or a public address system.

2. Rule 7 (2) of the Noise Rules states as follows; the authority shall act on the complaint and take action against the violator in accordance with the provisions of these rules and any other law in force.

The Authority will levy Scale of compensation for violation of Noise Rules

As submitted by the Central Pollution Control Board in compliance to Hon'ble National Green Tribunal (NGT) dated 01-08-2019 in the matter O. A. No. 519 of 2016 Titled; Hardeep Singh & ORS VS SDMC & ORS.

3. Rule 8 of the Noise Rules states as follows:

(1) If the authority is satisfied from the report of an officer in-charge of a police station or other information received by him including from the complainant that it is necessary to do so in order to prevent annoyance, disturbance, discomfort or injury or risk of annoyance, disturbance, discomfort or injury to the public or to any person who dwell or occupy n property on the vicinity, he may, by a written order issue such directions as he may consider necessary to any person for preventing, prohibiting, controlling or regulating:

(a) the incidence or continuance in or upon any premises of—

(i) any vocal or instrumental music,

(ii) sounds caused by playing, beating, clashing, blowing or use in any manner whatsoever of any instrument including loudspeakers, public address systems, horn, construction equipment, appliance or apparatus or contrivance which is capable of producing or re-producing sound, or

(iii) sound caused by bursting of sound emitting fire crackers, or

(b) the carrying on in or upon, any premises of any trade, avocation or operation or process resulting in or attended with noise.

(2) The authority empowered under sub-rule (1) may, either on its own motion, or on the application of any person aggrieved by an order made under sub-rule (1), either rescind, modify or alter any such order:

24. The Authorities prescribed under the Rules will initiate necessary action in case of violations in case of commercial events and in case of private events on the recommendation of the Department of Environment & Climate Change/Goa State Pollution Control Board including levy of compensation as per the report of the CPCB "Scale of Compensation" in compliance to the directions of the Hon'ble NGT.

25. Until the portal operation is commission process the application shall be mailed to email Id goacoastalandenvtmangsty@gmail.com and CC to mail.gspcb@gov.in.

This supersedes earlier Notification No. 7/4/98/STE/DIR/Part-IV/1860 dated 14-03-2024.

By order and in the name of the Governor of Goa.

Johnson B. Fernandes, Director (Environment & CC).

Panaji, 10th April, 2024.

ANNEXURE - I

Notification of Authority

7/4/98/ENVT&CC/DIR/Part III/208
dated 16-5-2023

Read: (i) Notification No. 7/4/98/STE-DIR/Part I/922
dated 04-12-2007.

(ii) Addendum No. 7/4/98/STE-DIR/Part I/1545
dated 15-01-2010.

(iii) Addendum No. 7/4/98/STE-DIR/Part I/104
dated 23-04-2015.

(iv) Addendum No. 7/4/98/STE-DIR/Part II/
480 dated 12-09-2019.

(v) Order No. 7/4/98/ENVT&CC/DIR/Part III/
1508 dated 09-02-2023.

Order

Vide above read Notification, the Government of Goa, in pursuance of clause (c) of Rule 2 of the Noise Pollution (Regulation and Control) Rules, 2000 (hereinafter called the "said Rules"), has designated various Officers as 'Authority' for the maintenance of the ambient air quality standards in respect of noise under the said Rules.

2. The Hon'ble High Court of Bombay at Goa, Panaji vide its directives in MCA No. 588 of 2010 in Suo Motu Writ Petition No. 4 of 2006 (The Citizens Committee on Noise Pollution v/s State of Goa); has directed that the list of the Officers designated as 'Authority' under the said Rules, should be published for information of the public alongwith details of their telephone numbers.

In pursuance of the directives of the Hon'ble High Court, Department of Environment & Climate Change; hereby publishes the names and telephone numbers of the Officers designated as 'Authority' under the said Rules, for general information of the public.

| Sr. No. | Name and Designation of the Officer | Office Tel. No. | Fax No. |
|---------|---|--|--------------------|
| 1 | 2 | 3 | 4 |
| 1. | Collector & District Magistrate, North Goa, Panaji. | 2223612 2225383 2427690 2225083 | 2426492 |
| 2. | Collector & District Magistrate, South Goa, Margao. | 2794412 2794414 2794415 2794416 | 2733026 2794402 |
| 3. | Addl. Collector-(I) & Addl. District Magistrate, North Goa, Panaji. | 2223418 2225383 2223612 | 2426492 |
| 4. | Addl. Collector-(I) & Addl. District Magistrate, South Goa, Margao. | 2794421 2794423 | 2733026 |
| 5. | Dy. Collector & Sub-Divisional Magistrate, Tiswadi, Panaji. | 2225511 | 2225511 |
| 6. | Dy. Collector & Sub-Divisional Magistrate, Ponda. | 2312469 | 2312469 |
| 7. | Dy. Collector & Sub-Divisional Magistrate-I, Bardez, Mapusa. | 2250398 | 2262038 |
| 8. | Dy. Collector & Sub-Divisional Magistrate-II, Bardez, Mapusa. | 2262038 2250398 | 2262038 |

| 1 | 2 | 3 | 4 |
|-----|---|--|---------|
| 9. | Dy. Collector & Sub-Divisional Magistrate, Bicholim. | 2362058 2360254 | 2362058 |
| 10. | Dy. Collector & Sub-Divisional Magistrate, Pernem. | 2201142 | 2201142 |
| 11. | Dy. Collector & Sub-Divisional Magistrate, Satari. | 2374800 | - |
| 12. | Dy. Collector & Sub-Divisional Magistrate, Salcete, Margao. | 2794145 2794146 2794109 | - |
| 13. | Dy. Collector & Sub-Divisional Magistrate, Mormugao, Vasco. | 2500565 | 2512688 |
| 14. | Dy. Collector & Sub-Divisional Magistrate, Quepem. | 2662241 | 2662228 |
| 15. | Dy. Collector & Sub-Divisional Magistrate, Sanguem. | 2603141 | - |
| 16. | Dy. Collector & Sub-Divisional Magistrate, Canacona. | 2643696 | 2643696 |
| 17. | Dy. Collector & Sub-Divisional Magistrate, Dharbandora. | 2614111 | 2614037 |
| 18. | Superintendent of Police (North Goa), Panaji. | 2416100 | 2416243 |
| 19. | Superintendent of Police (South Goa), Margao. | 2732218 | 2733864 |
| 20. | Sub-Divisional Police Officer, Tiswadi, Panaji. | 2226519 | 2226519 |
| 21. | Sub-Divisional Police Officer, Ponda. | 2317978 | 2317978 |
| 22. | Sub-Divisional Police Officer, Salcette, Margao. | 2714449 2710656 2714454 2794151 | 2714449 |
| 23. | Sub-Divisional Police Officer, Mormugao, Vasco. | 2500222 | 2500222 |
| 24. | Sub-Divisional Police Officer, Mapusa-I for Pernem, Mapusa, Colvale & Anjuna Police Stations. | 2262207 | 2262207 |
| 25. | Sub-Divisional Police Officer, Porvorim for Calangute, Porvorim & Saligao Police Stations. | 2412723 | 2412723 |
| 26. | Sub-Divisional Police Officer, Quepem. | 2663900 | 2663900 |
| 27. | Sub-Divisional Police Officer, Bicholim & Satari. | 2363737 | 2363737 |

ANNEXURE-II

Officials of the State Government nominated as "Authority" under the Noise Rules alongwith their respective Roles and Duties.

| Sr. No. | Designation of the Authorized Officer | Contact Details & No. | Email Id | Roles & Responsibility |
|---------|--|-----------------------|----------|--|
| 1 | 2 | 3 | 4 | 5 |
| 1. | Collector and District Magistrate | | | <p>Responsible for enforcement of noise pollution control measures and due compliance of Ambient Air Quality Standards in respect of Noise.</p> <p>Responsible for the Overall Implementation of the Noise Rules in the respective Jurisdiction.</p> <p>Authorized to Grant permissions under the Noise Rules and the State Action Plan for the control of Noise Pollution.</p> <p>1st Appellate Authority in respect of Complaints.</p> |
| 2. | Additional Collector | | | <p>Responsible for enforcement of noise pollution control measures and due compliance of Ambient Air Quality Standards in respect of Noise.</p> <p>Responsible for the Overall Implementation of the Noise Rules in the respective Jurisdiction.</p> <p>Authorized to Grant permissions under the Noise Rules and the State Action Plan for the control of Noise Pollution.</p> |
| 3. | Deputy Collector and Sub-Divisional Magistrate | | | <p>Responsible for enforcement of noise pollution control measures and due compliance of Ambient Air Quality Standards in respect of Noise.</p> <p>Responsible for the Overall Implementation of the Noise Rules in the respective Jurisdiction.</p> <p>Authorized to Grant permissions under the Noise Rules and the State Action Plan for the control of Noise Pollution.</p> |
| 4. | Superintendent of Police | | | <p>Responsible for enforcement of noise pollution control measures and due compliance of Ambient Air Quality Standards in respect of Noise.</p> |

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| 1 | 2 | 3 | 4 | 5 |
|----|--|---|---|---|
| | | | | Responsible for the Overall Implementation of the Noise Rules in the respective Jurisdiction. |
| 5. | Deputy Superintendent of Police & Sub-Divisional Police Officer. | | Responsible for enforcement of noise pollution control measures and due compliance of Ambient Air Quality Standards in respect of Noise. | Responsible for the Overall Implementation of the Noise Rules in the respective Jurisdiction. |
| 6. | Police Inspector | | Authorized to entertain and act on complaints made under the Noise Rules as well as to take action against the violators for all violations of the provisions of the Noise Rules and the Noise Action Plan. | |
| 7. | Director Department of Environment | | Responsible for enforcement of noise pollution control measures and due compliance of Ambient Air Quality Standards in respect of Noise. | |
| 8. | Goa State Pollution Control Board | | Processing of application for grant of permission under Noise Rules received from Department of Environment and Climate Change and submission of report to Department of Environment and Climate Change with recommendation. Carrying out Noise mapping in compliance to the directions issued by the Hon'ble NGT. Conducting Training and Awareness programmes with regards to the Noise Pollution and for use of Noise level monitoring equipments. Carry out Noise monitoring at the request of the Collector/ /District Magistrate/Additional District Magistrate/Sub Divisional Magistrate/Superintendent of Police/Deputy Superintendent of Police/Police Inspector. | |
| 9. | Secretary Environment | | 2nd Appellate Authority in respect of complaints under the Noise Rules. | |

ANNEXURE-III

Ambient Air Quality Standards in respect of Noise as per the Notification are as follows:

| Area Code | Category of Area/Zone | Limits in dB (A) Leq* | |
|-----------|-----------------------|-----------------------|------------|
| | | Day Time | Night Time |
| (A) | Industrial Area | 75 | 70 |
| (B) | Commercial Area | 65 | 55 |
| (C) | Residential Area | 55 | 45 |
| (D) | Silence Zone | 50 | 40 |

ANNEXURE-IV

Notification

7/4/98/STE/DIR/Part-IV/753

Read: 1) Notification No. 7/4/98/STE/DIR/Part/754 dated 19-09-2000 published in Official Gazette, Series II No. 39 dated 26-12-2002.

2) Notification No. 7/4/98/STE/DIR/Part 1/557 dated 14-07-2008 published in the Official Gazette, Series II No. 15 dated 15-07-2008, Extraordinary No. 5.

Pursuant to sub-rule (2) of Rule 3 of the Noise Pollution (Regulation and Control) Rules, 2000 hereinafter called the "Said Rules" and in supersession of the Notification read above, the Government of Goa hereby categorizes the areas declared as industrial (including airport zones), commercial and residential as per the notifications issued by the Government of Goa as industrial, commercial and residential areas as mentioned in II below for the purpose of said sub-rule (2) of Rule 3 of the said Rules and the ambient air quality standards in respect of noise as mentioned in the Schedule as per Rule 3(1) & 4(1) of Noise Pollution Rules, 2000, shall ipso-facto be applicable to these areas as noise level zones/noise mapping:

I.

| Area Code | Category of Area/Zone |
|-----------|---|
| A. | <p>Industrial Areas: All areas which are included within the industrial estates, mining areas, barge loading facilities and related activity, jetties along the riverfronts and all other industries/industrial areas, airport areas not falling within the above specified areas and zoned as Industrial (including airport zones) as per the Regional Plan 2021 notified by Town & Country Planning Department, Government of Goa, shall be categorised as Industrial Area.</p> |
| B & C. | <p>Commercial area and Residential area: All areas which are declared as Commercial/Residential (Settlement Zones) as per the Regional Plan 2021 or the Outline Development Plans for the respective urban areas in the State of Goa notified by Town and Country Planning Department, Government of Goa, shall be categorised as Commercial/Residential areas.</p> <p>For the purpose of identifying a specific area to be Commercial/Residential Zone for the purpose of permissions under Rule 5(1) of the said rules, the 'Authority' shall examine and survey the area concerned and permit the use of Loudspeaker/Public Address System, on a case to case basis after satisfying himself that the specific area is substantially residential as the case may be. For this purpose the 'Authority' shall accept an application from any 'person' desirous to use the Loudspeaker/Public Address System, 03 days prior to enable the 'Authority' to carry out the site inspection and survey, failing which the 'Authority' shall not accept the application.</p> |

- D. Silence Zone: All areas comprising not less than 100 meters around hospitals, educational institutions, courts, religious places, wildlife sanctuaries, reserve forests, turtle nesting sites, heritage/archaeological sites of State/National/International importance and all areas which are identified to be falling within the silence zone.
-
- II. The zoning of the above areas are mapped shall be read in consonance with the below mentioned notifications pertaining to mapping of Land Use Zones in the State of Goa:-
-
1. Regional Plan for Goa 2021
- (a) 29/8/TCP/2010/RP-21/1952 in Official Gazette, Series I No. 4 dated 28-04-2011. (Please see 190/c-189/c).
 - (b) 29/8/TCP/2011/RP-21/3742 in Official Gazette, Series III No. 24 dated 15-09-2011. (Please see 188/c-187/c).
 - (c) 29/8/TCP/2011/RP-21/Pt. File/3983 in the Official Gazette, Series I No. 26 dated 29-09-2011). (Please see 186/c-185/c).
 - (d) 29/8/TCP/2010/RP-21/4220 in the Official Gazette, Series III No. 29 dated 20-10-2011. (Please see 184/c-183/c).
 - (e) 29/8/TCP/2010/RP-21/4106 in the Official Gazette, Series II No. 35 dated 25-11-2010. (Please see 182/c-181/c).
-
2. O.D.P. for Vasco-da-Gama Planning Area (Ref. No. MPDA/ODP-2026/2016-17/1327 in the Official Gazette, Series III No. 39 dated 29-12-2016. (please see 179/c).
-
3. O.D.P. for Panaji Planning Area, North Goa Planning and Development Authority (Ref. No. NGPDA/PANAJI ODP/2604/2016 in Official Gazette, Series III No. 38 dated 28-12-2016, Extraordinary No. 3). (Please see 170/c).
-
4. O.D.P. for Taleigao Planning Area, Greater Panaji (Ref. No. GPPDA/ODP of TPA/1802/ /2019 in the Official Gazette, Series III No. 46 dated 18-02-2019, Supplement). (please see 175/c-174/c).
-
5. O.D.P. for Mapusa Planning Area, North Goa Planning and Development Authority (Ref. No. NGPDA/Mapusa ODP/2605/2016 in the Official Gazette, Series III No. 38 dated 28-12-2016, Extraordinary No. 3). (please see 171/c-170/c).
-
6. O.D.P. for Calangute-Candolim, North Goa Planning and Development Authority (Ref. No. NGPDA/Calangute-Candolim ODP/Vol.II/2705/18 in the Official Gazette, Series III No. 35 dated 29-11-2018). (please see 173/c-172/c).
-
7. O.D.P. for Margao Planning Area, South Goa Planning and Development Authority (Ref. No. SGPDA/ODP-2028 (M)/3465/18-19 in Official Gazette, Series III No. 49 dated 07-03-2019). (please see 178/c-177/c).
-
8. O.D.P. for Ponda Planning Area, South Goa Planning and Development Authority (Ref. No. SCPDA/ODP-2028 (P)/3466/18-19 in Official Gazette, Series III No. 49 dated 07-03-2019). (Please see 177/c-176/c).
-

Further, in pursuance of sub-rule (5) of Rule 3 of the said Rules, the Government hereby declares an area comprising of 100 meters radius around all hospitals/educational institutions and Courts as silence arr a zone for the purpose of the said Rules.

The Authority constituted in terms of Rule 2(c) shall take cognizance of this Notification and act accordingly if in case there are violations reported in their jurisdiction.

*In case of silence zone for turtle nesting sites the same is as decided by the GCZMA.

ANNEXURE-V

Methodology for Formulation of Noise Mapping in India.

1. Background.— Hon'ble NGT vide order dated 15-03-2019 in the matter of OA No. 681/2018 titled "Times of India" Authored by Shri Vishwa Mohan Titled "NCAP with multiple timelines to clean air in 102 cities to be released around August 15' has issued numerous directions related to noise pollution. Hon'ble NGT in para 12 directed CPCB as:

We also direct CPCB to prepare noise pollution map and identify hotspots and categorize the cities with specified hotspots and propose a remedial action plan. Such report may be furnished within three months by e-mail at ngt.filing@gmail.com We are informed that in 7 cities noise monitoring mechanism has already been established by the CPCB which is functioning on continuous basis and is connected to the server of CPCB.

The CPCB may consider setting up such mechanism in all the cities which are found to be having noise level above approved the threshold.

2. Introduction to Noise Mapping.— Noise map is a graphic representation of the sound level distribution existing in a given region, for a defined period. It is similar to a contour map indicating the noise levels at different boundaries in an area. It is normally generated using computer software that calculates noise levels from input data such as traffic volume, speed, characteristics of road surface and nearby buildings as well as topography. Mapping can be made about individual noise sources i.e. road traffic, railway traffic, aircraft in flight or industry.

Noise maps are created not only to assess the environmental impact of traffic noise, but also for preliminary assessments of the effectiveness of noise control alternatives that can be adopted. Thus, the noise maps created are helpful for the management of environmental noise. The concept of noise mapping is a model shift from traditional methods of noise monitoring and control as it simulates the noise scenario and can be helpful in deciding noise control measures for reducing noise pollution in urban cities. In recent years, it has become an important and useful tool for environmental noise assessment and control.

3. Aims and Objectives.— The objective of the Noise Mapping process is to establish country wide approach to avoid, prevent or reduce environmental noise where necessary and particularly where exposure levels can induce harmful effects on human health, and to preserve existing good quality

environmental noise levels. Noise pollution (Regulation and Control) Rules, 2000 are notified by MoEF & CC and responsibilities and restrictions are defined with authorities for further implementation. Under Noise Pollution (Regulation and Control) Rules, 2000, responsibilities are vested with State Governments, District Magistrate, Police Commissioner, or any other officer not below the rank of Deputy Superintendent of Police, as per detail given below:

1. Restriction on the use of loud speakers/public address system.
2. Restriction on the use of horns, sound emitting construction equipment and bursting of fire crackers.
3. Prohibition of continuance music sound or Noise.

The Regulations identify and assign responsibilities to the particular organizations required to produce strategic noise mapping, and to those organizations responsible for the development of action plans. The Action Plan will endeavor to manage the existing noise environment and protect the future noise environment within the action planning area. Management of the existing noise environment may be achieved by prioritizing areas for which further assessment and possible noise mitigation may be required. Protection of the future noise environment may be achieved by acoustical planning, which further incorporates noise into the planning process via measures such as land-use planning, development planning, sound insulation measures, traffic planning and control of environmental noise sources. The benefits of noise mapping are as follows:

- To integrate Noise Action Plans into the City and Country Development Plan.
- To ensure compliance of Noise Rules, 2000 and mitigation are considered during the planning process.
- To ensure compliance with current and future policy and guidelines relating to environmental noise.
- To identify hot spots in the city and incorporation of noise mitigation measures.

4. Legal Framework: Existing Legal Provisions.—

1) Regulations.— Standards have been fixed for most of the major sources of noise, as well as ambient

level of noise in different category areas such as Silence Zone, Commercial, and Industrial & Residential Area.

The maximum permissible levels of Noise in Indian Cities notified by Ministry of Environment & Forests vide its notification No. S. O. 123 (E), (14-02-2000), Noise Pollution (Regulation & Control) Rules, 2000 is as follows:

| Area Code | Category of Area/Zone | Limits in dB (A) Leq. | |
|-----------|-----------------------|-----------------------|-------|
| | | Day | Night |
| (A) | Industrial Area | 75 | 70 |
| (B) | Commercial Area | 65 | 55 |
| (C) | Residential Area | 55 | 45 |
| (D) | Silence Zone | 50 | 40 |

Note:

1. Day time shall mean from 6 a.m. to 10 p.m.
2. Night time shall mean from 10 p.m. to 6 a.m.
3. Silence Zone is defined as areas upto 100 meters around such premises as hospitals, educational institutes and courts. The Silence Zones are to be declared by competent authority. Use of vehicular horns, loudspeaker and bursting of crackers shall be banned in these zones.
4. Mixed categories of areas may be declared as one of the four above mentioned categories by the competent authority.
5. Leq: It is an energy mean of the noise level over a specific period.
2. Noise limits for vehicles at manufacturing stage is attached at Annexure-I.
3. Rule SA (1) of the Noise Pollution (Regulation and Control) Rules, 2000 use of sirens and multi-toned horns on vehicles should be continued to be prohibited in the silence zone and during night time in the residential zone as prescribed under the Noise Pollution (Regulation and Control) Rules, 2000 except during a public emergency.
4. Rule 119 (1) and (3) of the Motor Vehicles Rules, 1989.
- The sirens and multi tone horns shall be continued to be banned except for Police Van, Ambulance and Fire Brigades.
5. Status of Vehicular Noise Standards w.r.t Horns & Sirens is attached at Annexure-II.

5. Methodology.— The concept of noise mapping involves the use of the validated noise model and a GIS software [10, 14] for developing noise maps [9, 13]. In Indian scenario, there is no authorized model that can be used for noise predictions. In such a case, the simulation process is sometimes difficult as the foreign models like CoRTN, RLS 90, FHWA TNM, HARMONOISE, Nord 2000 etc. may not predict the exact results [1]. Thus, in such case, it is vital to calibrate these models in Indian scenario or to develop noise prediction model based on Indian heterogeneous traffic conditions including honking for using them for noise mapping process [2, 3, 4, 5, 6, 11, 12].

Thus, in Indian scenario, the following aspects pertaining to developing of noise maps for cities is recommended as follows:

- a) Noise monitoring will be carried out as per Noise Pollution (Regulation & Control) Rules, 2000 and Amended in 2017.
- b) Collection of primary data comprising of traffic volume data, vehicular speed, road details (type, number of lane, surface material etc.)[5], building layout, metrological data and topographical data [7, 9].
- c) Honking incidence should also be taken under consideration for manifest of hotspot of respective cities.
- d) Sound level data for selected site shall include day equivalent level, L_{day} and night equivalent level, L_{night} as per the ambient noise standards. Other Noise indicators viz L_{max}, L_{min}, L₁₀, L₅₀, L₉₀ shall be considered. Traffic Noise Index (TNI) and Noise Pollution Level (NLP) shall also be measured [8]. Measurements will be made with a Type 1 integrating sound level meter with free-field microphone which meets the Accuracy of noise measurement as per IEC 804 (BS 6698) Grade I or ANSI Type I or equivalent IEC 61672-1(2002-05) Class-I.
- e) A combined approach involving the use of noise monitoring terminals for noise monitoring of various sites and prediction of ambient noise levels for some points using interpolation algorithms may be exercised. The Noise Monitoring Terminals (NMTS) should be calibrated and traceable to the national standards for accurate and precise results.
- f) The sampling of the number of points for mapping the city may be decided on the basis of various aspects such as identification of the

sensitive receptors and noise generating sources; dividing the area into suitable hot spots, grid based sampling and considering etc. In any case, the agency involved in noise mapping should present the selection of number of points in consultation with Municipal Corporations, State Police and State Pollution Control Boards, Research and Academic Institutes and Non-Government Organization.

g) Site in a city shall be selected such that each category (Industrial Commercial/Residential/Silence zone) of zone covered. At locations close to the major site activities (construction/vehicular traffics/industrial/trains/crackers) which are likely to have noise impacts. Close to the any domestic premises, hotel, hostel, temporary housing accommodation, hospital, medical clinic, educational institution, place of public worship, library, court of law, performing arts center etc. shall be considered for monitoring.

h) The development of noise maps should be helpful in deciding the noise control measures for reducing the ambient noise levels within the prescribed limits.

i) The use of foreign models needs to be validated as per Indian Scenarios for developing noise maps. In such scenario, the simulated results or noise map must be verified with actual measurements for at least some sites.

j) An assessment point is a physical location at which noise levels need to be calculated or measured for the purpose of producing data to comply with the requirements of the ambient noise standards of India.

Such assessment points should reasonably provide a basis for noise scenario for all the four different zones in a particular city of India identified in ambient noise standards. Exercise of Noise mapping is being carried out first time in such scale and therefore, it is recommended that maps shall be created considering above aspects and accordingly mitigation plan shall be devised.

After implementation of mitigation plan, noise map shall be revised with more precise scaling.

This exercise shall be repeat every after 02 years to check the effectiveness of mitigation plan.

6. Mapping Area.— Each time the Transport Agency initiates strategic noise mapping, the first decision will be the extent of the area to be mapped. There is not a set process for this, but relevant considerations may include:

a) Strategic importance: Areas of high strategic importance may warrant mapping.

b) Availability of data: Areas with high-quality geospatial data available may be better to group together.

c) Source of data: Minimizing the number of data sources may reduce the amount of pre-processing. (e.g. avoid crossing territorial authority boundaries).

d) Type of area: Urban areas defined by statistics or national census will include the areas of highest population density where strategic noise mapping might provide the most benefit. In other countries where strategic noise maps have been developed, they have primarily been for urban areas. This is because the greatest noise exposures and need for noise management generally occur in those areas.

e) Grid based sampling of area into equal sub-units.

f) Area segmentation based on both source and sensitive receptors especially the silence zone and residential zone areas.

g) Division of area based on road size/traffic flow/highway road residential and other zones etc.

The strategy adopted can be either of the above approaches depending upon the city, site-specific conditions, economic, political and infrastructural constraints.

7. Noise Control Measures.— The noise maps should be helpful in deciding the optimum noise control measures for reducing the ambient noise levels within the recommended ambient noise

standards of India. The control measures could be: erection of noise barriers, application of poroelastic road surfaces, management of road traffic volume, prohibition of honking noise etc.

8. Deliverables and Envisaged Benefits.— The agency involved in noise mapping should present the noise map of complete city in terms of the day and night equivalent noise levels. Also, a comprehensive report mentioning the hot spots identified, the range of ambient day and night levels and their compliance with the recommended ambient noise standards of India should be clearly pointed out.

The control measures should also be clearly identified and effect of such measures on the ambient noise levels using a simulated noise scenario should be presented so that suitable remedial measures can be planned by authorities. The control measures can be helpful in controlling the noise pollution in Indian cities and serve truly the purpose of noise mapping as directed by National Green Tribunal in orders dated 15-03-2019.

9. References.— 1) Garg, N., & Maji, S. (2014). A critical review of principal traffic noise models: Strategies and implications. *Environmental Impact Assessment Review*, 46, 68-81.

2) Garg, N., Mangal, S. K., Saini, P. K., Dhiman, P., & Maji, S. (2015). Comparison of ANN and analytical models in traffic noise modeling and predictions. *Acoustics Australia*, 43(2), 179-189.

3) Garg, N., & Maji, S. (2016). A retrospective view of noise pollution control policy in India: Status, Proposed Revisions and Control Measures. *Current Science*, 111(1), 29-38.

4) Vijay, R., Kori, C., Kumar, M., Chakrabarti, T., & Gupta, R. (2014). Assessment of traffic noise on highway passing from urban agglomeration *Fluctuation and Noise Letters*, 13(04), 1450031.

5) Vijay, R., Sharma, A., Chakrabarti, T., & Gupta, R (2015). Assessment of honking impact on traffic noise in urban traffic environment of Nagpur, India. *Journal of environmental health science and engineering*, 13(1), 10.

6) Vijay, R., Chakrabarti, T., & Gupta, R. (2018). Characterization of Traffic Noise and Honking Assessment of an Indian Urban Road. *Fluctuation and Noise Letters*, 17(04), 1850031.

7) Vijay, R., Sharma, A., Kumar, M., Shende, V., Chakrabarti, T., & e Gupta, R. (2015). GIS-Based Noise Simulation Open Source Software: N-GNOIS. *Fluctuation and Noise Letters*, 14(01), 1550005.

8) Vijay, R., Popat, R., Pisode, M., Sharma, A., Manoj, K., Chakrabarti, T., & Gupta, R. (2013). Evaluation and analysis of noise levels at traffic intersections of Nagpur city, India. *Journal of environmental science & engineering*, 55(2), 197-206.

9) Sharma, A., Vijay, R., Sardar, V. K., Sohony, R. A., & Gupta, A. (2010). Development of noise simulation model for stationary and mobile sources: A GIS-based approach. *Environmental modeling & assessment*, 15(3), 189-197.

10) Vijay, R., Lingote, D., Sharma, A., & Gupta, R. (2018). Development of GIS-Based Noise Simulation Module for Point Sources: N-Dhwani. In *Geospatial Infrastructure, Applications and Technologies: India Case Studies* (Pp. 329-338). Springer, Singapore.

11) Sharma, A., Vijay, R., Bodhe, G. L., & Malik, L. G. (2018). An adaptive neuro-fuzzy interface system model for traffic classification and noise prediction *Soft Computing*, 22(6), 1891-1902.

12) Sharma, A., Vijay, R., Bodhe, G. L., & Malik, L. G. (2014). Adoptive neuro-fuzzy inference system for traffic noise prediction

International journal of computer applications, 98 (13).

13) Sharma, A., Vijay, R., & Sohony, R. A. (2013). Development of GIS based Noise Simulation Software (DGNSS). *International Journal of Scientific & Engineering Research*, 4 (12), 177-182.

14) Sharma, A., Vijay, R., & Sohony, R. (2011, July). Development of GIS based noise simulation model: A case study of Mumbai India Development of GIS-NSM. In *2011 International Conference on Multimedia Technology* (pp. 3925-3927), IEEE.

Annexure-1

Noise limits for vehicles applicable at manufacturing stage from year 2003.

| Sr. No. | Type of Vehicle | Noise Limits from 1st January, 2003, db (A) | Date of Implementation |
|---------|--|---|------------------------|
| (1) | (2) | (3) | (4) |
| 1. | Two wheeler displacement upto 80 cm ³ | 75 | |
| | Displacement more than 80 cm ³ but upto 175 cm ³ | 77 | 1st January, 2003 |
| | Displacement more than 175 cm ³ | 80 | |
| 2. | Three wheeler displacement up 175 cm ³ | 77 | 1st January, 2003 |
| | Displacement more than 175 cm ³ | 80 | |
| 3. | Passenger car | 75 | 1st January, 2003 |
| 4. | Passenger or commercial vehicle | | |
| | Gross vehicle weight upto 4 tonne | 80 | |
| | Gross vehicle weight more than 4 tonne but upto 12 tonne | 83 | 1st July, 2003 |
| | Gross vehicle weight more than 12 tonne | 85 | |

Noise limits for vehicle applicable at manufacturing stage applicable from 1st April, 2005.

| Sr. No. | Type of Vehicle | Noise Limits from 1st January, 2003, dB(A) |
|---------|------------------------------|--|
| (1) | (2) | (3) |
| 1.0 | Two wheeler | |
| 1.1 | Displacement more than 80 cc | 75 |

| (1) | (2) | (3) | (4) |
|-----|---|-----|-----|
| 1.2 | Displacement more than 80 cc but upto 175 cc | 77 | |
| 1.3 | Displacement more than 175 cc | 80 | |
| 2.0 | Three wheeler | | |
| 2.1 | Displacement upto 175 cc | 77 | |
| 2.2 | Displacement more than 175 cc | 80 | |
| 3.0 | Vehicles used for carriage of passengers and capable of having not more than nine seats including the driver's seat | 74 | |
| 4.0 | Vehicles used for carriage of passengers having more than nine seats including the driver's seat and a maximum gross vehicles weight (GVW) of more than 3.5 tonnes. | | |
| 4.1 | With an engine power less than 15 KW | 78 | |
| 4.2 | With an engine power of 150 KW or above | 80 | |
| 5.0 | Vehicles used for carriage of passengers having more than nine seats including the driver's seat: vehicles used for carriage goods | | |
| 5.1 | With maximum GVW not exceeding 2 tonnes | 76 | |
| 5.2 | With maximum GVW greater than 3 tonnes but not exceeding 3.5 tonnes | 77 | |
| 6.0 | Vehicles used for transport of goods with a maximum GVW exceeding 3.5 tonnes | | |
| 6.1 | With an engine power less than 75 kw | 77 | |
| 6.2 | With an engine power of 75 kw or above but less than 150 kw | 78 | |
| 6.3 | With an engine power of 150 kw or above | 80 | |

STANDARDS FOR HORMS

| Vehicular Noise Sources | VEHICULAR NOISE STANDARDS | | Standard Code | Noise limits/Standards |
|-------------------------|---|---------------------------------|-----------------------------------|---|
| | Norms notified by | To be implemented & complied by | | |
| Horn as a component | Specification for Gorn etc. (manufacturing & installation by MoRTH) | MoRTH (Traffic Police) | IS 1884-1992 | 85 dB for Type Gorns 90 dB for Type 2A horns 100 dB for Type 2 B horns and 105 dB for Type 3 horns |
| Horn Installation | | | IS 15796-2008 (AIS 014) | Maximum sound pressure level when determined in accordance with method of test shall meet the following: a) between 83 dB(A) for horns fitted on 2 wheelers or 3 wheelers of a power less than or equal to 7 kW and b) between 93 dB(A) to 112 dB(A) for the hom fitted on all other motor vehicles including tractor, 2 wheelers and 3 wheelers of a power greater than 7 kW |
| Sirens | | | AIS 125 (National Ambulance code) | Noise limits for sirens fitted on Ambulance are in the range of 110 dB (A) to 120 dB (A) |

ANNEXURE-VI

Notification

7/4/98/STE/DIR/Part-IV/412

Read: 1. Notification No. 7/4/98/STE/DIR/Part 1/922 dated 04-12-2007 published in Official Gazette, Series II No. 37 dated 13-12-2007.

2. Notification No. 7/4/98/STE/DIR/Part 1/1545 dated 0415-01-2010 published in Official Gazette, Series II No. 44 dated 28-01-2010.

3. Notification No. 7/4/98/STE/DIR/Part 1/104 dated 23-04-2015 published in Official Gazette, Series II No. 9 dated 28-05-2015.

4. Notification No. 2/3/2002-HD(G)/Part/44 dated 02-01-2019 published in Official Gazette, Series II No. 41 dated 10-01-2019.

5. Notification No. 2/3/2002-HD(G)/Part/199 dated 011-01-2019 published in Official Gazette, Series II No. 43 dated 24-01-2019.

In exercise of the powers conferred by sub-rule (3) of Rule 5 read with Clause (c) of Rule 2 of the Noise Pollution (Regulation and Control) Rules, 2000, the Government of Goa hereby direct the Authorities read above from (1) to (4) to take into consideration all aspects of noise pollution as a parameter of quality of life to avoid noise menace and to achieve the objective of maintaining the ambient air quality standards in respect of noise.

The Authorities designated in the State of Goa are also under obligation to ensure that no audio system or public address system shall be let out/installed without being fitted with sound limiter in any Government

or non-Government function in the whole of the State of Goa for outdoor functions. Further, no sound system should be sold/purchased/supplied/used by any manufacturer/dealer/shopkeeper without installation of sound limiter for use in outdoor areas.

This issues with approval of Government for vide 335 dated 31-07-2020.

By order and in the name of the Governor of Goa.

Johnson Fernandes, Director & ex officio Joint Secretary (Environment & CC).

Porvorim, 31st July, 2020.

ANNEXURE-VII

Consent required for only the Commercial Establishments/Institution
playing music continuously for more than 7 days in a month.

Application for Playing Music/Public Address system

1. Name of the applicant:
2. Full residential address:
3. Telephone No./Mobile:
4. Full address where permission is sought:
5. Name of the Establishment/Venue:
6. House No. & Survey No./Village:
7. Postal Address:
8. Purpose for which permission is sought:
 - a. Commercial establishments i.e., for a restaurant, discotheque, hotel etc.
 - b. Religious functions
 - c. Public meetings
 - d. If any other purpose stated above, then provide details
9. Type of music/equipment proposed to be utilized:
 - a. Recorded amplified music
 - b. Live musical programme
 - c. Public address system for public meeting
 - d. If any other type then stated above, then provide details
10. Period and time for which permission is sought:
11. Details of music equipment/loud speaker/public address system:
 - a. Public address system:
 - i. No. of mikes with details regarding make and serial No.
 - ii. No. of amplifiers and its wattage
 - iii. No. of speakers proposed to be used and their wattage
 - b. Music/hi-fi systems:
 - i. Details of C.D player/tape recorders/recorders with including the make and serial No. wattage and serial No.
 - ii. No. of amplifiers with wattage, make and serial No.
 - iii. No. of speakers with wattage, make and serial No.

- c. Live music:
- i. No. of mikes with details regarding make and serial No.
 - ii. No. of amplifiers and its wattage.
 - iii. No. of speakers proposed to be used and their wattage.
12. Distance of nearest residential house in all directions.

APPLICATION FORM

FOR

(Amplified Sound Licence from SDM/ADM, etc.)

(Circle mark the relevant)

01. Name of the applicant:
02. Full residential address:
03. Telephone number/Mobile:
04. Full address where permission is sought:
05. Venue type: Indoor/Outdoor:

Public Place: Private House/Religious Institution Educational Institution/Hospital/Hotel Resort/Marine Cruise/Mobile Announcement/Commercial Hall/Public Road.

06. Type of Function:

Educational Religious/Government/Public Private/Sports/Entertainment show/Party/Wedding/
/Discotheque/Drama-Tiartr Natak....

List any other than above.

- 07 (a). If public road or public open air space, attach a copy of the license obtained from the competent authorities:

07 (b). If Public Road, attach N.O.C. from the concerned Traffic Police Department:

08. Type of Sound System: Public, address system/Hi-Fi music system/Brass band/Other. HI-FI
music. SYLTRM.

09. Music: Recorded/Live.

10. Output power of amplification in Watts: 50/100/above 100/above 1000/above 10000.

11. If Discotheque: Entrance/Exit is double/single door system.

12. Timings of the function: From _____ To _____.

13. Fire works intended: Yes/No.

- 13 (a) If Yes, specify:

Standard/Pyrotechnic Display/Dada Bombs/Traditional [Khozne]/Any other or All above.

Note:- (i) If permission is required for more than seven days a month, at any location for use of loud speakers/Public Address System in open air, in residential area, a letter of consent from the Goa State Pollution Control Board under Air (Prevention and Control of Pollution) Act, 1981 is mandatory. In such cases enclosed form is also to be filled and submitted to Goa State Pollution Control Board.

(ii) If the permission is for indoor, music, the applicant has got the option of asking for permission for long period which may cover the entire season. The date and month of start and close may be mentioned.

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MINISTRY OF ENVIRONMENT & FORESTS
The Noise Pollution (Regulation and Control) Rules, 2000;

(As amended till 10/08/2017 vide S.O. 2555(E))

S.O.123 (E).- Whereas the increasing ambient noise levels in public places from various sources, inter-alia, industrial activity, construction activity, (*fire crackers, sound producing instruments*)¹, generator sets, loud speakers, public address systems, music systems, vehicular horns and other mechanical devices have deleterious effects on human health and the psychological well being of the people, it is considered necessary to regulate and control noise producing and generating sources with the objective of maintaining the ambient air quality standards in respect of noise;

Whereas a draft of Noise Pollution (Control and Regulation) Rules, 1999 was published under the notification of the Government of India in the Ministry of Environment and Forests vide number S.O. 528 (E) dated the 28th June, 1999 inviting objections and suggestions from all the persons likely to be affected thereby, before the expiry of the period of sixty days from the date on which the copies of the Gazette containing the said notification are made available to the public-,

And whereas copies of the said Gazette were made available to the public on the 1st day of July, 1999.

And whereas the objections and suggestions received 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 clause (ii) of sub-section (2) of section 3, sub-section (1) and clause (b) of sub-section (2) of section 6 and section 25 of the Environment (Protection) Act, 1986 (29 of 1986) read with rule 5 of the Environment (Protection) Rules, 1986, the Central Government hereby makes the following rules for the regulation and control of noise producing and generating sources, namely:

The Noise Pollution (Regulation and Control) Rules, 2000

1. Short title and commencement.

- (1) These rules may be called the Noise Pollution (Regulation and Control) Rules, 2000.
- (2) They shall come into force on the date of their publication in the Official Gazette.

2. Definitions.- In these rules, unless the context otherwise requires,

- (a) "Act" means the Environment (Protection) Act, 1986 (29 of 1986);
- (b) "area/zone" means all areas which fall in either of the four categories given in the Schedule annexed to these rules;

1. In the said rules, in the opening para/portion after the words 'construction activity" additional words as at (1) above have been inserted vide S.O.50 dated 11/01/2010.

[(c) "authority" means and includes any authority or officer authorised by the Central Government, or as the case may be, the State Government in accordance with the laws in force and includes a District Magistrate, Police Commissioner, or any other officer not below the rank of the Deputy Superintendent of Police designated for the maintenance of the ambient air quality standards in respect of noise under any law for the time being in force;]²

[(d) "court" means a governmental body consisting of one or more judges who sit to adjudicate disputes and administer justice and includes any court of law presided over by a judge, judges or a magistrate and acting as a tribunal in civil, taxation and criminal cases;

(e) "educational institution" means a school, seminary, college, university, professional academies, training institutes or other educational establishment, not necessarily a chartered institution and includes not only buildings, but also all grounds necessary for the accomplishment of the full scope of educational instruction, including those things essential to mental, moral and physical development;

(f) "hospital" means an institution for the reception and care of sick, wounded, infirm or aged persons, and includes government or private hospitals, nursing homes and clinics;]³

[(g) "person" shall include any company or association or body of individuals, whether incorporated or not;]⁴

(h) "State Government" in relation to a Union territory means the Administrator thereof appointed under article 239 of the Constitution.

[(i) "*public place*" means any place to which the public have access, whether as of right or not, and includes auditorium, hotels, public waiting rooms, convention centres, public offices, shopping malls, cinema halls, educational institutions, libraries, open grounds and the like which are visited by general public; and

(j) "*night time*" means the period between 10.00 p.m. and 6.00 a.m.]⁶

3. Ambient air quality standards in respect of noise for different areas/zones.

(1) The ambient air quality standards in respect of noise for different areas/zones shall be such as specified in the Schedule annexed to these rules.

(2) The State Government (shall categorize)⁵ the areas into industrial, commercial, residential or silence areas/zones for the purpose of implementation of noise standards for different areas.

-
2. In rule 2 for clause "(c) "authority" means any authority or officer authorized by the Central Government, or as the case may be, the State Government in accordance with the laws in force and includes a District Magistrate, Police Commissioner, or any other officer designated for the maintenance of the ambient air quality standards in respect of noise under any law for the time being in force;" has been substituted with a new clause as at (2) above vide **S.O.1046 (E) dated 22/11/2000**.
 3. In rule 2, after Clause (c) new clause (d) (e) & (f) have been inserted as at (3) above vide **S.O.1046 dated 22/11/2000**.
 4. In rule 2, clause (d) & (e) have been re-numbered as clauses (g) and (h) respectively and for (g) as so renumbered "(g) "person" in relation to any factory or premises means a person or occupier or his agent, who has control over the affairs of the factory or premises;" has been substituted as at (4) above **vide S.O. 1046 (E) dated 22/11/2000**.
 5. In sub-rule (2) of rule 3 of the said rules, for the words "may categorize", the words "shall categorize" has been substituted as at (5) above vide **S.O.1046 dated 22/11/2000**
 6. In the said rules, in rule 2, after clause (h), the following clauses (i) & (j) have been inserted as at (6) above vide **S.O. 50 dated 11/01/2010**.

(3) The State Government shall take measures for abatement of noise including noise emanating from vehicular movements, (*blowing of horns, bursting of sound emitting fire crackers, use of loud speakers or public address system and sound producing instruments*)⁹ and ensure that the existing noise levels do not exceed the ambient air quality standards specified under these rules.

(4) All development authorities, local bodies and other concerned authorities while planning developmental activity or carrying out functions relating to town and country planning shall take into consideration all aspects of noise pollution as a parameter of quality of life to avoid noise menace and to achieve the objective of maintaining the ambient air quality standards in respect of noise.

(5) An area comprising not less than 100 metres around hospitals, educational institutions and courts may be declared (by the State Government)¹⁴ as silence area/zone for the purpose of these rules.

{Provided that, an area shall not fall under silence area or zone category, unless notified by the State Government in accordance with sub-rule(2).}¹⁴

4. Responsibility as to enforcement of noise pollution control measures.

(1) The noise levels in any area/zone shall not exceed the ambient air quality standards in respect of noise as specified in the Schedule.

(2) The authority shall be responsible for the enforcement of noise pollution control measures and the due compliance of the ambient air quality standards in respect of noise.

[(3) The respective State Pollution Control Boards or Pollution Control Committees in consultation with the Central Pollution Control Board shall collect, compile and publish technical and statistical data relating to noise pollution and measures devised for its effective prevention, control and abatement.]⁸

5. Restrictions on the use of loud speakers/public address system (and sound producing instruments)¹⁰

(1) A loud speaker or a public address system shall not be used except after obtaining written permission from the authority.

[(2) A loud speaker or a public address system or any sound producing instrument or a musical instrument or a sound amplifier shall not be used at night time except in closed premises for communication within, like auditoria, conference rooms, community halls or during a public emergency.]¹¹

[(3) Notwithstanding anything contained in sub-rule (2), the State Government may subject to such terms and conditions as are necessary to reduce noise pollution, permit use of loud speakers or public address systems and the like during night hours (between 10.00 p.m. to 12.00 midnight) on or during any cultural, religious or festive occasion of a limited duration not exceeding fifteen days in all during a calendar year and the concerned State Government or District Authority in respect of its jurisdiction as authorized by the concerned State Government shall generally specify in advance, the number and particulars of the days on which such exemption should be operative.

Explanation.- For the purposes of this sub-rule, the expressions-

(i) “festive occasion” shall include any National function or State function as notified by the Central Government or State Government; and

(ii) "National function or State function" shall include"-

- (A) Republic Day;
 - (B) Independence Day;
 - (C) State Day; or
 - (D) such other day as notified by the Central Government or the State Government.]¹⁵
-

7. In rule 5 after sub-rule (2) new rule 3 has been inserted as at (7) above vide S.O. 1088 (E) dated 11/10/2002.
8. In rule 4 after sub-rule (2) new sub-rule (3) has been inserted as at (8) above vide S.O. 1569 (E) dated 19/09/2006.
9. In the said rules, in rule 3, in sub-rule (3) after the words "noise emanating from vehicular movements, the additional words as at (9) above have been inserted vide S.O. 50 dated 11/01/2010.
10. In rule 5, for heading after the words "public address system" new words has been inserted as at (10) vide S.O. 50 dated 11/01/2010.
11. In rule 5, sub-rule (2) has been substituted by new sub-rule as at (11) above vide S.O. 50 dated 11/01/2010.
12. In rule 5, in sub-rule (3) for the words "public address systems during night hours" has been substituted by new words as at (12) above vide S.O. 50 dated 11/01/2010.
13. In rule 5, in sub-rule (3) after the words "a limited duration.....a calendar year" new sentence has been added as at (13) above vide S.O. 50 dated 11/01/2010.
14. In rule 3, in sub-rule (5) after the words "may be declared" the words "by the State Government" shall be inserted and there after new proviso is inserted as at (a) above vide S.O. 2555 dated 10/08/2017.
15. In rule 5, for the existing sub-rule "(3) Not notwithstanding anything contained in sub-rule (2), the State Government may subject to such items and conditions as are necessary to reduce noise pollution permit use of loudspeakers or (public address system and the like during night hours)¹² (between 10.00 p.m. to 12.00 midnight) on or during any cultural or religious festive occasion of a limited duration not exceeding fifteen days in all during a calendar year.]¹⁷ (The concerned State Government shall generally specify in advance, the number and particulars of the days on which such exemption would be operative)¹³." a new para is inserted as at (b) above vide S.O. 2555 dated 10/08/2017.

[(4) The noise level at the boundary of the public place, where loudspeaker or public address system or any other noise source is being used shall not exceed 10 dB (A) above the ambient noise standards for the area or 75 dB (A) whichever is lower;

(5) The peripheral noise level of a privately owned sound system or a sound producing instrument shall not, at the boundary of the private place, exceed by more than 5dB (A) the ambient noise standards specified for the area on which it is used.]¹⁶

[5A. Restrictions on the use of horns, sound emitting construction equipments and bursting of fire crackers.

(1) No horn shall be used in silence zones or during night time in residential areas except during a public emergency.

(2) Sound emitting fire crackers shall not be burst in silence zone or during night time.

(3) Sound emitting construction equipments shall not be used or operated during night time in residential areas and silence zones.]¹⁷

6. Consequences of any violation in silence zone/area.

Whoever, in any place covered under the silence zone/area commits any of the following offence, he shall be liable for penalty under the provisions of the Act:

(i) whoever, plays any music or uses any sound amplifiers,

(ii) whoever, beats a drum or tom-tom or blows a horn either musical or pressure, or trumpet or beats or sounds any instrument, or

(iii) whoever, exhibits any mimetic, musical or other performances of a nature to attract crowds.

[(iv) whoever, bursts sound emitting fire crackers; or

(v) whoever, uses a loud speaker or a public address system.]¹⁸

7. Complaints to be made to the authority.

(1) A person may, if the noise level exceeds the ambient noise standards by 10 dB(A) or more given in the corresponding columns against any area/zone (or, if there is a violation of any provision of these rules regarding restrictions imposed during night time,)¹⁹ make a complaint to the authority.

(2) The authority shall act on the complaint and take action against the violator in accordance with the provisions of these rules and any other law in force.

16. In rule 5, after sub-rule (3) new sub-rules (4) & (5) have been inserted as at **(16)** above vide **S.O. 50 dated 11/01/2010**.

17. In the said rules, after rule 5, new rule 5A has been inserted as at **(17)** above vide **S.O.50 dated 11/01/2010**.

18. In the said rules, in rule 6, after the clause (iii) new clauses (iv) & (v), as at **(18)** above have been inserted vide **S.O. 50 dated 11/01/2010**.

19. In the said rules, in rule 7 in sub-rule (1), after the words "in corresponding columns..... & ending with.....area/zone", new sentence as at **(19)** above has been inserted vide **S.O.50 dated 11/01/2010**.

8. Power to prohibit etc. continuance of music sound or noise.

(1) If the authority is satisfied from the report of an officer in-charge of a police station or other information received by him (including from the complainant)²⁰ that it is necessary to do so in order to prevent annoyance, disturbance, discomfort or injury or risk of annoyance, disturbance, discomfort or injury to the public or to any person who dwell or occupy property on the vicinity, he may, by a written order issue such directions as he may consider necessary to any person for preventing, prohibiting, controlling or regulating:

(a) the incidence or continuance in or upon any premises of -

(i) any vocal or instrumental music,

(ii) sounds caused by playing, beating, clashing, blowing or use in any manner whatsoever of any instrument including loudspeakers, (*public address systems, horn, construction equipment, appliance or apparatus*)²² or contrivance which is capable of producing or re-producing sound, or

*[(iii) sound caused by bursting of sound emitting fire crackers, or]*²³

(b) the carrying on in or upon, any premises of any trade, avocation or operation or process resulting in or attended with noise.

(2) The authority empowered under sub-rule (1) may, either on its own motion, or on the application of any person aggrieved by an order made under sub-rule (1), either rescind, modify or alter any such order:

Provided that before any such application is disposed of, the said authority shall afford to the applicant (and to the original complainant, as the case may be)²¹ an opportunity of appearing before it either in person or by a person representing him and showing cause against the order and shall, if it rejects any such application either wholly or in part, record its reasons for such rejection.

20. In rule 8, in sub-rule (1) after the words "received by him" the words " including from the complainant" has been inserted as at **(18)** above vide **S.O. 1569 (E) dated 19/09/2006**

21. In rule 8, in sub-rule (2) in the proviso, after the words "afford to the applicant", the words "and to the original complainant, as the case may be", has been inserted as at **(19)** above vide **S.O. 1569 (E) dated 19/09/2006**

22. In the said rules, in rule 8, in sub-rule (1), in clause (a)in sub-clause (ii), for the words, "public address systems, appliance or apparatus" new words have been substituted as at **(20)** above vide **S.O. 50 dated 11/01/2010**.

23. In the said rules, in rule 8, in sub-rule (1), in clause (a)after sub-clause (ii) new sub-clause (iii) as at **(21)** above has been inserted vide **S.O. 50 dated 11/01/2010**.

SCHEDULE
(see rule 3(l) and 4(l))

Ambient Air Quality Standards in respect of Noise

| Area Code | Category of Area/Zone | Limits in dB(A) Leq * | |
|-----------|-----------------------|-----------------------|-----------|
| | | Day Time | NightTime |
| (A) | Industrial area | 75 | 70 |
| (B) | Commercial area | 65 | 55 |
| (C) | Residential area | 55 | 45 |
| (D) | Silence Zone | 50 | 40 |

Note:-

1. Day time shall mean from 6.00 a.m. to 10.00 p.m.
2. Night time shall mean from 10.00 p.m. to 6.00 a.m.
3. Mixed categories of areas may be declared as one of the four above mentioned categories by the competent authority.

*dB(A) Leq denotes the time weighted average of the level of sound in decibels on scale A which is relatable to human hearing.

A "decibel" is a unit in which noise is measured.

"A", in dB(A) Leq, denotes the frequency weighting in the measurement of noise and corresponds to frequency response characteristics of the human ear.

Leq : It is an energy mean of the noise level, over a specified period.

-
24. In the schedule to the said rules, for the note 3 and the entries thereto. "Silence zone is defined as an area comprising not less than 100 metres around hospitals, educational institutions and courts. The silence zones are zones which are declared as such by the competent authority." has been substituted as at (22) above vide S.O. 1046 (E) dated 22/11/2000.
25. In the schedule to the said rules, in the note, paragraph ("3. Silence zone is an area comprising not less than 100 meters around hospitals, educational institutions and courts, religious places or any other area which is declared as such by the competent authority ")²² has been omitted as may be seen above vide S.O. 2555 (E) dated 10/08/2017.

Note: The Principal rules were published in the Gazette of India vide Notification number S.O. 123(E) dated 14 February, 2000 and subsequently amended vide

- 1) S.O.1046 (E) dated 22/11/2000;
- 2) S.O.1088 (E) dated 11/10/2002;
- 3) S.O.1569 (E) dated 19/09/2006;
- 4) S.O.50 (E) dated 11/01/2010;
- 5) S.O.2555 (E) dated 10/08/2017;

THE ENVIRONMENT PROTECTION (END-OF-LIFE VEHICLES) RULES, 2025.

MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE NOTIFICATION

New Delhi, the 6th January, 2025

S.O. 98(E).—WHEREAS the Draft End-of-Life Vehicles (Management) Rules, 2024 was published in the Gazette of India, Extraordinary, Part II, section 3, sub-section (ii), vide S.O. 367 (E) dated 30th January, 2024 inviting objections and suggestions from all persons 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 the Gazette containing the draft of rules were made available to the public on the 30th January, 2024;

And, WHEREAS all the objections and suggestions received have been duly considered by the Central Government;

NOW, THEREFORE, in exercise of the powers conferred by sub-section (1), clause (v) and clause (vii) of sub-section (2) of section 3, sub-section (1), clause (c) and clause (d) of sub-section (2) of section 6, section 8, clause (b) of sub-section (2) of section 25 of the Environment (Protection) Act, 1986 (29 of 1986) read with clauses (ii) and (x) of sub-rule (1) and clause (d) of sub-rule (3) of rule 5 the Environment (Protection) Rules, 1986, the Central Government hereby makes the following rules, namely:-

1. Short title and commencement. – (1) These rules may be called the Environment Protection (End-of-Life Vehicles) Rules, 2025.

(2) They shall come into force from 1st day of April, 2025.

2. Application. – (1) These rules shall apply to, –

(a) the producer, registered owner of vehicles, bulk consumers, Registered Vehicle Scrapping Facility, collection centres, automated testing stations and entities involved in testing of vehicles, handling, processing and scrapping of End-of-Life vehicles, but shall not apply to:

- (i) waste batteries covered under the Battery Waste Management Rules, 2022;
- (ii) plastic packaging as covered under the Plastic Waste Management Rules, 2016;
- (iii) waste tyres and used oil as covered under Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016;
- (iv) E-waste as covered under E-Waste (Management) Rules, 2022.

(b) all types of vehicles defined in clause (28) of section 2 of the Motor Vehicles Act, 1988 (59 of 1988), and includes an electric vehicle, battery operated vehicle, e-rikshaw or e-cart, but shall not apply to:

- (i) agricultural tractor;
- (ii) agricultural trailer;
- (iii) combine harvester;
- and (iv) power tiller.

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

- (a) “Act” means the Environment (Protection) Act, 1986 (29 of 1986);
- (b) “automated testing station” shall have the meanings assigned to them in sub-section 2 of section 56 of the Motor Vehicles Act, 1988 (59 of 1988);

- (c) “bulk consumer” means consumer having ownership of more than one hundred vehicles, and includes a State transport undertakings as defined in the clause (42) of section 2 of the Motor Vehicles Act, 1988 (59 of 1988);
- (d) “Central 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);
- (e) “centralised online portal” means an online portal developed and maintained under sub-rule (1) of rule 16;
- (f) “Collection Centre” shall have the meanings assigned to them in clause (e) of sub-rule (1) of rule 3 of the Motor Vehicles (Registration and Functions of Vehicle Scrapping Facility) Rules, 2021;
- (g) “disposal” means any activity which does not lead to reuse, recovery, recycling or refurbishing and include physico-chemical or biological treatment or deposition in secured landfill;
- (h) “environmentally sound management manner” means the handling and disposal of End-of-Life vehicle in such a manner that protects human health and environment against any adverse effects, which may result from any substance contained in the End-of-Life vehicle;
- (i) “End-of-Life vehicle” shall have the meanings assigned to them in clause (f) of sub-rule (1) of rule 3 of the Motor Vehicles (Registration and Functions of Vehicles Scrapping Facility) Rules, 2021;
- (j) “Extended Producer Responsibility” means responsibility of a producer for scrapping of the End-of-Life vehicle in environmentally sound manner;
- (k) “Extended Producer Responsibility certificate” means a certificate issued under rule 9 by the Central Board;
- (l) “facility” means any place used for the collection, storage, segregation, recycling or refurbishing, or disposal of End-of-Life vehicles;
- (m) “Form” means a Form appended to these rules;
- (n) “hazardous waste” shall have the meanings assigned to them in clause (17) of sub-rule (1) of rule 3 of the Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016.
- (o) “manufacturer” means a person who is engaged in the manufacture of motor vehicles;
- (p) “non-transport vehicle” shall have the meanings assigned to them in clause (h) of rule 2 of the Central Motor Vehicles Rules, 1989;
- (q) “producer” means an entity who is engaged in:
 - (i) manufacture or assembly and sale of vehicles under its own brand; or
 - (ii) sale of vehicles under its own brand produced by other manufacturers or suppliers; or
 - (iii) import of vehicles.
- (r) “registered owner” means a person in whose name a vehicle stands registered, and where such person is a minor, the guardian of such minor;
- (s) “recycler” means an entity engaged in recycling of any materials of End-of-Life vehicles;
- (t) “recycling” means any process by which waste materials are converted into products and raw materials;
- (u) “refurbisher” means entity engaged in refurbishing of materials of End-of-Life vehicles;

- (v) “Registered Vehicle Scrapping Facility” shall have the meanings assigned to them in clause (k) of sub-rule (1) of rule 3 of the Motor Vehicles (Registration and Functions of Vehicle Scrapping Facility) Rules, 2021;
- (w) “Schedule” means Schedule appended to these rules;
- (x) “State Board” means the State Pollution Control Board constituted under section 4 of Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974) and includes in relation to Union territory, the Pollution Control Committee;
- (y) “storage” means storage of End-of-Life vehicles, including its components or parts;
- (z) “transport vehicle” shall have the meanings assigned to them in clause (47) of section 2 of the Motor Vehicles Act, 1988;
- (za) “treatment” means any activity after the End-of-Life vehicle has been handed over for depollution, dismantling, shearing, shredding, recovery or preparation for disposal of the shredder wastes, and any other operation carried out for the recovery or recycling or disposal of the End-of-Life vehicle and its components;
- (zb) “vehicle” shall have the meanings assigned to them in clause (28) of section 2 of the Motor Vehicles Act, 1988 (59 of 1988), and includes an electric vehicle, battery operated vehicle, e-rikshaw or ecart.

(2) Words and expressions used but not defined in these rules shall have the same meanings as defined in the Environment (Protection) Act, 1986, the Motor Vehicles Act, 1988 and the Central Motor Vehicles Rules, 1989.

4. Responsibilities of producer – (1) Every producer must,-

- (i) fulfil the obligation of Extended Producer Responsibility for the vehicles that the producer has introduced or introduces in the domestic market, including vehicles put to self-use to ensure the scrapping targets as specified in **the Schedule**;
- (ii) meet the scrapping targets of End-of-Life vehicles as mentioned in **the Schedule** for vehicles the producer has introduced or introduces in the domestic market;
- (iii) take necessary measures to encourage End-of-Life vehicles are deposited at the Registered Vehicle Scrapping Facility or designated Collection Centres;
- (iv) fulfil the Extended Producer Responsibility either through purchase of Extended Producer Responsibility certificate generated by its own Registered Vehicle Scrapping Facility or by any entity having Registered Vehicle Scrapping Facility;
- (v) deploy any schemes such as buy back scheme, deposit refund scheme or any other, and designate any other entity to fulfil the obligation of Extended Producer Responsibility;
- (vi) obtain registration as a producer from Central Board through centralised online portal;
- (vii) furnish annual returns in **Form 1** on centralised online portal to Central Board by 30th June for the previous financial year
 - (a) in respect of the information regarding the number and type of the vehicles (transport or nontransport) and the weight of steel used in vehicles placed in the market, including vehicles put to self-use in previous financial year;
 - (b) in respect of fulfilment of Extended Producer Responsibility obligations during the previous financial year;
- (viii) declare its Extended Producer Responsibility obligations for the current year by 30th April of the same year to the Central Board;

- (ix) inform the Central Board of any changes to the information contained in the Extended Producer Responsibility registration or obligation and of any permanent cessation as regards to the making available on the market of the vehicles referred to in the Extended Producer Responsibility obligation;
- (x) bring to the notice of the Central Board or State Board of any violations or non-compliance or violation of the provisions of these rules by any entity involved in handling and management of End-of-Life vehicles;
- (xi) take measures to comply with the provisions of AIS-129, as published by the Central Government under Central Motor Vehicles Rules, 1989.

(2) A producer shall not engage in any manner with any entity not registered under these rules for scrapping of the End-of-Life vehicles or for fulfilling its Extended Producer Responsibility under these rules.

(3) A producer may engage any registered entity to fulfil its Extended Producer Responsibility under these rules.

(4) Every producer shall take measures for sustainable production of vehicles including in accordance with the guidelines issued by the Central Board.

(5) Every producer must make necessary arrangements to receive the End-of-Life vehicle from the registered owner at any designated Collection Centre, including its sales outlet and shall upload such list of designated Collection Centre, sales outlet on its website and at a conspicuous place of its sales outlets and service centres. List of such designated collection centres shall be furnished to Central Board on centralised online portal.

(6) In case the producer stops its operations, the producer must comply with its Extended Producer Responsibility in respect of vehicles already made available in the market till closure of operations, in accordance with these rules.

(7) Every producer shall organise awareness campaigns and encourage customers by offering incentives to safe deposit of End-of-Life vehicles at the Registered Vehicle Scrapping Facility or the designated Collection Centre.

5. Responsibilities of registered owner and bulk consumer – (1) Every registered owner and bulk consumer must ensure that the vehicle is tested in accordance with the section 56 of the Motor Vehicles Act, 1988 and rule 52 of the Central Motor Vehicles Rules, 1989.

(2) When a vehicle becomes an End-of-Life vehicle as per the Motor Vehicles (Registration and Functions of Vehicles Scrapping Facility) Rules, 2021, the registered owner or bulk consumer must deposit the End-of-Life vehicle at any of the producer's designated sales outlet or designated Collection Centre or Registered Vehicle Scrapping Facility within a period of one hundred and eighty days from the date the vehicle becomes the End-of-Life vehicle.

(3) No person shall keep in possession any End-of-Life vehicle beyond the period specified in sub-rule (2).

(4) A bulk consumer must obtain registration on the centralised online portal from the State Board.

(5) A bulk consumer must file an annual return in **Form 2** on or before 30th June for the previous financial year on the centralised online portal about the details of vehicles it owns or possesses and the End-of-Life vehicles deposited at producer's designated sales outlet or designated Collection Centre or Registered Vehicle Scrapping Facility for scrapping of such End-of-Life vehicle.

6. Responsibilities of Collection Centre– (1) Every Collection Centre must collect and store End-of-Life vehicles and send them to Registered Vehicle Scrapping Facility.

(2) Every Collection Centre shall handle the End-of-Life Vehicles in an environmentally sound manner and send them to Registered Vehicle Scrapping Facility.

(3) The Collection Centre shall maintain the records of the End-of-Life vehicle received by it and sent to the Registered Vehicle Scrapping Facility and the manner in which such vehicle is handled.

7. Responsibilities of automated testing station. – (1) An automated testing station shall upload the details of all vehicles declared unfit under rule 182 of the Central Motor Vehicles Rules, 1989, on the centralised online portal

either directly or through linking of the electronic portal set up by the Central Government under sub-rule (1) of rule 181 of the said rules.

8. Responsibilities of Registered Vehicle Scrapping Facility.— (1) A Registered Vehicle Scrapping Facility shall undertake the following activities relating to scrapping of End-of-Life vehicles in an environmentally sound manner, namely:-

- (i) treatment (de-pollution, collection of liquids, gases, catalyst, mercury containing parts, batteries and hazardous waste);
- (ii) dismantling (segregation and separation of various types of wastes);
- (iii) safe storage of various categories of wastes in separate bins;
- (iv) recycling and refurbishment of materials (plastic, metals, tyres, catalytic converters, magnets, batteries and e-waste) on its own or through authorized recyclers or refurbishers.

(2) A Registered Vehicle Scrapping Facility shall-

- (a) receive unfit vehicles or End-of-Life vehicles for scrapping and must carry out treatment, depolluting, dismantling, segregation and scrapping activities in accordance with the provisions of the relevant laws.
- (b) send all the recovered and segregated materials from End-of-Life vehicles to the registered recyclers or refurbishers, co-processors for recycling and reuse of components or materials, in case of not having recycling or refurbishing facility;
- (c) send all non-recyclable or non-refurbishable materials and non-utilizable hazardous materials to Common Hazardous Waste Treatment, Storage and Disposal Facility authorised under Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016;
- (d) exchange the Extended Producer Responsibility certificates upon processing of every End-of-Life vehicle based on the quantity of steel from the End-of-Life vehicles on the centralized online portal for issuance of Extended Producer Responsibility certificates by Central Board for purchase by the producers;
- (e) maintain records of receipt of End-of-Life vehicle, weight of various types of waste materials generated and handed over to authorized recyclers or refurbishers or treatment facilities and disposal facilities;
- (f) make an application in **Form 5** to concerned State Board and obtain registration for operation or Registered Vehicle Scrapping Facility.

(3) A Registered Vehicle Scrapping Facility shall file quarterly returns on the centralised online portal to State Board in **Form 3** on weight of End-of-Life vehicles received and weight of materials (category-wise) recycled or refurbished or sent for recycling or refurbishing, processing, and Common Hazardous Waste Treatment, Storage and Disposal Facilities by 30th day of the next month of the previous quarter, and keep a record.

9. Extended Producer Responsibility certificate.— (1) The Central Board shall issue the Extended Producer Responsibility certificate through the centralised online portal in favour of the Registered Vehicle Scrapping Facility. Central Board will develop mechanism for such exchange on the centralised online portal.

(2) An Extended Producer Responsibility certificate shall be generated on basis of the weight of steel recovered from the End-of-Life vehicles processed at the Registered Vehicle Scrapping Facility or other steel scrap materials related to automobile sector processed at Registered Vehicle Scrapping Facility in accordance with the Motor Vehicles (Registration and Functions of Vehicle Scrapping Facility) Rules, 2021.

(3) An Extended Producer Responsibility certificate generated by the Registered Vehicle Scrapping Facility can be purchased by a producer through the centralised online portal to meet the Extended Producer Responsibility obligations under these rules.

(4) The following formula shall be used to estimate the Extended Producer Responsibility certificate for the Registered Vehicle Scrapping Facility, namely:-

Extended Producer Responsibility certificate (in kg) = weight of the steel scrap generated (in kg) at Registered Vehicle Scrapping Facility:

Provided that the Extended Producer Responsibility certificate shall be generated subject to the accounting of recycling and refurbishing of all other End-of-Life vehicle materials and environmentally sound disposal of nonrecoverable or non-recyclable or non-refurbishable hazardous materials out of the total weight of the End-of-Life vehicle.

(5) A Producer can purchase Extended Producer Responsibility certificate limited to its Extended Producer Responsibility obligation of current year plus any leftover obligation of preceding years.

(6) An Extended Producer Responsibility certificates purchased by the Producer shall be automatically adjusted against their obligations under these rules.

(7) Priority in adjustment shall be given to the earlier obligation or obligation of the preceding years.

(8) An Extended Producer Responsibility certificate used by the producer to meet its Extended Producer Responsibility obligations shall not be exchanged again.

(9) An Extended Producer Responsibility certificate purchased by the producer is not transferrable to any other producer.

(10) All such transactions relating to purchase and adjustment of Extended Producer Responsibility certificate shall be recorded and submitted by the Registered Vehicle Scrapping Facilities on the centralised online portal and shall be included in its quarterly returns.

(11) An Extended Producer Responsibility certificate generated by the Registered Vehicle Scrapping Facilities shall be valid for a period of five years for meeting the obligations of producer under these rules.

10. Registration and suspension or cancellation.- (1) A producer shall make an application in **Form 4** for registration to the Central Board.

(2) A Registered Vehicle Scrapping Facility and bulk consumer shall make an application in **Form 5 and Form 6**, respectively, for registration, to the State Board.

(3) On receipt of the application, the Central Board or the State Board shall register the producer or the Registered Vehicle Scrapping Facility or the bulk consumer and issue a certificate of registration in **Form 7 and Form 8** within fifteen days, respectively.

(4) The registration certificate granted under sub-rule (3) shall be valid until it is suspended or cancelled under these rules.

(5) The Central Board may, after giving the producer an opportunity of being heard, suspend or cancel the registration of a producer, in case of violation or non-compliance of any provisions of these rules by the producer.

(6) The producer aggrieved by the suspension or cancellation of the registration under sub-rule (5) may prefer an appeal stating therein the grounds of such appeal and accompanied with a copy of the order appealed against to the Central Government within forty-five days of such suspension or cancellation.

(7) The Central Government may authorise an officer of the Central Government not below the rank of a Joint Secretary to the Government of India to hear and dispose of the appeal filed under sub-rule (6) within a period of forty-five days from the date of its receipt.

(8) The State Board may, after giving the Registered Vehicle Scrapping Facility or bulk consumer an opportunity of being heard, suspend or cancel the registration of a Registered Vehicle Scrapping Facility or bulk consumer, in case of violation or non-compliance of any provisions of these rules by the Registered Vehicle Scrapping Facility or bulk consumer.

(9) The Registered Vehicle Scrapping Facility or bulk consumer aggrieved by the suspension or cancellation of the registration under sub-rule (8) may prefer an appeal stating therein the grounds of such appeal and accompanied with a copy of the order appealed against to the State Government within forty-five days of such suspension or cancellation.

(10) The State Government may authorise an officer of the State Government not below the rank of Secretary to that Government to hear and dispose of the appeal filed under sub-rule (9) within a period of forty-five days from the date of receipt.

11. Powers of Central Government to relax. – The Central Government, may by order, and for reason to be recorded in writing, relax any specified period within which a return is to be filed by the producer or Registered Vehicle Scrapping Facility or bulk consumer under these rules.

12. Responsibilities of Central Board. – (1) Central Board shall register the producer through the centralized online portal within fifteen days from the submission of the application for such registration under these rules.

(2) The registration shall be valid until it is cancelled or withdrawn by the Central Board.

(3) On receipt of the application for registration, it shall be deemed to have been done if not objected to by the Central Board within fifteen days.

(4) The Central Board shall develop and maintain the centralised online portal for the purposes of these rules.

(5) The centralised online portal shall be linked with the electronic portal set up by the Central Government under sub-rule (1) of rule 181 of the Motor Vehicles Rules, 1989.

(6) The Central Board shall undertake or cause to be undertaken by an authorised agency the periodic inspection and audit of the producer to ensure that such facility is complying with the requirement under the provisions of these rules.

(7) The Central Board may undertake or cause to be undertaken by an authorised agency the periodic inspection and audit of the Registered Vehicle Scrapping facility, including information from Goods and Services Tax Network portal, to ensure that such facility is complying with the requirement under the provisions of these rules.

(8) The Central Board, or the State Board if directed by the Central Board, may take necessary actions against violations or for non-fulfilment of obligations under these rules against a producer or Registered Vehicle Scrapping Facility or any other person under the provisions of the Act.

(9) The Central Board shall issue guidelines for handling, processing and recycling or refurbishing of materials of End-of-Life vehicles in environmentally sound manner and for implementation of these rules.

(10) The Central Board shall compile and publish the data received every year from the State Boards on the centralised online portal within a period of sixty days from the receipt of such data.

(11) The Central Board shall publish the list of producers who have failed to meet their Extended Producer Responsibility targets and obligations on an annual basis on the centralised online portal by 31st August every year.

(12) The Central Board shall forward the Extended Producer Responsibility targets and annual returns of producers to the Central Government through the centralised online portal by 31st August every year.

(13) The Central Board shall prepare an annual report containing information which, *inter alia*, includes the Extended Producer Responsibility targets of producers and their fulfilment, scrapping of End-of-Life vehicles, and generation and exchange of the Extended Producer Responsibility certificates and furnish to the Central Government through the centralised online portal by 31st August every year.

(14) The Central Board shall fix the highest and lowest price for the Extended Producer Responsibility certificates which shall be equal to one hundred percent. and thirty per cent., respectively of the Environmental Compensation leviable on the obligated entities for non-fulfilment of Extended Producer Responsibility obligations, between which producers may purchase Extended Producer Responsibility certificates from Registered Vehicle Scrapping Facility through the centralised online portal.

(15) Central Board shall issue guidelines for authorisation of agencies for establishment of electronic platform for trade of Extended Producer Responsibility certificates. The number of electronic platform may be restricted keeping in view volume of trade of Extended Producer Responsibility certificates.

(16) The operation of electronic platform (s), so established under sub-rule (15) for exchange of Extended Producer Responsibility certificates between obligated entities, shall be as per guidelines issued by Central Board with the approval of Central Government.

(17) Central Board may determine the fee for processing of applications for registration as well as returns for producers, Registered Vehicle Scrapping facilities with the approval of the Central Government.

13. Measures by State Government. – (1) The State Government and the Union territory Administration shall take steps to ensure that adequate number of Registered Vehicle Scrapping Facilities and automated testing stations are established in the respective State and Union territory in accordance with the Central Motor Vehicle Rules, 1989 and the Motor Vehicles (Registration and Functions of Vehicle Scrapping Facility) Rules, 2021.

(2) State Government and Union territory Administration will organise awareness campaigns and encourage and incentivise customers to engage in safe deposition of End-of-Life vehicles at the Registered Vehicle Scrapping Facility or the designated Collection Centre.

14. Responsibilities of State Board. – (1) The State Board shall register the Registered Vehicle Scrapping Facility and bulk consumer electronically on the centralized online portal within fifteen days from the submission of the application for such registration under these rules.

(2) The registration shall be valid until it is cancelled or withdrawn by the State Board.

(3) On receipt of the application for registration, it shall be deemed to be have done if not objected by the State Board within fifteen days.

(4) In case the information provided by Registered Vehicle Scrapping Facility or bulk consumer is found to be false, the State Board shall suspend or cancel the registration up to a period of five years, after giving reasonable opportunity of being heard and in addition take actions in accordance with the provisions of the Act.

(5) The State Board shall compile and forward the quarterly reports submitted by Registered Vehicle Scrapping Facility and annual reports in case of bulk consumer to Central Board and publish it on the centralised online portal within a period of thirty days from the date of filing of return.

(6) The State Board shall ensure a regular dialogue between relevant stakeholders involved in the fulfilment of obligations under these rules.

(7) The State Board shall submit an annual report to Central Board by 30th August every year, regarding implementation of these rules.

(8) The State Board shall undertake periodic inspection and audit, or cause to be inspected by an authorised agency, of the Registered Vehicle Scrapping Facility to ensure the compliance of these rules and may take necessary actions against violations or for non-fulfilment of obligations under these rules against a Registered Vehicle Scrapping Facility or bulk consumer or any other person under the provisions of the Act.

15. Environmental Compensation. – (1) Where any producer, Registered Vehicle Scrapping Facility and bulk consumer fails to comply with the provisions relating to handling and scrapping of End-of-Life vehicles in environmentally sound manner under these rules, thereby causing loss, damage or injury to environment or public health, he shall be liable to pay environmental compensation which may be equal to such loss, damage or injury in accordance with the guidelines issued by the Central Board.

(2) No environmental compensation shall be imposed under this rule without giving the producer, Registered Vehicle Scrapping Facility or bulk consumer, an opportunity of being heard in this matter.

(3) Environmental compensation under sub-rule (1) shall be imposed by the Central Board in respect of obligations of producer, and by the State Board in respect of obligations of Registered Vehicle Scrapping Facility and bulk consumer.

(4) Where producer or Registered Vehicle Scrapping Facility or bulk consumer subsequently complies with the obligations, the amount of environmental compensation paid by him may be returned to him, if the obligation is complied-

- (a) within one year, 75% of the environmental compensation;
- (b) within two years, 60% of the environmental compensation;
- and (c) within three years, 40% of the environmental compensation.

(5) The environmental compensation paid under this rule shall be kept in a separate account maintained by the Central Board or State Board, as the case may be.

(6) The amount of environmental compensation paid under this rule shall be utilised for restoration of loss, damage or injury caused to environment or public health through environmentally sound management including collection, handling, scrapping and recycling of the End-of-Life vehicles and remediation or removal of contamination occurred due to unscientific management of End-of-Life vehicles.

16. Centralised Online Portal. – (1) The Central Board shall establish a centralised online portal within six months of publication of these rules for the registration and filing returns by producers and bulk consumer, and for registration of Registered Vehicle Scrapping Facility and filing returns in respect of End- of-Life Vehicles and for fulfilment of obligations under these rules.

(2) The Central Board shall ensure that the data on the receipt of the End-of-Life vehicles and the various types of waste materials generated by Registered Vehicle Scrapping Facility is reflected all the times on the centralised online portal.

(3) The centralised online portal must facilitate producers and Registered Vehicle Scrapping Facilities to exchange Extended Producer Responsibility certificates for fulfilment of Extended Producer Responsibility obligations of producers.

(4) The State Board shall use the centralized online portal for registration of Registered Vehicle Scrapping Facility and bulk consumer, and for filing of returns by Registered Vehicle Scrapping Facility and bulk consumer.

(5) The centralised online portal shall be single point data repository with respect to all the activities, including orders issued, under these rules.

(6) The producer may facilitate the development of the centralised online portal.

17. Implementation Committee. – (1) The Central Government may constitute a committee under chairpersonship of Chairman of the Central Board for effective implementation of these rules.

- (2) The committee shall monitor the implementation of these rules.
- (3) The committee shall take such measures as may be necessary for effective implementation of these rules.
- (4) The committee shall guide and supervise the development and operation of the centralised online portal.
- (5) The committee shall meet at least once in six months and submit its report to the Central Government.
- (6) The committee shall consist of the representatives from Ministry of Road Transport and Highways, Ministry of Steel, Bureau of Indian Standards, State Boards, National Environmental Engineering Research Institute, stakeholders representing producers, recyclers and scrapping facilities and any other stakeholder, as the Central Government may nominate.

(7) The chairperson of the committee may invite to its meetings any person or other organisations as in his or her opinion may be useful to the deliberations of the committee.

SCHEDULE

[see rule 4 (1)(i)]

TARGETS FOR EXTENDED PRODUCER RESPONSIBILITY

1. In case of any producer introducing vehicle in the market, the Extended Producer Responsibility targets shall be applicable for different categories of vehicle, based on the average life of the vehicle mentioned in the Tables below for the respective categories of vehicle.
2. The Extended Producer Responsibility targets comprise of scrapping of steel used in vehicles as mentioned in the Tables below.
3. The scrapping of End-of-Life vehicles means scrapping of steel from End-of-Life vehicles.
4. Extended Producer Responsibility targets for batteries will be as under Battery Waste Management Rules, 2022.
5. Extended Producer Responsibility for waste tyres and used oil will be as under the Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016.
6. Extended Producer Responsibility targets for the producer shall be specific to the type of vehicle (transport vehicle and non-transport vehicle).
7. The producers shall meet their Extended Producer Responsibility obligations through the Extended Producer Responsibility certificates made available by Registered Vehicle Scrapping Facilities through centralized portal. In case of non-availability of Extended Producer Responsibility certificates with Registered Vehicle Scrapping Facilities, the producer shall have the responsibility of collection as well.

TABLE

(i) For non-transport vehicles:

| Extended Producer Responsibility target for Financial Year | Extended Producer Responsibility target (Weight) |
|---|---|
| (1) | (2) |
| 2025-26 | Minimum 8% of the steel used in vehicles in 2005-06 |
| 2026-27 | Minimum 8% of the steel used in vehicles in 2006-07 |
| 2027-28 | Minimum 8% of the steel used in vehicles in 2007-08 |
| 2028-29 | Minimum 8% of the steel used in vehicles in 2008-09 |
| 2029-30 | Minimum 8% of the steel used in vehicles in 2009-10 |
| 2030-31 | Minimum 13% of the steel used in vehicles in 2010-11 |
| 2031-32 | Minimum 13% of the steel used in vehicles in 2011- |

| | |
|---------------------|---|
| 2032-33 | Minimum 13% of the steel used in vehicles in 2012-13 |
| 2033-34 | Minimum 13% of the steel used in vehicles in 2013-14 |
| 2034-35 | Minimum 13% of the steel used in vehicles in 2014-15 |
| 2035-36 | Minimum 18% of the steel used in vehicles in 2015-16 |
| 2036-37 | Minimum 18% of the steel used in vehicles in 2016-17 |
| 2037-38 | Minimum 18% of the steel used in vehicles in 2017-18 |
| 2038-39 | Minimum 18% of the steel used in vehicles in 2018-19 |
| 2039-40 and onwards | Minimum 18% of the steel used in vehicles in 2019-20 for 2039-40 and for subsequent years, of the steel used in vehicles 20 years ago |

Note: 30% of the Extended Producer Responsibility targets, of any year, may be carried forward to the subsequent four years for its Extended Producer Responsibility target compliance.

(ii) For transport vehicles:

| Extended Producer Responsibility target for Financial Year (1) | Extended Producer Responsibility target (Weight) (2) |
|---|---|
| 2025-26 | Min 8% of the steel used in vehicles in 2010-11 |
| 2026-27 | Min 8% of the steel used in vehicles in 2011-12 |
| 2027-28 | Min 8% of the steel used in vehicles in 2012-13 |
| 2028-29 | Min 8% of the steel used in vehicles in 2013-14 |
| 2029-30 | Min 8% of the steel used in vehicles in 2014-15 |
| 2030-31 | Min 13% of the steel used in vehicles in 2015-16 |
| 2031-32 | Min 13% of the steel used in vehicles in 2016-17 |
| 2032-33 | Min 13% of the steel used in vehicles in 2017-18 |
| 2033-34 | Min 13% of the steel used in vehicles in 2018-19 |
| 2034-35 | Min 13% of the steel used in vehicles in 2019-20 |
| 2035-36 | Min 18% of the steel used in vehicles in 2020-21 |
| 2036-37 | Min 18% of the steel used in vehicles in 2021-22 |
| 2037-38 | Min 18% of the steel used in vehicles in 2022-23 |
| 2038-39 | Min 18% of the steel used in vehicles in 2023-24 |
| 2039-40 and onwards | Min 18% of the steel used in vehicles in 2024-25 for 2039-40 and for subsequent years, of the steel used in vehicles 15 years ago |

Note: 30% of the Extended Producer Responsibility targets, of any year, may be carried forward to the subsequent four years for its Extended Producer Responsibility target compliance.

FORM 1

[see rule 4(1)(vii)]

ANNUAL RETURN BY THE PRODUCER

[under the Environment Protection (End-of-Life Vehicles) Rules, 2025]

- 1 Name of producer:
- 2 Registered address of producer, website address and contact details:
- 3 Name of the authorised person and full address with e-mail, landline telephone number and mobile number
- 4 GST No.
- 5 TIN No.

6. Details of vehicles placed in the market of the year on which Extended Producer Responsibility target is calculated as per the Table given below:

| Serial Number | Financial Year | Type | Brand name | No. of vehicles | Total Weight | Weight of steel in the vehicles |
|---------------|----------------|----------------------------|------------|-----------------|--------------|---------------------------------|
| (1) | (2) | (3) | (4) | (5) | (6) | (7) |
| 1 | | 2 Wheeler (non-transport) | | | | |
| 2 | | 3 Wheeler (non-transport) | | | | |
| 3 | | 4 Wheeler (-non-transport) | | | | |
| 4 | | 2 Wheeler (transport) | | | | |
| 5 | | 3 Wheeler (transport) | | | | |
| 6 | | 4 Wheeler (transport) | | | | |

7. Details of Extended Producer Responsibility obligation(s) and the End-of-Life vehicles collected and recycled for which the return is being filed:

- a. Extended Producer Responsibility obligation:

- b. Weight of steel from End-of-Life vehicles/ other steel scrap materials related to automobile sector processed at Registered Vehicle Scrapping Facility:
8. Details of Registered Vehicle Scrapping Facility-wise Extended Producer Responsibility certificates

Note.- Extended Producer Responsibility target compliance includes vehicles put to self-use by producers

Date:

Place:

Signature of the authorised person:

FORM 2

[see rule 5(5)]

ANNUAL RETURN BY BULK CONSUMER [under the Environment Protection (End-of-Life Vehicles) Rules, 2025]

1. Name of Registered bulk consumer:
2. Registered address of bulk consumer, website address and contact details:
3. Name of the authorised person(s) and full address with e-mail, landline telephone number and mobile number:
4. Details of vehicles registered and End-of-Life vehicles deposited at Registered Vehicle Scrapping Facility, in case of bulk consumer:
 - i. Number of vehicles registered (2 wheeler, 3 wheeler, 4 wheeler and transport or nontransport):
 - ii. Number of vehicles which have completed age of ten years in case of diesel and fifteen years in case of petrol or CNG or electric vehicles:
 - iii. Number of fit vehicles: iv. Number of unfit or End-of-Life vehicles:
 - v. Number and details of End-of-Life vehicles deposited at Registered Vehicle Scrapping Facility

Place:

Date:

Signature of the authorised person:

FORM 3

[see rule 8(3)]

QUARTERLY RETURNS

BY REGISTERED VEHICLE SCRAPPING FACILITY [under the Environment Protection (End-of-Life Vehicles) Rules, 2025]

1. Name of Registered Vehicle Scrapping Facility:
2. Registered address of Registered Vehicle Scrapping Facility, website address and contact details:

3. Name of the authorised person(s) and full address with e-mail, landline telephone number and mobile number:
4. Capacity of Registered Vehicle Scrapping Facility in terms of no. of vehicles per annum:
5. Details of numbers of vehicles received and scrapped during the financial year of which the return is being filed:

| SI No. | Type | No. of End-of-Life vehicles received | No. of End-of-Life vehicles scrapped | Total weight of the vehicles scrapped | Total weight of steel scrap generated |
|--------|--------------------------|--------------------------------------|--------------------------------------|---------------------------------------|---------------------------------------|
| (1) | (2) | (3) | (4) | (5) | (6) |
| 1 | 2 Wheeler (nontransport) | | | | |
| 2 | 2 Wheeler (transport) | | | | |
| 3 | 3 Wheeler (nontransport) | | | | |
| 4 | 3 Wheeler (transport) | | | | |
| 5 | 4 Wheeler (nontransport) | | | | |
| 6 | 4 Wheeler (transport) | | | | |

6. Details and number of Extended Producer Responsibility certificates generated and exchanged:
7. Details of the recovered and recyclable or refurbishable materials sent to the registered recycler or refurbisher including that of recycled or refurbished at Registered Vehicle Scrapping Facility during the financial year of which the return is being filed:

| Serial Number | Particulars | Quantity | Name(s) of registered recycler(s)/refurbisher(s) |
|---------------|---|----------|--|
| (1) | (2) | (3) | (4) |
| 1 | Recovered waste tyres sent to the registered recyclers/refurbishers | | |
| 2 | Recovered e-waste sent to the registered recyclers/refurbishers | | |
| 3 | Recovered battery waste sent to the registered recyclers/refurbishers | | |
| 4 | Recovered plastic waste sent to the registered recyclers/refurbishers | | |
| 5 | Recovered used oil sent to the registered recyclers/refurbishers | | |
| 6 | Other recovered/recycled/refurbished materials | | |

8. Details of the hazardous and non-recyclable/non-refurbishable materials sent to Common Hazardous Waste Treatment, Storage and Disposal Facility during the financial year of which the return is being filed:

| Particulars | Details with quantity | Name(s) of registered Common Hazardous Waste Treatment, Storage and Disposal Facility |
|-------------------------------|------------------------------|--|
| (1) | (2) | (3) |
| Recovered hazardous materials | | |

FORM 4
[See rule 10(1)]

APPLICATION FOR REGISTRATION BY A PRODUCER
[under the Environment Protection (End-of-Life Vehicles) Rules, 2025]

| | | |
|----|---|--|
| 1 | Name of producer | |
| 2 | Registered address of producer, website address and contact details | |
| 3 | Name of the authorised person and full address with e-mail, landline telephone number and mobile number | |
| 4 | GST No. | |
| 5 | TIN No. | |
| 6. | Details of vehicles manufactured | |

Place:

Date:

Signature of the authorised person

FORM 5

[see rule 10(2)]

BY REGISTERED VEHICLE SCRAPPING FACILITY
[under the Environment Protection (End-of-Life Vehicles) Rules, 2025]

| | | |
|----|---|--|
| 1. | Name of the Registered Vehicle Scrapping Facility | |
| 2. | Registered address and website address | |
| 3. | Phone No. (landline and mobile) | |
| 4. | Email ID | |
| 5. | Authorised person(s) name | |
| 6. | Authorised person(s) email ID | |

| | | |
|-----|---|---|
| 7. | Authorised person(s) mobile number | |
| 8. | GST Number | |
| 9. | Consent Validity | <p>a. Under the Air (Prevention and Control of Pollution) Act, 1981, valid up to -----</p> <p>b. Under the Water (Prevention And Control Of Pollution) Act, 1974, valid up to ---</p> |
| 10. | Validity of authorisation under rule 6 of the Hazardous Wastes (Management and Handling) Rules, 2016 | Valid up to ----- |
| 11. | Validity of certification of registration with District Industries Centre | Valid up to ----- |
| 12. | Details of the categories of waste recycled/refurbished in the unit/sent to registered entities for reuse, recycling and refurbishing | |
| 13. | Capacity of the Registered Vehicle Scrapping Facility in no. of vehicles per annum | <p>a. Installed</p> <p>b. Operating (details of last three years)</p> |

Place:

Date:

Signature of the authorised person

FORM 6

[see rule 10(2)]

BY BULK CONSUMER
[under the Environment Protection (End-of-Life Vehicles) Rules, 2025]

| | | | | | |
|----|---|-----------------|-----------|-----------|-----------|
| 1. | Name of the organisation | | | | |
| 2. | Registered address and website address | | | | |
| 3. | Phone No. | | | | |
| 4. | Email ID | | | | |
| 5. | Authorised person(s) name | | | | |
| 6. | Authorised person(s) email ID | | | | |
| 7. | Authorised person(s) mobile number | | | | |
| 8. | Details of notification in regard to establishment of State Transport Undertaking under the Road Transport Corporation Act, 1950 or registration and its validity under Companies Act, 2013, as applicable (enclose a copy) | | | | |
| 9. | Number and details of vehicles registered or in the possession of the said organisation | Type of Vehicle | 2 Wheeler | 3 Wheeler | 4 Wheeler |
| | Transport | | | | |
| | Non-transport | | | | |
| | Total | | | | |
| | Grand total | | | | |

| | | | |
|--|--|--|--|
| | | | |
|--|--|--|--|

Place:

Date:

Signature of the authorised person

FORM 7
[see rule 10(3)]

FORMAT FOR CERTIFICATE OF REGISTRATION OF PRODUCER

**CENTRAL POLLUTION CONTROL BOARD
CERTIFICATE OF REGISTRATION OF PRODUCER**
[under the Environment Protection (End-of-Life Vehicles) Rules, 2025]

Ref.: Your application number for registration

Date:

Registration No.:

M/s----- is hereby granted one-time registration as producer of End-of-Life vehicles in respect of End-of-Life vehicles as per the provisions of Environment Protection (End-of-Life Vehicles) Rules, 2025. Any violation of the provisions of the Environment Protection (End-of-Life Vehicles) Rules, 2025 will attract the penal provision of the Environment (Protection) Act, 1986 (29 of 1986).

(Member Secretary)
Central Pollution Control Board

Date:

Place:

FORM 8
[see rule 10 (3)]

FORMAT FOR REGISTRATION OF REGISTERED VEHICLE SCRAPPING FACILITY OR BULK CONSUMER

STATE POLLUTION CONTROL BOARD

CERTIFICATE OF REGISTRATION OF REGISTERED VEHICLE SCRAPPING FACILITY OR BULK CONSUMER

[under the Environment Protection (End-of-Life Vehicles) Rules, 2025]

Ref.: Your application number for registration

Date:

Registration No.:

M/s ----- is hereby granted one-time registration for Registered Vehicle Scrapping Facility or bulk consumer in respect of End-of-Life vehicles as per the provisions of Environment Protection (End-of-Life Vehicles)

Rules, 2025. Any violation of the provisions of the Environment Protection (End -of-Life Vehicles) Rules, 2025 will attract the penal provision of the Environment (Protection) Act, 1986 (29 of 1986).

(Member Secretary) State Pollution Control Board Date:
Place:

[F. No. 23/55/2021-HSM]

VED PRAKASH MISHRA, Jt. Secy.

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THE CONTROL OF WATER POLLUTION (GRANT, REFUSAL OR CANCELLATION OF CONSENT) GUIDELINES, 2025.

CHAPTER 1

PRELIMINARY

- 1. Short title and commencement.**-(1) These guidelines may be called the Control of Water Pollution (Grant, Refusal or Cancellation of Consent) Guidelines, 2025.
- (2) They shall come into force on the date of their publication in the Official Gazette.
- 2. Definitions.** (1) In these guidelines, unless the context otherwise requires, -
- (a) "Act" means the Water (Prevention and Control of Pollution) Act, 1974;
 - (b) "Central Board" means the Central Pollution Control Board constituted under section 3 of the Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974);
 - (c) "Fee" means fee charged by State Boards for granting consent to establish or operate,
 - (d) "Form" means a form set out under the First Schedule appended to these rules,
 - (e) 'Industrial Unit' means industry, operation or process, or treatment and disposal system.
 - (f) 'Red', 'Orange', 'Green' and 'Blue' are categories of industrial sectors / activities as categorised by Central Pollution Control Board from time to time.
 - (g) "Schedule" means a Schedule appended to these guidelines;
 - (h) "State Board" includes the Union Territory Pollution Control Committee.
 - (i) The words and expression used but not defined in these guidelines and defined in the Act or rules shall have the meaning respectively assigned to them in Act and rules.

CHAPTER 2

APPLICATION FOR CONSENT AND FEES

3. Form of application for consent and fees. - (1) Every application for consent to establish or operate an industrial unit under section 25 of the Act shall be made in the Form set out under the First Schedule and shall contain the particulars of the industrial unit and such other particulars as set out in the Form and also shall be accompanied by the fee as specified by state government or Union Territory Administration, as the case may be in accordance with provisions of para 5 of these guidelines.

- (2) Every application under section 25 of the Act shall be provided five per cent rebate on fees for submitting application for renewal of consent to operate four months prior to the expiry of the validity period.
- (3) Every consent renewal application under section 25 of the Act shall be liable to pay late fee, at the rate specified in the Table below:

TABLE

| Sl. No. | Period of applying | One time additional fee as late fee |
|----------------|---------------------------------------|--|
| (1) | (2) | (3) |
| 1 | Between 120 - 45 days of the validity | 25 % of the fee. |
| 2 | Between 45 days to till the validity | 50 % of the fee. |
| 3 | After expiry of validity | 100 % the fee. |

- 4. Validity period of consent.** - (1) The consent to establish shall be valid for a period of five years from the date it is granted.
- (2) The validity period of five years may be extended by a maximum period of two years, if an application is made in this regard, thereby making the total period of validity seven years from the date of grant of consent to establish.
- (3) The consent to operate shall be valid for a period of-
- (a) five years, in case of industrial unit of red category;
 - (b) ten years, in case of industrial unit of orange category;
 - (c) fifteen years, in case of industrial unit of green category.

(d) Additional two years, in case of blue category

5. The fee for Consent --- (1) The fee for consent to establish or operate shall be specified by the state government or union territory administration which shall not be more than that specified in the second schedule.

(2) The amount of fee specified under the Second Schedule is the upper limit of such fee and the State Government may prescribe any lower amount of fee in this regard and there shall be no lower limit for fee, which may be of any level.

(3) The amount of fee shall not be increased by more than ten per cent from the existing amount of fee within the limit prescribed in para 5(1) and shall not be increased more than once in two years:

Provided that the amount of fee may be reduced any number of times.

6. Procedure for making enquiry on application for consent. (1) On receipt of an application for consent, the State Board may depute any of its officers, accompanied by such other officers as may be necessary, to visit and inspect any place or premises under the control of the applicant or the occupier, for verifying the correctness or otherwise of the particulars furnished in the application or for obtaining such further particulars or information, which in the opinion of such officer are essential.

(2) The officer referred to in sub-paragraph (1), for that purpose, may inspect any place or premises where solid, liquid or gaseous emission from the chimney or fugitive emissions from any location within the premises are discharged, and such officer may require the applicant or the occupier to furnish to him any plans, specifications or other data relating to control equipment or systems or any part thereof that he considers necessary.

(3) The officer referred to in sub-paragraph (1) shall, before visiting any of the premises of the applicant, give notice to the applicant of his intention to do so.

(4) The applicant shall furnish to such officer all information and provide all facilities for inspection as reasonably may be necessary.

(5) The officer referred to in sub-paragraph (1) may, before or after carrying out the inspection, require the applicant to furnish him orally or in writing such additional information or clarification or to produce before him such document as he may consider necessary for the purpose of investigation of the application and may for that purpose summon the applicant or his authorised agent to the office of the State Board.

7. Common Consent and authorization for hazardous and other wastes. -A single-step procedure shall be adopted for granting consent under section 25 of the Act along with authorization under the Hazardous and other wastes (Management and Transboundary movement) Rules, 2016, as amended from time to time, for managing hazardous and other wastes.

8. Period for granting consent. - (1) Every application under section 25 of the Act shall be granted or refused consent from the date of receipt of application in all respects within the period specified in the table below:

TABLE

| Sl. No. | Application | Period (in days) | | |
|---------|--|------------------|--------|-------|
| | | Red | Orange | Green |
| (1) | (2) | (3) | (4) | (5) |
| 1 | Grant or refusal of consent to establish | 60 | 45 | 30 |
| 2 | Grant or refusal of consent to operate, first time | 90 | 60 | 30 |
| 3 | Grant or refusal of renewal of consent or expansion or amendment | 120 | 60 | 30 |

(2) In case the application for consent is not decided by the State Board within the period specified under sub-paragraph (1), the case shall be referred to State Level Monitoring Committee constituted under paragraph 15 which shall dispose of the application within thirty days from the date of its receipt.

(3) In case of an application falling under sub-paragraph (2), the Member Secretary of the State Board shall present the case before the Committee.

(4) While deciding on such application, the Committee shall look into causes of delay in grant or refusal of the consent and recommend appropriate disciplinary action where the reasons of delay are not justified and the State Board shall comply with such decision. The Committee may also recommend presenting the case for contravention of the Act before concerned adjudicating officer under section 45B of the Act.

CHAPTER 3

CRITERIA FOR ESTABLISHMENT OF INDUSTRIAL PLANT

9. Procedure for selection of location. - (1) Restrictions on establishing an industrial unit at a location may be imposed taking into account the technological and scientific developments that have taken place in industrial planning and manufacturing process in order to protect the sensitive areas, such as national parks, sanctuaries, wetlands and archaeological monuments.

- (2) The industrial unit shall comply with respective criteria fixed by the Central Government or the State Government or the Union territory Administration, as the case may be.
- (3) While establishing an industrial plant, the following minimum distance shall be maintained, namely:-
 - (a) from the nearest boundary of surface water body (flood plain/ HFL/Red line) as per the revenue records in case of industrial unit of-
 - (i) red category, beyond five hundred meters;
 - (ii) orange category,
 - (A) with effluent generation, beyond seventy-five meters;
 - (B) without effluent generation, beyond thirty meters;
 - (iii) green category, beyond thirty meters;
 - (b) from the settlement, educational institute, worship place, archaeological monuments, national park, reserve forest, heritage site, in case of industrial unit of -
 - (i) red category, beyond five hundred meters; (ii) orange category, beyond two hundred meters; (iii) green category, beyond one hundred meters.
 - (c) The State Board shall ensure that other laws, rules, and regulations, and notifications are complied with by the industrial plant.
 - (d) The natural or storm drain passing through the location of industrial unit shall not be disturbed.

CHAPTER 4

GRANT, REFUSAL OR CANCELLATION OF CONSENT

10. Grant of consent to establish. - (1) Every application for consent to establish an industrial unit under section 25 of the Act shall be made in Form I and shall contain the particulars of the industrial unit and also shall be accompanied by the fee for new plant and in case of expansion, modernisation, change of products or process before commissioning of the industrial plant.

- (2) The industrial unit shall comply with criteria relating to location specified under paragraph 9.
- (3) No industrial unit shall be allowed to set up in non-conforming areas or restricted or prohibited areas.
- (4) On receipt of an application for consent, the State Board may depute any of its officers, accompanied by such other officers as may be necessary, to visit and inspect any location, place or premises under the control of the applicant or the occupier, for verifying the correctness or otherwise of the particulars furnished in the application or for obtaining such further particulars or information, which in the opinion of such officer are essential.
- (5) Consent shall be granted with following conditions under sub- section (4) of section 25 of the Act, based on the report made under sub-paragraph (4), namely: -
 - (i) the control equipment of such specifications as the State Board may approve shall be installed and operated in the premises where the industry is proposed to be carried on;
 - (ii) the control equipment shall be kept at all times in good running condition;
 - (iii) the outlet, wherever necessary, of such specifications as the State Board may approve in this behalf shall be established in such premises; and
 - (iv) such other conditions as the State Board, may specify in this behalf.
- (6) The conditions referred to in sub-paragraph (5) shall be complied with within such period as the State Board may fix in this behalf.

11. Grant of consent to operate. --- (1) Once the industrial unit established with the requisite pollution control system and ready to operate, the occupier is required to obtain consent to operate.

- (2) Every application of consent to operate an industrial unit under section 25 of the Act shall be made in Form II and shall contain the particulars of the following and also shall be accompanied by fees for grant of consent to operate, with the following reports, namely: -
- (a) Compliance report of conditions stipulated in the consent to establish;
 - (b) Compliance report of the conditions stipulated in the environment clearance, if applicable.
- (3) On receipt of an application for consent to operate, the State Board may depute any of its officers, accompanied by such other officers as may be necessary, to visit and inspect any place or premises under the control of the applicant or the occupier, for verifying the correctness or otherwise of the particulars furnished in the application or for obtaining such further particulars or information, which in the opinion of such officer are essential.
- (4) Consent to operate shall be granted with following conditions under sub-section (4) of the section 25 of the Act, based on the report made under sub- paragraph (3), namely:-
- (i) the control equipment of such specifications as approved by the State Board shall be operated in the premises where the industry is carried on;
 - (ii) the existing control equipment, if any, shall not be altered or replaced without the approval of the State Board;
 - (iii) the control equipment referred to in clause (i) or clause (ii) shall be kept at all times in good running condition;
 - (iv) outlet, wherever necessary, of such specifications as approved by the State Board shall be operated and maintained in the premises; and shall be connected to online continuous emission monitoring system, as applicable.
- (5) The conditions referred to in sub-paragraph (4) shall be complied with within such period as the State Board may specify in this behalf.
- (6) Consent to operate granted shall specify the validity period of the consent.

12. Renewal of consent to operate. - (1) Every application for renewal of the consent to operate under section 25 of the Act shall be made in Form II and shall contain the particulars of the following and also shall be accompanied by fee for renewal of the consent to operate, namely:-

- (a) compliance report of conditions stipulated in the consent to operate
 - (b) compliance report of the conditions stipulated in the environment clearance, if applicable
 - (c) submission of Environmental Statement as specified under the Environment (Protection) Rules, 1986;
 - (d) submission of annual returns as specified under the Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016; and
 - (e) declaration on no change in the manufacturing process, production capacity, pollution load, emissions.
- (2) On receipt of an application for renewal of the consent to operate, the State Board may depute any of its officers, accompanied by such other officers as may be necessary, to visit and inspect any place or premises under the control of the applicant or the occupier, for verifying the correctness or otherwise of the particulars furnished in the application or for obtaining such further particulars or information, which in the opinion of such officer are essential.
- (3) Consent to operate shall be granted with following conditions under sub-section (4) of the section 25 of the Act, based on the report made under sub- paragraph (2), namely:-
- (i) the control equipment of such specifications as approved by the State Board shall be operated in the premises where the industry is carried on;
 - (ii) the existing control equipment, if any, shall not be altered or replaced without the approval of the State Board;
 - (iii) the control equipment referred to in clause (i) or clause (ii) shall be kept at all times in good running condition;
 - (iv) outlet, wherever necessary, of such specifications as approved by the State Board shall be operated and maintained in the premises; and shall be connected to online continuous emission monitoring system, as applicable.
- (4) The conditions referred to in sub-paragraph (3) shall be complied with within such period as the State Board may fix in this behalf.
- (5) Renewal of Consent granted shall specify the validity period of the consent.

13. Refusal and cancellation of consent. - (1) The State Board may cancel such consent before expiry of the period for which it is granted or refuse the renewal of the consent expiry if the conditions subject to which such consent has been granted are not fulfilled.

(2) The consent may be refused or cancelled on any of the following grounds, namely: -

- (i) the industrial unit does not satisfy the criteria relating to location of such industrial plant;
- (ii) non-compliance of conditions of such consent;
- (iii) non-compliance of the conditions under the prior environment clearance;
- (iv) variation in their process and its operations;
- (v) non-compliance of the effluent discharge standards and failure to upgrade the control equipment or any other prescribed equipment, etc.;
- (vi) non-compliance of court directions, guidelines, notifications and standard operating procedures;
- (vii) accidental discharges of effluent or emission causing grave injury to the environment or human health;
- (viii) occurrence of accident resulting in damage to the existing systems and environment;
- (ix) non-payment of any fee, environmental compensation or bank guarantee as may be required under any law for the time in force;
- (x) industrial unit is proposed or set up in a prohibited area;
- (xi) submission of incomplete information or false information or concealment of any material facts pertaining to the industrial plant;
- (xii) violations of the provisions of any other applicable rules and regulations.

(3) Before refusing or cancelling a consent, a reasonable opportunity of being heard shall be given to the person concerned.

(4) The reasons for refusal or cancellation of the consent shall be recorded in writing and duly communicated to the person to whom the consent is refused with necessary directions, as deemed fit.

CHAPTER 5

MONITORING COMMITTEE

14. National Level Monitoring Committee. - (1) A monitoring committee at national level consisting of the following members shall oversee and monitor the implementation of these guidelines, namely: -

- a) Additional Secretary or Joint Secretary to the Government of India in the Ministry of Environment, Forests and Climate Change, dealing with the Act-Chairman;
- b) Member Secretary of the Central Board – Member secretary
- c) Member Secretaries of five State Boards to be nominated by the Central Government by rotation for three years -Member.
- d) any other member as may be co-opted by the committee with the approval of the central government.

(2) The monitoring committee shall have at least one meeting in every quarter of the year.

15. State Level Monitoring Committee. - (1) A monitoring committee at state level consisting of the following members shall oversee and monitor the implementation of these guidelines, namely: -

- a) Secretary to the State Government in-charge of the Department of Environment of the State or Union territory-Chairman;
- b) Member Secretary of the State Board- Member,
- c) An officer of the state Environment Department nominated by state Government – Member Secretary
- d) Regional Director of the Central Board having jurisdiction - Member.

(2) The monitoring committee shall also dispose of the matters presented before it.

(3) The monitoring committee shall have at least one meeting in every calendar month.

CHAPTER 6

MISCELLANEOUS

16. Portal for implementation of these guidelines. - The Central Board, in consultation with the State Boards, develop an online portal for the purposes of these guidelines, preferably within six months, and not later than one year from the date of notification of these guidelines.

2) After the portal is operational, all applications for grant of consent under section 25 of the Act, its renewal, verification, site inspection, refusal or cancellation, shall be processed and disposed of only through such portal, in all states and union territories.

(3) Till the portal becomes operational, applications for grant of consent under section 25 of the Act, including its renewal, verification, site inspection, refusal or cancellation may be processed through the existing arrangement in accordance with these guidelines.

(4) The portal shall act as a single point data repository with respect to management and implementation of these guidelines.

(5) The Central Board may charge five per cent of the fee received with applications for consent to establish and operate, as service fee which shall be credited to the fund of the Central Pollution Control Board in accordance with the section 36 of the Act.

17. Additional conditions. The State Board may incorporate additional conditions in the consent in accordance with local conditions and policies, but shall not relax any of the conditions or standards specified in these guidelines.

18. Violations. -- In case of failure to comply with any of the provisions of these guidelines, the person in violation shall be liable to action under provisions of the Act.

THE FIRST SCHEDEULE

[See paragraphs 2(1)(d), 3(1), 10(1), 11(2) and 12(1)]

FORMATE FOR APPLICATION

FORM I

[See paragraph 10(1)]

APPLICATION FOR CONSENT TO ESTABLISH AN INDUSTRIAL PLANT, UNDER SECTION 25 OF THE WATER (PREVENTION AND CONTROL OF POLLUTION) ACT, 1974

From

To

The Member Secretary

-----State Pollution Control Board / Committee

Sir,

I / We hereby apply for consent to establish an industrial unit under section 25 of the Water (Prevention and Control of Pollution) Act, 1974, (6 of 1974) or for consent to amended product, operation or process, or treatment and disposal system to bring into use any outlet for discharge of sewage / trade effluent.

from a land / premises owned by M/s._____

at location _____ as

per the details given below:

TO BE FILLED IN BY APPLICANT**PART A: GENERAL**

| S. No. | Required Details | : | | | |
|------------|--|---|-------------------------------|---|----------|
| 1.0 | Project Details : | | | | |
| 1.1 | Name of the Project / Industry / TSDF | : | | | |
| 1.2 | Project Proposal | : | New / Expansion | | |
| 1.3 | Details of Environment Clearance | : | | | |
| 1.4 | Address of the Site / Unit | : | Plot / Survey No | : | |
| | | | Village | : | |
| | | | Tehsil | : | |
| | | | District | : | |
| | | | State / UT | : | |
| | | | Pin code | : | |
| 2.0 | Details of Applicant / Occupier: | | | | |
| 2.1 | Name of the Applicant / Occupier | : | | | |
| 2.2 | Designation | : | | | |
| 2.3 | Nationality of the Occupier | | | | |
| 2.4 | Correspondence Address | : | Plot / Survey No/ Street Name | : | |
| | | | Village / Town / City | : | |
| | | | Tehsil /Taluk | : | |
| | | | District | : | |
| | | | State / UT | : | |
| | | | Pin code | : | |
| 2.5 | Contact Details of Plant Head with Alternate details | : | Name & Designation: | : | 1. 2. |
| | | | e-mail address | : | 1. 2. |
| | | | Landline Number | : | 1. 2. |
| | | | Mobile Number | : | 1. 2. |
| 3.0 | Legal Status of the Company : | | | | |

| | | | | | |
|-------------|---|---|--|---|--|
| 3.1 | Individual / Proprietary concern / Partnership firm/ Joint family concern / Private Limited Company / Public Limited Company / Foreign Company / Limited Liability Partnership. <i>Note: Registration Number and Authority shall be mentioned.</i> | : | | | |
| 3.2 | Central Govt. / State Govt./ Central PSU / State PSU / Joint Venture (Pvt. + Govt.), (Govt.+ Govt.), (Pvt.+ Pvt.) | : | | | |
| 4 .0 | Location of the Project / Industry / Activity : | | | | |
| 4.1 | Location | : | Upload KML | | |
| 4.2 | Bounded Latitudes (North) (8 digit after decimal) | : | From | : | |
| | | | To | : | |
| 4.3 | Bounded Longitudes (East) (8 digit after decimal) | : | From | : | |
| | | | To | : | |
| 4.4 | Located in Eco-Sensitive Zone of Protected Area, Coastal Regulation Zone, Biosphere, Reservoir, Forests, Mangroves, Rivers, Archeological monuments, Critically Polluted Area, Non-attainment Cities, Polluted River Stretch, Hill stations (altitude > 600M), Major towns and Cities | : | | | |
| 4.5 | Survey of India Topo Sheet Number | : | | | |
| 4.6 | Land details (as per Panchayat, Tehsil, District) | : | Owned / Leased | : | |
| | | | Total Area in Ha | : | |
| | | | a) Non – Forest in Ha | : | |
| | | | b) Forest in Ha | : | |
| | | | Annual Lease Value, in case of Leased in Rs. | : | |
| | | | Build up Area in Sq. M. | : | |
| | | | Green Belt cover in % of total area | : | |
| 4.7 | Extent of Land in Sq. m | : | Own-Agricultural | : | |
| | | | Industrial | : | |
| | | | Converted | : | |
| | | | Industrial Area | : | |
| | | | a) Applied and not allotted | : | |
| | | | b) Applied and allotted | : | |
| | | | c) Leased | : | |
| 5.0 | Category & Classification of the Project / Industry / Activity : | | | | |
| 5.1 | Category of Industry (Red, Orange, and Green) | : | Category | : | |

| | | | | | | | |
|------|--|---|---|-----------|-------------|------------------|-------------------|
| | | | Pollution Index | : | | | |
| 5.2 | Industrial Sector / Type | : | | | | | |
| 5.3 | Grossly Polluting / 17 Category / Others | : | | | | | |
| 5.4 | Scale of Industry based on Capital Investment (Micro/ Small / Medium / Large) | : | Total Capital Investment (Rs.) | : | | | |
| | | | Scale / Classification | : | | | |
| 5.5 | Products / By-Products manufacturing capacity (TPD / TPA) | : | Products / By-products | : | Capacity | | |
| | | | | : | | | |
| | | | | : | | | |
| | | | | : | | | |
| 5.6 | Raw Materials / Chemicals Consumption for manufacturing capacity (TPD & TPA) | : | Raw Materials | : | Consumption | | |
| | | | | : | | | |
| | | | | : | | | |
| | | | | : | | | |
| 5.7 | Brief manufacturing Process with process flow chart and Material Balance, Advantage of Technology etc. | : | To be Annexed | | | | |
| 5.8 | Date / Expected date of commencement of production | : | | | | | |
| 5.9 | Number of people to be employed / employed | : | | | | | |
| 5.10 | Industry Shifts / Weekly off | : | Shifts (I / II / III) & in Hours | : | | | |
| | | | Weekly off in days | : | | | |
| 5.11 | Use of Hazardous Chemicals as per MSIHC Rules | : | S. No | Chemicals | HS Code | Storage capacity | Daily consumption |
| | | | 1. | | | | |
| | | | 2 | | | | |
| | | | 3. | | | | |
| 5.12 | Insurance under PLI Act, 1991 | : | a) Policy No. & Year for which taken: b) Insurance Company: c) Validity: d) Indemnity Limit (Rs) : e) Contribution to ERF (Rs): | | | | |

PART B: WASTEWATER ASPECTS

| | |
|------------|--|
| 6.0 | Water Consumption and Wastewater Generation |
|------------|--|

| | | | | | |
|------|--|----------|---|-------------------------|---------------------|
| 6.1 | Source of Water | : | Ground Water / River / Industrial Estate Supply / Private Tanker / Sea / Recycled / Any other, if any | | |
| 6.2 | Authority Granting permission & Quantity permitted | : | Authority: Quantity : | | |
| 6.3 | Water Consumption (KLD) for manufacturing capacity | : | | | |
| 6.4 | Water Usage for manufacturing capacity. (Attach Water Balance showing quantity with TDS at different points) | : | Purpose | : | KLD |
| | Domestic | | | | |
| | Process | | | | |
| | Boiler | | | | |
| | Other Utilities (pl. specify) | | | | |
| 6.5 | Wastewater Generation (KLD) for manufacturing process | : | KLD | | |
| | Wastewater from various sources | : | Purpose | : | KLD |
| | Domestic | | | | |
| | Process | | | | |
| | Boiler | | | | |
| | Other Utilities (pl. specify) | | | | |
| 6.6 | Wastewater Treatment systems | : | Type of Effluent | : | KLD |
| | Bio-degradable | | | | |
| | Non- Biodegradable | | | | |
| | Boiler blowdown | | | | |
| | Others Utilities | | | | |
| | Any other | | | | |
| | Total | : | | | |
| 6.7 | Details Sewage Treatment Plant(s) | : | S. No. | Capacity of STPs | : KLD |
| | 1. | | | | |
| | 2. | | | | |
| | Mode of disposal of treated effluent | | | | |
| 6.8 | Details Effluent Treatment Plant (s) | : | S. No. | Capacity of ETPs | : KLD |
| | 1. | | | | |
| | 2. | | | | |
| | Mode of disposal of treated effluent | | | | |
| 6.9 | Capacity of treated effluent sump, Guard Pond, if any | : | | | |
| 6.10 | Schematic diagram of the treatment scheme with inlet / outlet characteristics of each unit operation / process | : | To be Annexed | | |

| | | | | |
|--|------|---|---|--|
| | 6.11 | Name of River / Creek, Estuary / Drain (owner of sewer) / Sea / Land / connected to ETP | : | |
| | 6.12 | Any relevant information not covered in the above items | : | |

PART C: AIR EMISSION ASPECTS*(Information required in case of industrial establishments having chimneys)*

| 7.0 | | Type of Fuels | | | | | | | |
|-----|-----|---|-------------|--------|----------------|-----------------|------------|----------------|----------------------|
| | 7.1 | Fuel Consumption per Hour and TPD for manufacturing capacity | : | S. No | Fuel | Quantity | Ash% | S% | |
| | | | | 1. | Coal | | | | |
| | | | | 2 | Diesel | | | | |
| | | | | 3. | Furnace Oil | | | | |
| | | | | 4. | Natural Gas | | | | |
| | | | | 5. | Wood | | | | |
| | | | | 6. | Others, if any | | | | |
| | 7.2 | Details of Stack (Process, fuel, D.G.): | | | | | | | |
| | | a) Number of stacks and vents with height and diameter (m) | | | | | | | |
| | | b) Quality and quantity of stack emissions from each stack and vent | | | | | | | |
| | | c) Major industrial processes / sources of fugitive emission | | | | | | | |
| | | d) Brief account of air pollution control units to deal with the emission | | | | | | | |
| | | Stack | Attached to | Fuel | Height (m) | Diameter (m) | Pollutants | Control system | Port Hole & Platform |
| | | | | | | | | | |
| | | | | | | | | | |
| | | | | | | | | | |
| | | | | | | | | | |
| | 7.3 | D.G. Sets | : | S. No. | KVA | Acoustic status | Height (m) | | |
| | | | | | | | | | |
| | | | | | | | | | |
| | | | | | | | | | |
| | 7.7 | Any relevant information not covered in the above items | : | | | | | | |

PART D: HAZARDOUS WASTE ASPECTS*(Information required in case of industrial establishments generating Hazardous Waste)*

| | |
|-----|----------------------------|
| 8.0 | Hazardous Waste Management |
|-----|----------------------------|

| | | | S. No. | Process | Clause of Schedule I | Quantity/ Annum |
|-----|--|---|--------|--------------------------------------|----------------------|-----------------|
| 8.1 | Process generating Hazardous waste | : | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| 8.2 | Consent / Authorization required for | : | S. No. | Activity | : | Please tick |
| | | | 1. | Generation | : | |
| | | | 2. | Collection | : | |
| | | | 3. | Storage | : | |
| | | | 4. | Transportation | : | |
| | | | 5. | Reception | : | |
| | | | 6. | Reuse | : | |
| | | | 7. | Recycling | : | |
| | | | 8. | Recovery | : | |
| | | | 9. | Pre-processing | : | |
| | | | 10. | Co-processing | : | |
| | | | 11. | Utilization | : | |
| | | | 12. | Treatment | : | |
| | | | 13. | Disposal | : | |
| | | | 14. | Incineration | : | |
| 8.3 | Technical Capabilities / Facilities | : | S. No. | Capabilities | : | |
| | | | 1. | Storage Area | : | |
| | | | 2. | Storage Quantity | : | |
| | | | 3. | Method of storage | : | |
| | | | 4. | Special handling requirement, if any | : | |
| | | | 5. | Emergency Response Procedure | : | |
| | | | 6. | Leachate treatment | : | |
| 8.4 | Nature (Characteristics of wastes) and quantity of waste | : | a) | Handled per annum: | | |
| | | | b) | Stored at any time: | | |
| 8.5 | 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. | : | | | | |

| | | | | |
|--|-----|---|---|--|
| | 8.6 | Any relevant information not covered in the above items | : | |
|--|-----|---|---|--|

PART E: PAYMENT DETAILS

| 9.0 | | Payment Details | |
|------------|-----|---------------------------------------|---|
| | 9.1 | Payment Mode | : Online / Offline |
| | 9.2 | Transaction Details in case of online | : Transaction No: Date: Status: |
| | 9.3 | Draft details in case of offline | : Amount (Rs): Draft No: In favour of: Bank Name: Date: |
| | 9.4 | Amount of Fee paid | : Rs. _____ |

DECLARATION

- a) I / We declare that the above furnished information is true and correct to the best of my / our knowledge. I / We am / are aware that furnishing any wrong information is punishable under Section 42(f) of the Water (Prevention & Control of Pollution) Act, 1974.
- b) I / We hereby submit that in case of any change from what is stated in this application in respect of raw materials, products, process of manufacture and treatment and/or disposal of effluent, emission, hazardous wastes etc. in quality and quantity; a fresh application for Consent shall be made and until the grant of fresh Consent is granted, no change shall be made. I / We am/are aware that the violations of Section 25 attract penal provisions under the relevant provisions of the Water (Prevention & Control of Pollution) Act, 1974.
- c) I / We herewith submit an affidavit on the basis of which consent for establishment will be issued to me/us and I / We will be held responsible under Section 45(A) of the Water (Prevention & Control of Pollution) Act, 1974 or any misleading / wrong representation.
- d) I / We undertake to furnish any other information within one month of its being called by the State Board.

Date:

Name & Signature of the Occupier/

Place: Authorized Signatory

Mandatory Documents to be enclosed for grant of Consent to Establish:

1. Licenses / Certificates:

a. Legal Status of Company:

- i. Partnership / Proprietary / Company etc.; (or)

- ii. SSI / MSME Certificate (Udyog Aadhar) / Memorandum of Entrepreneurship, if applicable; **b. Location of the Project:**
- i. Industrial Area: Allotment letter from the respective Industrial Area Development Board / Corporation / Land Possession Certificate; or ii. Other than Industrial Area: Registered Land Deed / Land Conversion Certificate from concerned Authority / Rent (or) Lease Agreement in case of the property is on rent / lease;
- c. **Mining Project:** Mineral Mining Lease permission granted by the Department of Mines & Geology, if applicable;
- d. **Environmental Clearance** granted by Central Government or State Environment Impact Assessment Authority, if applicable, under the notification of the Government of India number S.O.1533 (E), dated the 14th September, 2006 issued under the Environment (Protection) Act, 1986 (29 of 1986);
- e. **Investment:** Chartered Accountant Certificate about proposed Capital Investment.

2. **Technical Details:**

- i. Environmental Impact Assessment Report, submitted to the Central Government or State Environment Impact Assessment Authority under the notification of the Government of India number S.O.1533 (E), dated the 14th September, 2006 issued under the Environment (Protection) Act, 1986 (29 of 1986); or
- ii. Project report comprising manufacturing process (write up with flow chart), raw materials, products, byproducts, extent of land, water source and consumption for various purpose, wastewater generation from various activity, Effluent Treatment Plant (write up with flow diagram), Water Balance, Fuel used, Sources of emission and Air Pollution Control Devices proposed, D.G. sets and Hazardous and Other Waste Generation along with Plant layout plan.

FORM II

[See paragraphs 11 (2) and 12 (1)]

APPLICATION FOR CONSENT TO OPERATE AN INDUSTRIAL PLANT, UNDER SECTION 25 OF THE WATER (PREVENTION & CONTROL OF POLLUTION) ACT, 1974

From

To

The Member Secretary

State Pollution Control Board / Committee

Sir,

I / We hereby apply for consent to operate an industrial unit or renewal of consent under section 25 of the Water (prevention & control of pollution) act, 1974 (6 of 1974) or for amended product, operation or process, or treatment and discharge of sewage / trade effluent.

from a land / premises owned by M/s._____

at location _____

as per the details given below:

TO BE FILLED IN BY APPLICANT

PART A: GENERAL

| S. No. | Required Details | : | | |
|---|--|---|---|----------|
| 1.0 Project Details : | | | | |
| 1.1 | Name of the Project / Industry / TSDF | : | | |
| 1.2 | Project Proposal | : | Expansion / Renewal / Validity Extension / Transfer | |
| 1.3 | Details of Environment Clearance | : | | |
| 1.4 | Address of the Site / Unit | : | Plot / Survey No | : |
| | | | Village | : |
| | | | Tehsil | : |
| | | | District | : |
| | | | State/UT | : |
| | | | Pin code | : |
| 2.0 Applicant / Occupier Details : | | | | |
| 2.1 | Name of the Applicant / Occupier | : | | |
| 2.2 | Designation | : | | |
| 2.3 | Nationality of the Occupier | | | |
| 2.4 | Correspondence Address | : | Plot / Survey No/ Street Name | : |
| | | | Village / Town / City | : |
| | | | Tehsil /Taluk | : |
| | | | District | : |
| | | | State / UT | : |
| | | | Pin code | : |
| 2.5 | Contact Details of Plant Head with Alternate details | : | Name & Designation: | 1. 2. |
| | | | e-mail address | 1. 2. |
| | | | Landline Number | 1. 2. |
| | | | Mobile Number | 1. 2. |
| 3.0 Legal Status of the Company : | | | | |

| | | | | | |
|------------|--|---|--|---|--|
| 3.1 | Individual / Proprietary concern / Partnership firm/ Joint family concern / Private Limited Company / Public Limited Company / Foreign Company / Limited Liability Partnership. <i>Note: Registration Number and Authority shall be mentioned.</i> | : | | | |
| 3.2 | Central Govt. / State Govt./ Central PSU / State PSU / Joint Venture (Pvt. + Govt.), (Govt.+ Govt.), (Pvt.+ Pvt.) | : | | | |
| 4.0 | Location of the Project / Industry / Activity : | | | | |
| 4.1 | Location | : | Upload KML | | |
| 4.2 | Bounded Latitudes (North) (8 digit after decimal) | : | From | : | |
| | | | To | : | |
| 4.3 | Bounded Longitudes (East) (8 digit after decimal) | : | From | : | |
| | | | To | : | |
| 4.4 | Located in Eco-Sensitive Zone of Protected Area, Coastal Regulation Zone, Biosphere, Reservoir, Forests, Mangroves, Rivers, Archeological monuments, Critically Polluted Area, Non-attainment Cities, Polluted River Stretch, Hill stations (altitude > 600 M), Major towns and Cities | : | | | |
| 4.4 | Survey of India Topo Sheet Number | : | | | |
| 4.5 | Land details (as per Panchayat, Tehsil, District) | : | Owned / Leased | : | |
| | | | Total Area in Ha | : | |
| | | | a) Non – Forest in Ha | : | |
| | | | b) Forest in Ha | : | |
| | | | Annual Lease Value, in case of Leased in Rs. | : | |
| | | | Build up Area in Sq. M. | : | |
| | | | Green Belt cover in % of total area | : | |
| 4.6 | Extent of Land in Sq. m | : | Own-Agricultural | : | |
| | | | Industrial | : | |
| | | | Converted | : | |
| | | | Industrial Area | : | |
| | | | a) Applied and not allotted | : | |
| | | | b) Applied and allotted | : | |
| | | | c) Leased | : | |
| 5.0 | Category & Classification of the Project / Industry / Activity : | | | | |
| 5.1 | Category of Industry (Red, Orange, and Green) | : | Category | : | |

| | | | | | | | |
|------|--|---|--|-----------|-------------|------------------|-------------------|
| | | | Pollution Index | : | | | |
| 5.2 | Industrial Sector /Type | : | | | | | |
| 5.3 | Grossly Polluting / 17 Category / Others | : | | | | | |
| 5.4 | Scale of Industry based on Capital Investment (Micro/ Small / Medium / Large) | : | Total Capital Investment (Rs.) | : | | | |
| | | | Scale / Classification | : | | | |
| 5.5 | Products / By-Products manufacturing capacity (TPD/ TPA) | : | Products / By-products | : | Capacity | | |
| | | | | : | | | |
| | | | | : | | | |
| | | | | : | | | |
| | | | | : | | | |
| 5.6 | Raw Materials / Chemicals Consumption for manufacturing capacity (TPD & TPA) | : | Raw Materials | : | Consumption | | |
| | | | | : | | | |
| | | | | : | | | |
| | | | | : | | | |
| 5.7 | Brief manufacturing Process with process flow chart and Material Balance, Advantage of Technology etc. | : | To be Annexed | | | | |
| 5.8 | Date / Expected date of commencement of production | : | | | | | |
| 5.9 | Number of people to be employed / employed | : | | | | | |
| 5.10 | Industry Shifts / Weekly off | : | Shifts (I / II / III) & in Hours | : | | | |
| | | | Weekly off in days | : | | | |
| 5.11 | Use of Hazardous Chemicals as per MSIHC Rules | : | S. No | Chemicals | HS Code | Storage capacity | Daily consumption |
| | | | 1. | | | | |
| | | | 2 | | | | |
| | | | 3. | | | | |
| 5.12 | Insurance under PLI Act, 1991 | : | a) Policy No. & Year for which taken : | | | | |
| | | | b) Insurance Company: | | | | |
| | | | c) Validity: | | | | |
| | | | d) Indemnity Limit (Rs) : | | | | |
| | | | e) Contribution to ERF (Rs): | | | | |

PART B: WASTEWATER ASPECTS

| | |
|------------|--|
| 6.0 | Water Consumption and Wastewater Generation |
|------------|--|

| | | | | | | |
|------|---|--------------------------------------|---|-------------------------|---------------|-------------------------|
| 6.1 | Source of Water | : | Ground Water / River / Industrial Estate Supply / Private Tanker / Sea / Recycled / Any other, if any | | | |
| 6.2 | Authority Granting permission & Quantity permitted | : | Authority: Quantity : | | | |
| 6.3 | Water Consumption (KLD) for manufacturing capacity | : | | | | |
| 6.4 | Water Usage for manufacturing capacity. (Attach Water Balance showing quantity with TDS at different points) | Purpose | : | KLD | | |
| | | Domestic | : | | | |
| | | Process | : | | | |
| | | Boiler | : | | | |
| | | Other Utilities (pl. specify) | : | | | |
| 6.5 | Wastewater Generation (KLD) for manufacturing process | : | KLD | | | |
| | Wastewater from various sources | Purpose | : | KLD | | |
| | | Domestic | : | | | |
| | | Process | : | | | |
| | | Boiler | : | | | |
| | | Other Utilities (pl. specify) | : | | | |
| 6.6 | Wastewater Treatment systems | : | Type of Effluent | : | KLD | Treatment System |
| | | Bio-degradable | : | | | |
| | | Non- Biodegradable | : | | | |
| | | Boiler blowdown | : | | | |
| | | Others Utilities | : | | | |
| | | Any other | : | | | |
| | | Total | : | | | |
| | | 6.7 | Details Sewage Treatment Plant(s) | : | S. No. | Capacity of STPs |
| | | 1. | | | | |
| | | 2. | | | | |
| | | Mode of disposal of treated effluent | | | | |
| 6.8 | Details Effluent Treatment Plant (s) | : | S. No. | Capacity of ETPs | : | KLD |
| | | 1. | | | | |
| | | 2. | | | | |
| | | Mode of disposal of treated effluent | | | | |
| 6.9 | Capacity of treated effluent sump, Guard Pond, if any | : | | | | |
| 6.10 | Schematic diagram of the treatment scheme with inlet / outlet characteristics of each unit operation / process | : | To be Annexed | | | |

| | | | |
|------|---|---|-----------------------|
| 6.11 | <p>Quality of Effluent before & after treatment (at the final outlets) in respect of pH, SS, TDS and constituting major ions, BOD/COD, Oil & Grease, and relevant metals and nutrients as per the process/ standards. (Attach analysis report of untreated and treated effluent from the EPA recognized Lab)</p> <p>Note: For proposed unit furnish expected characteristics of the effluent</p> | : | To be Annexed. |
| 6.12 | Name of River / Creek, Estuary / Drain (owner of sewer) / Sea / Land / connected to ETP | : | |
| 6.13 | Details of Solid Wastes separately for ‘Hazardous’ and ‘Other’ wastes covered under H&OW Rules, 2016 and other solid wastes not covered under H&OW Rules, 2016, including their management system | : | To be Annexed |
| 6.14 | Details of treatment-performance and environmental compliance monitoring and reporting system | : | To be Annexed |
| 6.15 | Any relevant information not covered in the above items | : | |

PART C: AIR EMISSION ASPECTS

(Information required in case of industrial establishments having chimneys)

| 7.3 | D.G. Sets | : | S. No. | KVA | Acoustic status | | Height (m) | |
|-----|---|---|---------------|-----|-----------------|--|------------|--|
| | | | | | | | | |
| | | | | | | | | |
| 7.4 | Quality of source emission (before treatment/ control) and after treatment/ controlled emission (at stacks/vents) in respect of PM, SO ₂ , NO _x , and other relevant air pollutants as per the process/ standards. (Attach analysis reports of stack emissions from the EPA recognized Lab) <i>Note:</i> For proposed unit furnish expected characteristics of the emissions | : | To be Annexed | | | | | |
| 7.5 | Odorous compounds, if any and control measures provided | : | | | | | | |
| 7.6 | Details of treatment/control performance and environmental compliance monitoring and reporting system | : | | | | | | |
| 7.7 | Any relevant information not covered in the above items | : | | | | | | |

PART D: HAZARDOUS WASTE ASPECTS

(Information required in case of industrial establishments generating Hazardous Waste)

| 8.0 Hazardous Waste Management | | | | | | |
|--------------------------------|--------------------------------------|---|--------|----------------|----------------------|-----------------|
| 8.1 | Process generating Hazardous waste | : | S. No. | Process | Clause of Schedule I | Quantity/ Annum |
| | | | | | | |
| | | | | | | |
| 8.2 | Consent / Authorization required for | : | S. No. | Activity | Please tick | |
| | | | 1. | Generation | : | |
| | | | 2. | Collection | : | |
| | | | 3. | Storage | : | |
| | | | 4. | Transportation | : | |
| | | | 5. | Reception | : | |
| | | | 6. | Reuse | : | |
| | | | 7. | Recycling | : | |
| | | | 8. | Recovery | : | |

| | | | | | | |
|-----|--|---|--------|--|---|-------------|
| | | | 9. | Pre-processing | : | |
| | | | 10. | Co-processing | : | |
| | | | 11. | Utilization | : | |
| | | | 12. | Treatment | : | |
| | | | 13. | Disposal | : | |
| | | | 14. | Incineration | : | |
| 8.3 | Technical Capabilities / Facilities | : | S. No. | Capabilities | : | |
| | | | 1. | Storage Area | : | |
| | | | 2. | Storage Quantity | : | |
| | | | 3. | Method of storage | : | |
| | | | 4. | Special handling requirement, if any | : | |
| | | | 5. | Emergency Response Procedure | : | |
| | | | 6. | Leachate treatment | : | |
| 8.4 | Nature (Characteristics of wastes) and quantity of waste | : | a) | Han dled per annum: | | |
| | | | b) | Stor ed at any time: | | |
| 8.4 | Mode of Management / Disposal of above Wastes | : | S. No. | Disposal | : | Please tick |
| | | | 1. | Secured storage within industrial unit | : | |
| | | | 2. | Utilization with in the plants (if not, please provide details of utilization) | : | |
| | | | 3. | Common TSDF | : | |
| | | | | Within the State | : | |
| | | | | Outside the State | : | |
| | | | 4. | Others | : | |
| 8.5 | Arrangement for transportation of H.W. to actual users / TSDF | : | | | | |
| 8.6 | Details of the environmental safeguards and environmental facilities provided for safe handling of all the wastes; | : | | | | |
| 8.7 | 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. | : | | | | |

| | | |
|--------------|--|--|
| 8.8 | For Treatment, storage and disposal facility (TSDF) operators | <p>1. Please provide details of the facility including:</p> <ul style="list-style-type: none"> a) Location of site with layout map b) Safe storage of the waste and storage capacity c) Treatment processes and their capacities d) Secured landfills e) Incineration, if any f) Leachate collection and treatment system g) Firefighting systems h) Environmental management plan including monitoring and i) Arrangement for transportation of waste from generators. <p>2. Please provide details of any other activities undertaken at the TSDF site:</p> |
| Note: | | |
| 8.9 | For Recyclers or pre-processors or co-processors or users of hazardous or other wastes | <p>1. In case of renewal of authorization previous authorization 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.</p> <p>2. 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 CPCB. Such ERP shall comprise the following, but not limited to:</p> <ul style="list-style-type: none"> ➤ 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. <p>3. 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</p> |
| | | <ul style="list-style-type: none"> a) Nature and quantity of different wastes received per annum from domestic sources or imported or both b) Installed capacity as per registration issued by the District Industries Centre or any other authorized Government agency. c) Provide details of secured storage of wastes including the storage capacity. d) Process description including process flow sheet indicating equipment details, inputs and outputs (input wastes, chemicals, products, by-products, waste generated, emissions, waste water, etc.). e) Provide details of end users of products or by-products. f) Provide details of pollution control systems such as Effluent Treatment Plant, scrubbers, etc. including mode of disposal of waste g) Provide details of occupational health and safety measures: |

| | | |
|------|---|---|
| | | <p>h) Has the facility been set up as per Central Pollution Control Board guidelines? If yes, provide a report on the compliance with the guidelines.</p> <p>i) Arrangements for transportation of waste to the facility:</p> |
| 8.10 | Any relevant information not covered in the above items | : |

PART E: PAYMENT DETAILS

| 9.0 Payment Details | | | |
|---------------------|---------------------------------------|---|---|
| 9.1 | Payment Mode | : | Online / Offline |
| 9.2 | Transaction Details in case of online | : | Transaction No: Date: Status: |
| 9.3 | Draft details in case of offline | : | Amount (Rs): Draft No: In favour of: Bank Name: Date: |
| 9.4 | Amount of Fee paid | : | Rs. _____ |

DECLARATION

- a) I / We declare that the above furnished information is true and correct to the best of my / our knowledge. I / We am / are aware that furnishing any wrong information is punishable under Section 42(f) of the Water (Prevention & Control of Pollution) Act, 1974.
- b) I / We hereby submit that in case of any change from what is stated in this application in respect of raw materials, products, process of manufacture and treatment and/or disposal of effluent, emission, hazardous wastes etc. in quality and quantity; a fresh application for Consent shall be made and until the grant of fresh Consent is granted, no change shall be made. I/ We am/are aware that the violations of Section 25 attract penal provisions under the relevant provisions of the Water (Prevention & Control of Pollution) Act, 1974.
- c) I / We herewith submit an affidavit on the basis of which consent for establishment will be issued to me/us and I/ We will be held responsible under Section 45(A) of the Water (Prevention & Control of Pollution) Act, 1974 or any misleading / wrong representation.
- d) I / We undertake to furnish any other information within one month of its being called by the State Board.

Date:

Name & Signature of the Occupier/ Place: _____ **Authorized Signatory**

Mandatory Documents to be enclosed for grant of Consent to Operate:

1. Licenses / Certificates:

(a) Legal Status of Company:

- i. Partnership / Proprietary / Company etc.; or ii. SSI / MSME Certificate (Udyog Aadhar) / Memorandum of Entrepreneurship, if applicable;
- (b) Location of the Project:**

- i. Industrial Area: Allotment letter from the respective Industrial Area Development Board / Corporation / Land Possession Certificate; or
- ii. Other than Industrial Area: Registered Land Deed / Land Conversion Certificate from concerned Authority / Rent (or) Lease Agreement in case of the property is on rent / lease;
- (c) **Mining Project:** Mineral Mining Lease permission granted by the Department of Mines SS & Geology, if applicable;
- (d) **Environmental Clearance** granted by Central Government or State Environment Impact Assessment Authority, if applicable, under the notification of the Government of India number S.O.1533 (E), dated the 14th September, 2006 issued under the Environment (Protection) Act, 1986 (29 of 1986);
- (e) **Investment:** Charted Accountant Certificate about proposed Capital Investment.

2. Technical Details:

- i. Environmental Impact Assessment Report, submitted to the Central Government or State Environment Impact Assessment Authority under the notification of the Government of India number S.O.1533 (E), dated the 14th September, 2006 issued under the Environment (Protection) Act, 1986 (29 of 1986); or ii. Project report comprising manufacturing process (write up with flow chart), raw materials, products, byproducts, extent of land, water source and consumption for various purpose, wastewater generation from various activity, effluent treatment plant (write up with flow diagram), Water Balance, Fuel used, Sources of emission and air pollution control devices proposed, D.G. sets and hazardous and other waste generation along with plant layout plan.

3. Compliance report of the consent to establish / consent to operate for expansion and renewal, as applicable.

THE SECOND SCHEDULE

[See paragraph 3(1) A.]

Annual Fees applicable for Consent:

1. Capital investment slabs. - The Capital Investment slabs are as follows: -

- (a) Rs. 1 Crore and below
- (b) Exceeding Rs. 1 Crore but not exceeding Rs. 10 Crore
- (c) Exceeding Rs. 10 Crore but not exceeding Rs.50 Crore
- (d) Exceeding Rs. 50 Crore but not exceeding Rs.250 Crore
- (e) Exceeding Rs. 250 Crore but not exceeding Rs.500 Crore
- (f) Exceeding Rs. 500 Crore but not exceeding Rs.1000 Crore
- (g) Exceeding Rs. 1000 Crore

2. Annual Fee for Industrial units. – (a) The annual fee for grant of consent is determined based on the capital investment and categorization of the industrial plant, using the following formula, as follows: -

$$CF = CI * SF * PIF$$

Where,

- CF : Annual Fee for consent (in Rs.)
- CI : Capital Investment (in Rs.)
- SF : Scale Factor (based on Capital Investment)
- PIF : Pollution Index Factor (based on category)

(b) The Scale Factor (SF) according to capital investment slabs is as under: -

| S. No. | Capital Investment | SF |
|--------|--------------------|-----|
| (1) | (2) | (3) |

| | | |
|-------|---|--------|
| (i) | Rs. 1 Crore and below | 0.100% |
| (ii) | Exceeding Rs. 1 Crore but not exceeding Rs.10 Crores | 0.080% |
| (iii) | Exceeding Rs. 10 Crores but not exceeding Rs.50 Crores | 0.060% |
| (iv) | Exceeding Rs. 50 Crores but not exceeding Rs.250 Crores | 0.040% |
| (v) | Exceeding Rs. 250 Crores but not exceeding Rs.500 Crores | 0.030% |
| (vi) | Exceeding Rs. 500 Crores but not exceeding Rs.1000 Crores | 0.020% |
| (vii) | Exceeding Rs. 1000 Crores | 0.010% |

(c) The Pollution Index Factor (PIF) based on categorization of Industry is as under: -

| S. No. | Category of Industrial | PIF |
|--------|------------------------|------|
| (1) | (2) | (3) |
| (i) | Green | 1.00 |
| (ii) | Orange | 1.50 |
| (iii) | Red | 2.00 |

(d) The maximum annual fee of the preceding slab shall serve as the base fee for the next slab, with the Scale Factor (SF) applicable on the difference amount. The details are as under: -

$$\text{Annual Fee (CF)} = \text{Max. fee of the preceding slab} + \{\text{Diff. of CI} * \text{SF} * \text{PIF}\}$$

(e) The minimum annual fee for grant of consent shall be Rs.5,000, Rs. 7,500 and Rs. 10,000 for Green, Orange and Red Category industry / activity respectively.

3. **Annual Fee for local bodies and infrastructure projects (residential and others).** - (a) The capital investment for the purpose of determining annual fee for consent to establish w.r.t. infrastructure projects, as covered under the notification of the Government of India number S.O.1533 (E), dated the 14th September, 2006, as amended from time to time, shall be based on the capital investment during the establishment phase. This includes Residential (Standalone Apartment / complexes), Layouts, Integrated projects, Commercial Complex, Office Complex, Education Institutions, Township and Local Body including Water Supply and Sewerage Board. The annual fee for Consent to Establish shall be calculated using the formula adopted for the industrial units, as above at para. 2 above.

(b) The annual fee for consent to operate of the projects at sub para (a) above, shall be based on the quantity of sewage generated / handled, as given below: -

| S. No. | Sewage generated /handled | Annual Fee for Consent to Operate | |
|--------|---------------------------|------------------------------------|------------------------------|
| | | Local Bodies and Residential (Rs.) | Other than Residential (Rs.) |
| (1) | (2) | (3) | (4) |
| 1 | Up to 10 KLD | 5,000 | 7,500 |
| 2 | Above 10 - 50 KLD | 15,000 | 22,500 |
| 3 | Above 50 - 100 KLD | 25,000 | 37,500 |
| 4 | Above 100 - 300 KLD | 35,000 | 52,500 |
| 5 | Above 300 - 500 KLD | 55,000 | 82,500 |
| 6 | Above 500 - 1 MLD | 65,000 | 97,500 |
| 6 | Above 1 to 5 MLD | 75,000 | 1,12,500 |
| 7 | Above 5 to 10 MLD | 1,00,000 | 15,00,00 |
| 8 | Above 10 MLD to 25 MLD | 2,00,000 | 30,00,00 |
| 9 | Above 25 MLD | 4,00,000 | 60,00,00 |

4. Annual Fees for mining projects. – (a) The annual fee for grant of consent for mining project / activity will be determined based on the consented capacity of the mineral to be mined, the type of mineral, the mining area, and the type of mining. The fee shall be calculated using the following formula - $CF = CC * MF * AF * TMF$ Where,

- **CF: Annual Consent fees (in Rs.)**
- **CC: Consented Capacity of Mineral to be mined (in Tonne / Annum)**
- **MF: Mineral Factor (based on type of Mineral)**
- **AF: Area Factor (in Rs. based on mining area)**
- **TMF: Type of Mining Factor (based on type of mining)**

Note: Minimum fees: Rs. 5,000 per annum

(b) The Mineral Factor (MF) based on type of mineral mined are:

| S. No. | Minerals | Mineral Factor (MF) |
|--------|--|---------------------|
| 1 | Manganese, Chromite, Steatite, Barites, Mica, Gold, Uranium, Silver, Copper, Lead, Zinc | 1.0 |
| 2 | Iron, Bauxite, Coal | 0.8 |
| 3 | Dolomite, Limestone, Gypsum, Feldspar, Garnet, Quartz, Silica State Stone, Bentonite, Pyropylite, Graphite, Phosphorite, Clays – China, White, Fire and Ball | 0.6 |
| 4 | Other minerals such as stone quarry, Granite, Marble, River Sand / River bed material etc. | 0.4 |

(c) The Area Factor (AF) based on mining area:

| S. No. | Lease hold area in ha | Area Factor (AF) |
|--------|-----------------------|------------------|
| 1 | Up to 5 | 1.0 |
| 2 | Above 5 to 25 | 1.2 |
| 3 | Above 25 to 100 | 1.4 |
| 4 | Above 100 to 500 | 1.6 |
| 5 | Above 500 | 1.7 |

(d) The Type of Mining Factor (TMF) based on types of mining:

| S. No. | Types of Mining | Types of Mining Factor (TMF) |
|--------|--------------------|------------------------------|
| 1 | Open cast mining | 1.25 |
| 2 | Underground mining | 1.00 |

5. Annual Fees for coffee pulping activities. - (a) The annual fee for coffee pulping shall be determined on the basic fee and pulping factor, taking into account the types of pulping (i.e. wet and dry pulping) irrespective of capacity of operation, as it is a seasonal production. The fees is calculated using the following formula - $CF = BF * PF$ Where,

- **CF: Fee (in Rs)**
- **BF: Basic Fee (i.e. Rs. 2,500 per annum)**
- **PF: Pulping Factor (based on type of pulping)**

(b) The Pulping Factor (PF) based on the type of pulping:

| S. No. | Types of Pulping | Pulping Factor (PF) |
|--------|--------------------|---------------------|
| 1 | 2 | 3 |
| 1 | Wet pulping | 1.25 |
| 2 | Dry pulping | 1.00 |

6. Annual Fees for Aqua Culture activities. – (1) The annual fee for aqua culture shall be determined based on the lease hold area, and the fees as follows :-

| S. No. | Lease hold area | Fees (Rs.) |
|--------|---------------------------|-----------------|
| 1 | Up to 5 Ha | Nil |
| 2 | Between 5 to 25 Ha | 5,000 |
| 3 | Above 25 to 100 Ha | 25,000 |
| 4 | More than 100 Ha | 1,00,000 |

7. Incentives to industrial units. - The industrial units that adopt environmental conservation measures to reduce water, air and land pollutions, conserve natural resources (resource consumption per unit production) and undertake voluntary initiatives without directions of the Central Board or State Board to protect the environment using best technologies, cleaner technology, achieving levels below the national or location specific standards, shall be identified. Further Incentives may be given by the State Board after consulting the Central Board.

B. Fee for consent to Establish: The fee for obtaining consent to establish shall not exceed twice the annual fee of consent as prescribed in this Schedule.

C. Fee for consent to operate: The fee for obtaining consent to operate shall not be more than that determined by multiplying annual fee of consent and period of consent as given in para 4(3) of these guidelines.

[F. No. Q-15012/1/2022-CPW(e-240803)]

VED PRAKASH MISHRA, Jt. Secy.

THE CONTROL OF AIR POLLUTION (GRANT, REFUSAL OR CANCELLATION OF CONSENT) GUIDELINES, 2025.

CHAPTER 1 PRELIMINARY

1. Short title and commencement. - (1) These guidelines may be called the Control of Air Pollution (Grant, Refusal or Cancellation of Consent) Guidelines, 2025.

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

2. Definitions. (1) In these guidelines, unless the context otherwise requires, -

- (a) "Act" means the Air (Prevention and Control of Pollution) Act, 1981;
- (b) "Central Board" means the Central Pollution Control Board constituted under section 3 of the Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974);
- (c) "Fee" means fee charged by State Boards for granting consent to establish or operate,
- (d) "Form" means a form set out under the First Schedule appended to these rules,
- (e) "Industrial plant" means any plant used for any industrial or trade purpose and emitting any air pollution into the atmosphere;
- (f) 'Red', 'Orange', 'Green' and 'Blue' are categories of industrial sectors / activities as categorised by Central Pollution Control Board from time to time.
- (g) "Schedule" means a Schedule appended to these guidelines;
- (h) "State Board" includes the Union Territory Pollution Control Committee.
- (i) The words and expression used but not defined in these guidelines and defined in the Act or rules shall have the meaning respectively assigned to them in Act and rules.

CHAPTER 2 APPLICATION FOR CONSENT AND FEES

3. Form of application for consent and fees. - (1) Every application for consent to establish or operate an industrial plant under section 21 of the Act shall be made in the Form set out under the First Schedule and shall contain the particulars of the industrial plant and such other particulars as set out in the Form and also shall be accompanied by the fee as specified by state government or Union Territory Administration, as the case may be in accordance with provisions of para 5 of these guidelines.

(2) Every application under section 21 of the Act shall be provided five per cent rebate on fees for submitting application for renewal of consent to operate four months prior to the expiry of the validity period.

(3) Every consent renewal application under section 21 of the Act shall be liable to pay late fee, at the rate specified in the Table below:

TABLE

| Sl. No. | Period of applying | One time additional fee as late fee |
|----------------|---------------------------------------|--|
| (1) | (2) | (3) |
| 1 | Between 120 - 45 days of the validity | 25 % of the fee. |
| 2 | Between 45 days to till the validity | 50 % of the fee. |
| 3 | After expiry of validity | 100 % the fee. |

4. Validity period of consent. - (1) The consent to establish shall be valid for a period of five years from the date it is granted.

(2) The validity period of five years may be extended by a maximum period of two years, if an application is made in this regard, thereby making the total period of validity seven years from the date of grant of consent to establish.

(3) The consent to operate shall be valid for a period of-

- (a) five years, in case of industrial plant of red category;
- (b) ten years, in case of industrial plant of orange category;
- (c) fifteen years, in case of industrial plant of green category.
- (d) Additional two years, in case of blue category

5. The fee for Consent --- (1) The fee for consent to establish or operate shall be specified by the state government or union territory administration which shall not be more than that specified in the second schedule.

(2) The amount of fee specified under the Second Schedule is the upper limit of such fee and the State Government may prescribe any lower amount of fee in this regard and there shall be no lower limit for fee, which may be of any level.

(3) The amount of fee shall not be increased by more than ten per cent from the existing amount of fee within the limit prescribed in para 5(1) and shall not be increased more than once in two years:

Provided that the amount of fee may be reduced any number of times.

6. Procedure for making enquiry on application for consent. (1) On receipt of an application for consent, the State Board may depute any of its officers, accompanied by such other officers as may be necessary, to visit and inspect any place or premises under the control of the applicant or the occupier, for verifying the correctness or otherwise of the particulars furnished in the application or for obtaining such further particulars or information, which in the opinion of such officer are essential.

(2) The officer referred to in sub-paragraph (1), for that purpose, may inspect any place or premises where solid, liquid or gaseous emission from the chimney or fugitive emissions from any location within the premises are discharged, and such officer may require the applicant or the occupier to

furnish to him any plans, specifications or other data relating to control equipment or systems or any part thereof that he considers necessary.

(3) The officer referred to in sub-paragraph (1) shall, before visiting any of the premises of the applicant, give notice to the applicant of his intention to do so.

(4) The applicant shall furnish to such officer all information and provide all facilities for inspection as reasonably may be necessary.

(5) The officer referred to in sub-paragraph (1) may, before or after carrying out the inspection, require the applicant to furnish him orally or in writing such additional information or clarification or to produce before him such document as he may consider necessary for the purpose of investigation of the application and may for that purpose summon the applicant or his authorised agent to the office of the State Board.

7. Common Consent and authorization for hazardous and other wastes. -A single-step procedure shall be adopted for granting consent under section 21 of the Act along with authorization under the Hazardous and other wastes (Management and Transboundary movement) Rules, 2016, as amended from time to time, for managing hazardous and other wastes.

8. Period for granting consent. - (1) Every application under section 21 of the Act shall be granted or refused consent from the date of receipt of application in all respects within the period specified in the table below:

TABLE

| Sl. No. | Application | Period (in days) | | |
|---------|--|------------------|--------|-------|
| | | Red | Orange | Green |
| (1) | (2) | (3) | (4) | (5) |
| 1 | Grant or refusal of consent to establish | 60 | 45 | 30 |
| 2 | Grant or refusal of consent to operate, first time | 90 | 60 | 30 |
| 3 | Grant or refusal of renewal of consent or expansion or amendment | 120 | 60 | 30 |

(2) In case the application for consent is not decided by the State Board within the period specified under sub-paragraph (1), the case shall be referred to State Level Monitoring Committee constituted under paragraph 15 which shall dispose of the application within thirty days from the date of its receipt.

(3) In case of an application falling under sub-paragraph (2), the Member Secretary of the State Board shall present the case before the Committee.

(4) While deciding on such application, the Committee shall look into causes of delay in grant or refusal of the consent and recommend appropriate disciplinary action where the reasons of delay are not justified and the State Board shall comply with such decision. The Committee may also recommend presenting the case for contravention of the Act before concerned adjudicating officer under section 39B of the Act.

CHAPTER 3

CRITERIA FOR ESTABLISHMENT OF INDUSTRIAL PLANT

9. Procedure for selection of location. - (1) Restrictions on establishing an industrial plant at a location may be imposed taking into account the technological and scientific developments that have taken place in industrial planning and manufacturing process in order to protect the sensitive areas, such as national parks, sanctuaries, wetlands and archaeological monuments.

(2) The industrial plant shall comply with respective criteria fixed by the Central Government or the State Government or the Union territory Administration, as the case may be.

(3) While establishing an industrial plant, the following minimum distance shall be maintained, namely:-

(a) from the nearest boundary of surface water body (flood plain/ HFL/Red line) as per the revenue records in case of industrial plant of-

(i) red category, beyond five hundred meters;

(ii) orange category,

(A) with effluent generation, beyond seventy-five meters;

(B) without effluent generation, beyond thirty meters;

(iii) green category, beyond thirty meters;

(b) from the settlement, educational institute, worship place, archaeological monuments, national park, reserve forest, heritage site, in case of industrial plant of-

(i) red category, beyond five hundred meters;

(ii) orange category, beyond two hundred meters;

(iii) green category, beyond one hundred meters.

(c) The State Board shall ensure that other laws, rules, and regulations, and notifications are complied with by the industrial plant.

(d) The natural or storm drain passing through the location of industrial plant shall not be disturbed.

CHAPTER 4

GRANT, REFUSAL OR CANCELLATION OF CONSENT

10. Grant of consent to establish. - (1) Every application for consent to establish an industrial plant under section 21 of the Act shall be made in Form I and shall contain the particulars of the industrial plant and also shall be accompanied by the fee for new plant and in case of expansion, modernisation, change of products or process before commissioning of the industrial plant.

- (2) The industrial plant shall comply with criteria relating to location specified under paragraph 9.
- (3) No industrial plant shall be allowed to set up in non-conforming areas or restricted or prohibited areas.
- (4) On receipt of an application for consent, the State Board may depute any of its officers, accompanied by such other officers as may be necessary, to visit and inspect any location, place or premises under the control of the applicant or the occupier, for verifying the correctness or otherwise of the particulars furnished in the application or for obtaining such further particulars or information, which in the opinion of such officer are essential.
- (5) Consent shall be granted with following conditions under sub- section (4) of section 21 of the Act, based on the report made under sub-paragraph (4), namely:-
- i. the control equipment of such specifications as the State Board may approve shall be installed and operated in the premises where the industry is proposed to be carried on;
 - ii. the control equipment shall be kept at all times in good running condition;
 - iii. the chimney, wherever necessary, of such specifications as the State Board may approve in this behalf shall be erected in such premises; and
 - iv. such other conditions as the State Board, may specify in this behalf.
- (6) The conditions referred to in sub-paragraph (5) shall be complied with within such period as the State Board may fix in this behalf.

11. Grant of consent to operate. --- (1) Once the industrial plant established with the requisite pollution control system and ready to operate, the occupier is required to obtain consent to operate.

(2) Every application of consent to operate an industrial plant under section 21 of the Act shall be made in Form II and shall contain the particulars of the following and also shall be accompanied by fees for grant of consent to operate, with the following reports, namely: -

- (a) Compliance report of conditions stipulated in the consent to establish;
 - (b) Compliance report of the conditions stipulated in the environment clearance, if applicable.
- (3) On receipt of an application for consent to operate, the State Board may depute any of its officers, accompanied by such other officers as may be necessary, to visit and inspect any place or premises under the control of the applicant or the occupier, for verifying the correctness or otherwise of the particulars furnished in the application or for obtaining such further particulars or information, which in the opinion of such officer are essential.
- (4) Consent to operate shall be granted with following conditions under sub-section (4) of the section 21 of the Act, based on the report made under sub- paragraph (3), namely:-

- i. the control equipment of such specifications as approved by the State Board shall be operated in the premises where the industry is carried on;

- ii. the existing control equipment, if any, shall not be altered or replaced without the approval of the State Board;
 - iii. the control equipment referred to in clause (i) or clause (ii) shall be kept at all times in good running condition;
- (iv) chimney, wherever necessary, of such specifications as approved by the State Board shall be operated and maintained in the premises; and shall be connected to online continuous emission monitoring system, as applicable.

(5) The conditions referred to in sub-paragraph (4) shall be complied with within such period as the State Board may specify in this behalf.

(6) Consent to operate granted shall specify the validity period of the consent.

12. Renewal of consent to operate. - (1) Every application for renewal of the consent to operate under section 21 of the Act shall be made in Form II and shall contain the particulars of the following and also shall be accompanied by fee for renewal of the consent to operate, namely:-

- a. compliance report of conditions stipulated in the consent to operate
 - b. compliance report of the conditions stipulated in the environment clearance, if applicable
 - c. submission of Environmental Statement as specified under the Environment (Protection) Rules, 1986;
 - d. submission of annual returns as specified under the Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016; and
- (e) declaration on no change in the manufacturing process, production capacity, pollution load, emissions.
- (2) On receipt of an application for renewal of the consent to operate, the State Board may depute any of its officers, accompanied by such other officers as may be necessary, to visit and inspect any place or premises under the control of the applicant or the occupier, for verifying the correctness or otherwise of the particulars furnished in the application or for obtaining such further particulars or information, which in the opinion of such officer are essential.
- (3) Consent to operate shall be granted with following conditions under sub-section (4) of the section 21 of the Act, based on the report made under sub- paragraph (2), namely:-

- i. the control equipment of such specifications as approved by the State Board shall be operated in the premises where the industry is carried on;
- ii. the existing control equipment, if any, shall not be altered or replaced without the approval of the State Board;
- iii. the control equipment referred to in clause (i) or clause (ii) shall be kept at all times in good running condition;
- iv. chimney, wherever necessary, of such specifications as approved by the State Board shall be operated and maintained in the premises; and shall be connected to online continuous emission monitoring system, as applicable.

(4) The conditions referred to in sub-paragraph (3) shall be complied with within such period as the State Board may fix in this behalf.

(5) Renewal of Consent granted shall specify the validity period of the consent.

13. Refusal and cancellation of consent. - (1) The State Board may cancel such consent before expiry of the period for which it is granted or refuse the renewal of the consent expiry if the conditions subject to which such consent has been granted are not fulfilled.

(2) The consent may be refused or cancelled on any of the following grounds, namely: -

- i. the industrial plant does not satisfy the criteria relating to location of such industrial plant;
- ii. non-compliance of conditions of such consent;
- iii. non-compliance of the conditions under the prior environment clearance;
- iv. variation in their process and its operations;
- v. non-compliance of the emission standards and failure to upgrade the air pollution control devices, fugitive emission control systems or any other prescribed equipment, etc.;
- vi. non-compliance of court directions, guidelines, notifications and standard operating procedures;
- vii. accidental discharges of effluent or emission causing grave injury to the environment or human health;

(viii) occurrence of accident resulting in damage to the existing systems and environment;

(ix) non-payment of any fee, environmental compensation or bank guarantee as may be required under any law for the time in force;

(x) industrial plant is proposed or set up in a prohibited area;

(xi) submission of incomplete information or false information or concealment of any material facts pertaining to the industrial plant;

(xii) violations of the provisions of any other applicable rules and regulations.

(3) Before refusing or cancelling a consent, a reasonable opportunity of being heard shall be given to the person concerned.

(4) The reasons for refusal or cancellation of the consent shall be recorded in writing and duly communicated to the person to whom the consent is refused with necessary directions, as deemed fit.

CHAPTER 5

MONITORING COMMITTEE

14. National Level Monitoring Committee. - (1) A monitoring committee at national level consisting of the following members shall oversee and monitor the implementation of these guidelines, namely: -

- a. Additional Secretary or Joint Secretary to the Government of India in the Ministry of Environment, Forests and Climate Change, dealing with the Act-Chairman;
- b. Member Secretary of the Central Board – Member secretary
- c. Member Secretaries of five State Boards to be nominated by the Central Government by rotation for three years -Member.
- d. any other member as may be co-opted by the committee with the approval of the central government.

(2) The monitoring committee shall have at least one meeting in every quarter of the year.

15. State Level Monitoring Committee. - (1) A monitoring committee at state level consisting of the following members shall oversee and monitor the implementation of these guidelines, namely:

-
- a. Secretary to the State Government in-charge of the Department of Environment of the State or Union territory- Chairman;
- b. Member Secretary of the State Board- Member,
- c. An officer of the state Environment Department nominated by state Government – Member Secretary
- d. Regional Director of the Central Board having jurisdiction - Member.

(2) The monitoring committee shall also dispose of the matters presented before it.

(3) The monitoring committee shall have at least one meeting in every calendar month.

CHAPTER 6 MISCELLANEOUS

16. Portal for implementation of these guidelines. - The Central Board, in consultation with the State Boards, develop an online portal for the purposes of these guidelines, preferably within six months, and not later than one year from the date of notification of these guidelines.

2) After the portal is operational, all applications for grant of consent under section 21 of the Act, its renewal, verification, site inspection, refusal or cancellation, shall be processed and disposed of only through such portal, in all states and union territories.

(3) Till the portal becomes operational, applications for grant of consent under section 21 of the Act, including its renewal, verification, site inspection, refusal or cancellation may be processed through the existing arrangement in accordance with these guidelines.

(4) The portal shall act as a single point data repository with respect to management and implementation of these guidelines.

(5) The Central Board may charge five per cent of the fee received with applications for consent to establish and operate, as service fee which shall be credited to the fund of the Central Pollution Control Board in accordance with the section 33 of the Act.

17. Additional conditions. The State Board may incorporate additional conditions in the consent in accordance with local conditions and policies, but shall not relax any of the conditions or standards specified in these guidelines.

18. Violations. -- In case of failure to comply with any of the provisions of these guidelines, the person in violation shall be liable to action under provisions of the Act.

THE FIRST SCHEDULE

[See paragraphs 2(1)(d), 3(1), 10(1), 11(2) and 12(1)]

FORMAT FOR APPLICATION

FORM I

[See paragraph 10(1)]

APPLICATION FOR CONSENT TO ESTABLISH AN INDUSTRIAL PLANT, UNDER SECTION 21 OF THE AIR (PREVENTION AND CONTROL OF POLLUTION) ACT, 1981

From

To

The Member Secretary
-----State Pollution Control Board / Committee

Sir,

I / We hereby apply for consent to establish an industrial plant under section 21 of the Air (Prevention and Control of Pollution) Act, 1981, (14 of 1981) or for consent to amended product, operation or process, or treatment and emission of air pollutants.

from a land / premises owned by M/s._____

at location_____

as per the details given below:

TO BE FILLED IN BY APPLICANT**PART A: GENERAL**

| S. No. | Required Details | : | | |
|-------------|--|---|-------------------------------|---|
| 1.0 | Project Details : | | | |
| 1.1 | Name of the Project / Industry / TSDF | : | | |
| 1.2 | Project Proposal | : | New / Expansion | |
| 1.3 | Details of Environment Clearance | : | | |
| 1.4 | Address of the Site / Unit | : | Plot / Survey No | : |
| | | | Village | : |
| | | | Tehsil | : |
| | | | District | : |
| | | | State / UT | : |
| | | | Pin code | : |
| 2. 0 | Details of Applicant / Occupier: | | | |
| 2.1 | Name of the Applicant / Occupier | : | | |
| 2.2 | Designation | : | | |
| 2.3 | Nationality of the Occupier | | | |
| 2.4 | Correspondence Address | : | Plot / Survey No/ Street Name | : |
| | | | Village / Town / City | : |
| | | | Tehsil / Taluk | : |
| | | | District | : |
| | | | State / UT | : |
| | | | Pin code | : |
| 2.5 | Contact Details of Plant Head with Alternate details | : | Name & Designation: | : |
| | | | 1. | |
| | | | 2. | |
| | | | e-mail address | : |
| | | | 1. | |
| | | | 2. | |
| | | | Landline Number | : |
| | | | 1. | |
| | | | 2. | |
| | | | Mobile Number | : |
| | | | 1, 2. | |
| 3. 0 | Legal Status of the Company : | | | |

| | | | | |
|---|--|--|------------------|--|
| 3.1 | Individual / Proprietary concern / Partnership firm/ Joint family concern / Private Limited Company / Public Limited Company / Foreign Company / Limited Liability Partnership. <i>Note: Registration Number and Authority shall be mentioned.</i> | | | |
| 3.2 | Central Govt. / State Govt./ Central PSU / State PSU / Joint Venture (Pvt. + Govt.), (Govt.+ Govt.), (Pvt.+ Pvt.) | | | |
| 4. 0 Location of the Project / Industry / Activity : | | | | |
| 4.1 | Location | : | Upload KML | |
| 4.2 | Bounded Latitudes (North) (8 digit after decimal) | From | : | |
| | | To | : | |
| 4.3 | Bounded Longitudes (East) (8 digit after decimal) | From | : | |
| | | To | : | |
| 4.4 | Located in Eco-Sensitive Zone of Protected Area, Coastal Regulation Zone, Biosphere, Reservoir, Forests, Mangroves, Rivers, Archeological monuments, Critically Polluted Area, Nonattainment Cities, Polluted River Stretch, Hill stations (altitude > 600M), Major towns and Cities | : | | |
| 4.5 | Survey of India Topo Sheet Number | : | | |
| 4.6 | Land details (as per Panchayat, Tehsil, District) | Owned / Leased | : | |
| | | Total Area in Ha | : | |
| | | a. Non – Forest in Ha | : | |
| | | b. Forest in Ha | : | |
| | | Annual Lease Value, in case of Leased in Rs. | : | |
| | | Build up Area in Sq. M. | : | |
| | | Green Belt cover in % of total area | : | |
| 4.7 | Extent of Land in Sq. m | : | Own-Agricultural | |

| | | | | | |
|--|--|---|-----------------------------------|---|--------------------|
| | | | Industrial | : | |
| | | | Converted | : | |
| | | | Industrial Area | : | |
| | | | c. Applied and not allotted | : | |
| | | | d. Applied and allotted | : | |
| | | | e. Leased | : | |
| 5. 0 Category & Classification of the Project / Industry / Activity : | | | | | |
| 5.1 | Category of Industry (Red, Orange, and Green) | : | Category | : | |
| | | | Pollution Index | : | |
| 5.2 | Industrial Sector / Type | : | | | |
| 5.3 | Grossly Polluting / 17 Category / Others | : | | | |
| 5.4 | Scale of Industry based on Capital Investment (Micro/ Small Medium / Large) | : | Total Capital Investment (Rs.) | : | |
| | | | Scale / Classification | : | |
| 5.5 | Products / By-Products manufacturing capacity (TPD / TPA) | : | Products / By-products | : | Capacity |
| | | | | : | |
| | | | | : | |
| | | | | : | |
| | | | | : | |
| | | | | : | |
| 5.6 | Raw Materials / Chemicals Consumption for manufacturing capacity (TPD & TPA) | : | Raw Materials | : | Consumption |
| | | | | : | |
| | | | | : | |
| | | | | : | |
| | | | | : | |
| 5.7 | Brief manufacturing Process with process flow chart and Material Balance, Advantage of Technology etc. | : | To be Annexed | | |
| 5.8 | Date / Expected date of commencement of production | : | | | |
| 5.9 | Number of people to be employed / employed | : | | | |
| 5.10 | Industry Shifts / Weekly off | : | Shifts (I / II / III) & in Hours | : | |
| | | | Weekly off in days | : | |

| 5.11 | Use of Hazardous Chemicals as per MSIHC Rules | : | S. No | Chemicals | HS Code | Storage capacity | Daily consumption |
|------|---|---|---|-----------|---------|------------------|-------------------|
| | | | 1. | | | | |
| | | | 2. | | | | |
| | | | 3. | | | | |
| | | | | | | | |
| 5.12 | Insurance under PLI Act, 1991 | : | a. Policy No. & Year for which taken: b. Insurance Company: c. Validity: d. Indemnity Limit (Rs) : e. Contribution to ERF (Rs): | | | | |

PART B: WASTEWATER ASPECTS

| 6.0 | | Water Consumption and Wastewater Generation | | | |
|-----|--|---|---|-----|------------------|
| 6.1 | Source of Water | : | Ground Water / River / Industrial Estate Supply Private Tanker / Sea / Recycled / Any other, if any | | |
| 6.2 | Authority Granting permission & Quantity permitted | : | Authority: Quantity : | | |
| 6.3 | Water Consumption (KLD) for manufacturing capacity | : | | | |
| 6.4 | Water Usage for manufacturing capacity. | : | Purpose Domestic | KLD | |
| | (Attach Water Balance showing quantity with TDS at different points) | | Process Boiler Other Utilities (pl. specify) | | |
| 6.5 | Wastewater Generation (KLD) for manufacturing process | : | | KLD | |
| | Wastewater from various sources | : | Purpose Domestic Process Boiler Other Utilities (pl. specify) | KLD | |
| 6.6 | Wastewater Treatment systems | : | Type of Effluent Bio-degradable Non-Biodegradable Boiler blowdown | KLD | Treatment System |

| | | | | | | |
|------|--|---|----------------------|------------------|---|-----|
| | | | Others Utilities : | | | |
| | | | Any other | | | |
| | | | Total : | | | |
| | | | | | | |
| 6.7 | Details Sewage Treatment Plant(s) | : | S. No. | Capacity of STPs | : | KLD |
| | | | 1 | | | |
| | | | 2 | | | |
| | | | | | | |
| | Mode of disposal of treated effluent | : | | | | |
| 6.8 | Details Effluent Treatment Plant (s) | : | S. No. | Capacity of ETPs | : | KLD |
| | | | 1 | | | |
| | | | 2 | | | |
| | | | | | | |
| | Mode of disposal of treated effluent | : | | | | |
| 6.9 | Capacity of treated effluent sump, Guard Pond, if any | : | | | | |
| 6.10 | Schematic diagram of the treatment scheme with inlet / outlet characteristics of each unit operation / process | : | To be Annexed | | | |
| 6.11 | Name of River / Creek, Estuary / Drain (owner of sewer) / Sea / Land / connected to ETP | : | | | | |
| 6.12 | Any relevant information not covered in the above items | : | | | | |

PART C: AIR EMISSION ASPECTS

(Information required in case of industrial establishments having chimneys)

| 7.0 | | Type of Fuels | | | | | |
|-----|-----|--|---|-------|----------------|----------|------|
| | 7.1 | Fuel Consumption per Hour and TPD for manufacturing capacity | : | S. No | Fuel | Quantity | Ash% |
| | | | | 1 | Coal | | |
| | | | | 2 | Diesel | | |
| | | | | 3 | Furnace Oil | | |
| | | | | 4 | Natural Gas | | |
| | | | | 5 | Wood | | |
| | | | | 6 | Others, if any | | |
| | | | | | | | |

| 7.2 | Details of Stack (Process, fuel, D.G): | | | | | | | | |
|-------|--|------|------------|--------------|------------|----------------|----------------------|------------|--|
| | <ul style="list-style-type: none"> a. Number of stacks and vents with height and diameter (m) b. Quality and quantity of stack emissions from each stack and vent c. Major industrial processes / sources of fugitive emission d. Brief account of air pollution control units to deal with the emission | | | | | | | | |
| | | | | | | | | | |
| Stack | Attached to | Fuel | Height (m) | Diameter (m) | Pollutants | Control system | Port Hole & Platform | | |
| | | | | | | | | | |
| | | | | | | | | | |
| | | | | | | | | | |
| | | | | | | | | | |
| | | | | | | | | | |
| 7.3 | A. G. Sets | | | : | S. No. | KVA | Acoustic status | Height (m) | |
| | | | | | | | | | |
| | | | | | | | | | |
| | | | | | | | | | |
| | | | | | | | | | |
| 7.4 | Any relevant information not covered in the above items | | | : | | | | | |

PART D: HAZARDOUS WASTE ASPECTS

(Information required in case of industrial establishments generating Hazardous Waste)

| 8.0 | | Hazardous Waste Management | | | | | |
|-----|--------------------------------------|----------------------------|--------|------------|--|----------------------|-----------------|
| 8.1 | Process generating Hazardous waste | : | S. No. | Process | | Clause of Schedule I | Quantity/ Annum |
| | | | | | | | |
| | | | | | | | |
| | | | | | | | |
| | | | | | | | |
| 8.2 | Consent / Authorization required for | : | S. No. | Activity | | Please tick | |
| | | | 1. | Generation | | : | |
| | | | 2. | Collection | | : | |

| | | | | | | |
|-----|--|-----|--------|--------------------------------------|---|--|
| | | | | 3. Storage | : | |
| | | | | 4. Transportation | : | |
| | | | | 5. Reception | : | |
| | | | | 6. Reuse | : | |
| | | | | 7. Recycling | : | |
| | | | | 8. Recovery | : | |
| | | | | 9. Pre-processing | : | |
| | | | | 10. Co-processing | : | |
| | | | | 11. Utilization | : | |
| | | | | 12. Treatment | : | |
| | | | | 13. Disposal | : | |
| | | | | 14. Incineration | : | |
| | | | | | | |
| 8.3 | Technical Facilities | / : | S. No. | Capabilities | : | |
| | | | 1. | Storage Area | : | |
| | | | 2. | Storage Quantity | : | |
| | | | 3. | Method of storage | : | |
| | | | 4. | Special handling requirement, if any | : | |
| | | | 5. | Emergency Response Procedure | : | |
| | | | 6. | Leachate treatment | : | |
| | | | | | | |
| 8.4 | Nature (Characteristics of wastes) and quantity of waste | / : | a. | Handled per annum: | | |
| | | | b. | Stored at any time: | | |

| | | | |
|-----|--|---|--|
| 8.5 | 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. | : | |
| 8.6 | Any relevant information not covered in the above items | : | |

PART E: PAYMENT DETAILS

| 9.0 | Payment Details | | |
|------------|---------------------------------------|---|--|
| 9.1 | Payment Mode | : | Online / Offline |
| 9.2 | Transaction Details in case of online | : | Transaction No: Date: Status: |
| 9.3 | Draft details in case of offline | : | Amount (Rs): Draft No: In favour of: Bank Name: Date: |
| 9.4 | Amount of Fee paid | : | Rs. _____ |

DECLARATION

- I / We declare that the above furnished information is true and correct to the best of my / our knowledge. I / We am / are aware that furnishing any wrong information is punishable under Section 38(f) of the Air (Prevention & Control of Pollution) Act, 1981.
- I / We hereby submit that in case of any change from what is stated in this application in respect of raw materials, products, process of manufacture and treatment and/or disposal of effluent, emission, hazardous wastes etc. in quality and quantity; a fresh application for Consent shall be made and until the grant of fresh Consent is granted, no change shall be made. I / We am/are aware that the violations of Section 21 attract penal provisions under the relevant provisions of the Air (Prevention & Control of Pollution) Act, 1981.
- I / We herewith submit an affidavit on the basis of which consent for establishment will be issued to me/us and I/ We will be held responsible under Section 39 of the Air (Prevention & Control of Pollution) Act, 1981 or any misleading / wrong representation.
- I / We undertake to furnish any other information within one month of its being called by the State Board.

Date:**Name & Signature of the Occupier/ Place:** _____ **Authorized Signatory****Mandatory Documents to be enclosed for grant of Consent to Establish:**

1. Licenses / Certificates:

a. Legal Status of Company:

- i. Partnership / Proprietary / Company etc.; (or)
- ii. SSI / MSME Certificate (Udyog Aadhar) / Memorandum of Entrepreneurship, if applicable;

b. Location of the Project:

- i. Industrial Area: Allotment letter from the respective Industrial Area Development Board / Corporation / Land Possession Certificate; or ii. Other than Industrial Area: Registered Land Deed / Land Conversion Certificate from concerned Authority / Rent (or) Lease Agreement in case of the property is on rent / lease;
- c. **Mining Project:** Mineral Mining Lease permission granted by the Department of Mines & Geology, if applicable;
- d. **Environmental Clearance** granted by Central Government or State Environment Impact Assessment Authority, if applicable, under the notification of the Government of India number S.O.1533 (E), dated the 14th September, 2006 issued under the Environment (Protection) Act, 1986 (29 of 1986);
- e. **Investment:** Charted Accountant Certificate about proposed Capital Investment.

2. Technical Details:

- i. Environmental Impact Assessment Report, submitted to the Central Government or State Environment Impact Assessment Authority under the notification of the Government of India number S.O.1533 (E), dated the 14th September, 2006 issued under the Environment (Protection) Act, 1986 (29 of 1986); or ii. Project report comprising manufacturing process (write up with flow chart), raw materials, products, by-products, extent of land, water source and consumption for various purpose, wastewater generation from various activity, Effluent Treatment Plant (write up with flow diagram), Water Balance, Fuel used, Sources of emission and Air Pollution Control Devices proposed, D.G. sets and Hazardous and Other Waste Generation along with Plant layout plan.

FORM II

[See paragraphs 11 (2) and 12 (1)]

APPLICATION FOR CONSENT TO OPERATE AN INDUSTRIAL PLANT, UNDER SECTION 21 OF THE AIR (PREVENTION & CONTROL OF POLLUTION) ACT, 1981

From

To

The Member Secretary
 _____ State Pollution Control Board / Committee

Sir,

I / We hereby apply for Consent to operate an industrial plant or renewal of consent under section 21 of the Air (prevention & control of pollution) act, 1981 (14 of 1981) or for amended product, operation or process, or treatment and emission or continuation of emission of air pollutants.

from a land / premises owned by

M/s. _____

at location-

as per the details given below:

TO BE FILLED IN BY APPLICANT
PART A: GENERAL

| S. No. | Required Details | : | | | |
|-------------|---------------------------------------|----------------------------|---|---|--|
| 1.0 | Project Details : | | | | |
| 1.1 | Name of the Project / Industry / TSDF | : | | | |
| | Project Proposal | : | Expansion / Renewal / Validity Extension / Transfer | | |
| | Details of Environment Clearance | : | | | |
| | 1.4 | Address of the Site / Unit | Plot / Survey No | : | |
| | | | Village | : | |
| | | | Tehsil | : | |
| District | | | : | | |
| State/UT | | | : | | |
| Pin code | | | : | | |
| 2. 0 | Applicant / Occupier Details : | | | | |
| 2.1 | Name of the Applicant / Occupier | : | | | |
| | Designation | : | | | |
| | Nationality of the Occupier | : | | | |

| | | | |
|---|---|-----------------------|----|
| 2.4 | Correspondence Address | : Plot / Survey No/ : | |
| | | Street Name | |
| | | Village / Town / City | : |
| | | Tehsil / Taluk | : |
| | | District | : |
| | | State / UT | : |
| Pin code | : | | |
| | | | |
| 2.5 | Contact Details of Plant Head with Alternate details | Name & Designation: | 1. |
| | | | 2. |
| | | e-mail address | 1. |
| | | | 2. |
| | | Landline Number | 1. |
| | | | 2. |
| Mobile Number | 1, | | |
| | 2. | | |
| | | | |
| 3. 0 Legal Status of the Company : | | | |
| 3.1 | Individual / Proprietary concern / Partnership firm/ Joint family concern / Private Limited Company / Public Limited Company / Foreign Company / Limited Liability Partnership. <i>Note: Registration Number and Authority shall be mentioned.</i> | | |
| | | | |
| 3.2 | Central Govt. / State Govt./ Central PSU / State PSU / Joint Venture (Pvt. + Govt.), (Govt.+ Govt.), (Pvt.+ Pvt.) | | |
| 4. 0 Location of the Project / Industry / Activity : | | | |
| 4.1 | Location | Upload KML | |
| 4.2 | Bounded Latitudes (North) (8 digit after decimal) | From | : |
| | | To | : |
| 4.3 | Bounded Longitudes (East) (8 digit after decimal) | From | : |
| | | To | : |
| | | | |
| | | | |

| | | | |
|--|--|---|---|
| 4.4 | Located in Eco-Sensitive Zone of Protected Area, Coastal Regulation Zone, Biosphere, Reservoir, Forests, Mangroves, Rivers, Archeological monuments, Critically Polluted Area, Non-attainment Cities, Polluted River Stretch, Hill | : | |
| | stations (altitude > 600 M), Major towns and Cities | : | |
| 4.4 | Survey of India Topo Sheet Number | : | |
| 4.5 | Land details (as per Panchayat, Tehsil, District) | : Owned / Leased Total Area in Ha a. Non – Forest in Ha b. Forest in Ha Annual Lease Value, in case of Leased in Rs. Build up Area in Sq. M. Green Belt cover in % of total area | : : : : : : : : : |
| 4.6 | Extent of Land in Sq. m | : Own-Agricultural Industrial Converted Industrial Area a. Applied and not allotted b. Applied and allotted c. Leased | : : : : : : : : |
| 5. 0 Category & Classification of the Project / Industry / Activity : | | | |
| 5.1 | Category of Industry (Red, Orange, and Green) | : Category Pollution Index | : : : |
| 5.2 | Industrial Sector /Type | : | |
| 5.3 | Grossly Polluting / 17 Category / Others | : | |
| 5.4 | Scale of Industry based on Capital | : Total Capital Investment (Rs.) | : : |

| | | | | |
|------|--|--|---|--------------------|
| | Investment (Micro/ Small / Medium / Large) | Scale / Classification | : | |
| | | | : | |
| 5.5 | Products / By-Products manufacturing capacity (TPD/ TPA) | : Products / By-products | : | Capacity |
| | | | : | |
| | | | : | |
| | | | : | |
| | | | : | |
| 5.6 | Raw Materials / Chemicals Consumption for manufacturing capacity (TPD & TPA) | : Raw Materials | : | Consumption |
| | | | : | |
| | | | : | |
| | | | : | |
| 5.7 | Brief manufacturing Process with process flow chart and Material Balance, Advantage of Technology etc. | : To be Annexed | | |
| 5.8 | Date / Expected date of commencement of production | : | | |
| 5.9 | Number of people to be employed / employed | : | | |
| 5.10 | Industry Shifts / Weekly off | : Shits (I / II / III) & in Hours | : | |
| | | Weekly off in days | : | |
| 5.11 | Use of Hazardous Chemicals as per MSIHC Rules | : S. No Chemicals HS Code Storage capacity Daily consumption | | |
| | | 1. | | |
| | | 2 | | |
| | | 3. | | |
| 5.12 | Insurance under PLI Act, 1991 | : a. Policy No. & Year for which taken: b. Insurance Company: c. Validity: d. Indemnity Limit (Rs) : e. Contribution to ERF (Rs): | | |

PART B: WASTEWATER ASPECTS

| 6.0 Water Consumption and Wastewater Generation | |
|--|---|
| 6.1 | Source of Water : Ground Water / River / Industrial Estate Supply Private Tanker / Sea / Recycled / Any other, if any |
| 6.2 | Authority Granting permission & Quantity permitted : Authority: Quantity : |

| | | | | | |
|-----|---|---|-------------------------------|-------------------------|------------|
| 6.3 | Water Consumption (KLD) for manufacturing capacity | : | | | |
| 6.4 | Water Usage for manufacturing capacity. (Attach Water Balance showing quantity with TDS at different points) | : | Purpose | : | KLD |
| | | | Domestic | : | |
| | | | Process | : | |
| | | | Boiler | : | |
| | | | Other Utilities (pl. specify) | : | |
| 6.5 | Wastewater Generation (KLD) for manufacturing process | : | KLD | | |
| | Wastewater from various sources | : | Purpose | : | KLD |
| | | | Domestic | : | |
| | | | Process | : | |
| | | | Boiler | : | |
| | | | Other Utilities (pl. specify) | : | |
| 6.6 | Wastewater Treatment systems | : | Type of Effluent | : | KLD |
| | | | Bio-degradable | : | |
| | | | Non-Biodegradable | : | |
| | | | Boiler blowdown | : | |
| | | | Others Utilities | : | |
| | | | Any other | : | |
| | | | Total | : | |
| 6.7 | Details Sewage Treatment Plant(s) | : | S. No. | Capacity of STPs | : |
| | | | 1. | | |
| | | | 2. | | |
| | Mode of disposal of treated effluent | : | | | |
| 6.8 | Details Effluent Treatment Plant (s) | : | S. No. | Capacity of ETPs | : |
| | | | 1. | | |
| | | | 2. | | |
| | Mode of disposal of treated effluent | : | | | |
| 6.9 | Capacity of treated effluent sump, Guard Pond, if any | : | | | |

| | | |
|------|--|-------------------------|
| 6.10 | Schematic diagram of the treatment scheme with inlet / outlet characteristics of each unit operation / process | : To be Annexed |
| 6.11 | Quality of Effluent before & after treatment (at the final outlets) in respect of pH, SS, TDS and constituting major ions, BOD/COD, Oil & Grease, and relevant metals and nutrients as per the process/standards. (Attach analysis report of untreated and treated effluent from the EPA recognized Lab) Note: For proposed unit furnish expected characteristics of the effluent | : To be Annexed. |
| 6.12 | Name of River / Creek, Estuary / Drain (owner of sewer) / Sea / Land / connected to ETP | : |
| 6.13 | Details of Solid Wastes separately for 'Hazardous' and 'Other' wastes covered under H&OW Rules, 2016 and other | : To be Annexed |
| | solid wastes not covered under H&OW Rules, 2016, including their management system | |
| 6.14 | Details of treatment performance and environmental-compliance monitoring and reporting system | : To be Annexed |
| 6.15 | Any relevant information not covered in the above items | : |

PART C: AIR EMISSION ASPECTS*(Information required in case of industrial establishments having chimneys)*

| 7.0 Type of Fuels | | S. No | Fuel | Quantity | Ash% | S% | |
|--|--|--------------|----------------|-----------------|-------------|-----------|--|
| 7.1 Fuel Consumption per Hour and TPD for manufacturing capacity | | | | | | | |
| | | | 1. Coal | | | | |
| | | | 2 Diesel | | | | |
| | | | 3. Furnace Oil | | | | |
| | | | 4. Natural Gas | | | | |
| | | | 5. Wood | | | | |

| | | | | | | | | |
|--|--|-------------|----------------|----------------------|--------------|-----------------|----------------|----------------------|
| | | 6. | Others, if any | | | | | |
| | | | | | | | | |
| 7.2 | Details of Stack (Process, fuel, D.G): | | | | | | | |
| <ul style="list-style-type: none"> a. Number of stacks and vents with height and diameter (m) b. Quality and quantity of stack emissions from each stack and vent c. Major industrial processes / sources of fugitive emission d. Brief account of air pollution control units to deal with the emission | | | | | | | | |
| | Stack | Attached to | Fuel | Height (m) | Diameter (m) | Pollutants | Control system | Port Hole & Platform |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| 7.3 | • G. Sets : | | | S. No. | KVA | Acoustic status | Height (m) | |
| | | | | | | | | |
| | | | | | | | | |
| 7.4 | Quality of source emission: (before treatment/ control) and after treatment/ controlled emission (at stacks/vents) in respect of PM, SO ₂ , NO _x , and other relevant air pollutants as per the process/ standards. (Attach analysis reports of stack emissions from the EPA recognized Lab) Note: For proposed unit furnish expected characteristics of the emissions | | | To be Annexed | | | | |
| 7.5 | Odorous compounds, if any and control measures provided | | | | | | | |
| 7.6 | Details of treatment/control performance and environmental compliance monitoring and reporting system | | | | | | | |
| 7.7 | Any relevant information not covered in the above items | | | | | | | |

PART D: HAZARDOUS WASTE ASPECTS*(Information required in case of industrial establishments generating Hazardous Waste)*

| 8.0 Hazardous Waste Management | | | | | | |
|---------------------------------------|--|---|---------------|--|-----------------------------|------------------------|
| 8.1 | Process generating Hazardous waste | : | S. No. | Process | Clause of Schedule I | Quantity/ Annum |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| 8.2 | Consent / Authorization required for | : | S. No. | Activity | Please tick | |
| | | | 1. | Generation | | |
| | | | 2. | Collection | | |
| | | | 3. | Storage | | |
| | | | 4. | Transportation | | |
| | | | 5. | Reception | | |
| | | | 6. | Reuse | | |
| | | | 7. | Recycling | | |
| | | | 8. | Recovery | | |
| | | | 9. | Pre-processing | | |
| | | | 10. | Co-processing | | |
| | | | 11. | Utilization | | |
| | | | 12. | Treatment | | |
| | | | 13. | Disposal | | |
| | | | 14. | Incineration | | |
| 8.3 | Technical Capabilities / Facilities | : | S. No. | Capabilities | : | |
| | | | 1. | Storage Area | | |
| | | | 2. | Storage Quantity | | |
| | | | 3. | Method of storage | | |
| | | | 4. | Special handling requirement, if any | | |
| | | | 5. | Emergency Response Procedure | | |
| | | | 6. | Leachate treatment | | |
| 8.4 | Nature (Characteristics of wastes) and quantity of waste | : | a. | Handled per annum: | | |
| | | | b. | Stored at any time: | | |
| 8.4 | Mode of Management / Disposal of above Wastes | : | S. No. | Disposal | Please tick | |
| | | | 1. | Secured storage within industrial unit | | |

| | | | | | | |
|-----|--|--|----|--|---|--|
| | | | 2. | Utilization with in the plants (if not, please provide details of utilization) | : | |
| | | | 3. | Common TSDF | : | |
| | | | | Within the State | : | |
| | | | | Outside the State | : | |
| | | | 4. | Others | : | |
| | | | | | | |
| 8.5 | Arrangement for transportation of H.W. to actual users / TSDF | | | | | |
| 8.6 | Details of the environmental safeguards and environmental facilities provided for safe handling of all the wastes; | | | | | |
| 8.7 | 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. | | | | | |
| 8.8 | For Treatment, storage and disposal facility (TSDF) operators | | | <p>1. Please provide details of the facility including:</p> <ul style="list-style-type: none"> a. Location of site with layout map b. Safe storage of the waste and storage capacity c. Treatment processes and their capacities d. Secured landfills e. Incineration, if any f. Leachate collection and treatment system g. Firefighting systems <p>2. Please provide details of any other activities undertaken at the TSDF site:</p> | | |
| | | | | <p>Note:</p> <p>1. In case of renewal of authorization previous authorization numbers and dates and provide copies of annual returns of last three years including the compliance</p> | | |

| | | |
|-----|--|--|
| | | <p>reports with respect to the conditions of Prior Environmental Clearance, wherever applicable.</p> <p>2. 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 CPCB. Such ERP shall but not limited to:</p> <ul style="list-style-type: none"> • 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. <p>Provide undertaking or declaration to comply with all provisions including the submitting bank guarantee in the event of spillage, leakage or fire while handling the hazardous and other waste</p> |
| 8.9 | For Recyclers or pre-processors or co-processors or users of hazardous or other wastes | <p>: a. Nature and quantity of different wastes received per annum from domestic sources or imported or both</p> <p>b. Installed capacity as per registration issued by the District Industries Centre or any other authorized Government agency.</p> <p>c. Provide details of secured storage of wastes including the storage capacity.</p> <p>d. Process description including process flow sheet indicating equipment details, inputs and outputs (input wastes, chemicals, products, byproducts, waste generated, emissions, waste water, etc.).</p> <p>e. Provide details of end users of products or byproducts.</p> |

| | | |
|------|---|--|
| | | <p>f. Provide details of pollution control systems such as Effluent Treatment Plant, scrubbers, etc. including mode of disposal of waste</p> <p>g. Provide details of occupational health and safety measures:</p> <p>h. Has the facility been set up as per Central Pollution Control Board guidelines? If yes, provide a report on the compliance with the guidelines.</p> <p>i. Arrangements for transportation of waste to the facility:</p> |
| 8.10 | Any relevant information not covered in the above items | |

PART E: PAYMENT DETAILS

| 9.0 Payment Details | |
|----------------------------|---|
| 9.1 | Payment Mode : Online / Offline |
| 9.2 | Transaction Details in case of online : Transaction No: Date: Status: |
| 9.3 | Draft details in case of offline : Amount (Rs): Draft No: In favour of: Bank Name: Date: |
| 9.4 | Amount of Fee paid : Rs. _____ |

DECLARATION

- I / We declare that the above furnished information is true and correct to the best of my / our knowledge. I / We am / are aware that furnishing any wrong information is punishable under Section 38(f) of the Air (Prevention & Control of Pollution) Act, 1981.
- I / We hereby submit that in case of any change from what is stated in this application in respect of raw materials, products, process of manufacture and treatment and/or disposal of effluent, emission, hazardous wastes etc. in quality and quantity; a fresh application for Consent shall be made and until the grant of fresh Consent is granted, no change shall be made. I/ We am/are aware that the violations of Section 21 attract penal provisions under the relevant provisions of the Air (Prevention & Control of Pollution) Act, 1981.
- I / We herewith submit an affidavit on the basis of which consent for establishment will be issued to me/us and I/ We will be held responsible under Section 39 of the Air (Prevention & Control of Pollution) Act, 1981 or any misleading / wrong representation.
- I / We undertake to furnish any other information within one month of its being called by the State Board.

Date:

Name & Signature of the Occupier/ Place: _____ **Authorized Signatory**

Mandatory Documents to be enclosed for grant of Consent to Operate:

1. Licenses / Certificates:

(a) Legal Status of Company:

- i. Partnership / Proprietary / Company etc.; or ii. SSI / MSME Certificate (Udyog Aadhar) / Memorandum of Entrepreneurship, if applicable; **(b) Location of the Project:**

i. Industrial Area: Allotment letter from the respective Industrial Area Development Board / Corporation / Land Possession Certificate; or ii. Other than Industrial Area: Registered Land Deed / Land Conversion Certificate from concerned Authority / Rent (or) Lease Agreement in case of the property is on rent / lease;

(c) Mining Project: Mineral Mining Lease permission granted by the Department of Mines SS & Geology, if applicable;

(d) Environmental Clearance granted by Central Government or State Environment Impact Assessment Authority, if applicable, under the notification of the Government of India number S.O.1533 (E), dated the 14th September, 2006 issued under the Environment (Protection) Act, 1986 (29 of 1986);

(e) Investment: Chartered Accountant Certificate about proposed Capital Investment.

2. Technical Details:

i. Environmental Impact Assessment Report, submitted to the Central Government or State Environment Impact Assessment Authority under the notification of the Government of India number S.O.1533 (E), dated the 14th September, 2006 issued under the Environment (Protection) Act, 1986 (29 of 1986); or ii. Project report comprising manufacturing process (write up with flow chart), raw materials, products, by-products, extent of land, water source and consumption for various purpose, wastewater generation from various activity, effluent treatment plant (write up with flow diagram), Water Balance, Fuel used, Sources of emission and air pollution control devices proposed, D.G. sets and hazardous and other waste generation along with plant layout plan.

3. Compliance report of the consent to establish / consent to operate for expansion and renewal, as applicable.

THE SECOND SCHEDEULE

[See paragraph 3(1)]

A. Annual Fees applicable for Consent:

1. Capital investment slabs. - The Capital Investment slabs are as follows: -

- (a) Rs. 1 Crore and below
- (b) Exceeding Rs. 1 Crore but not exceeding Rs. 10 Crore
- (c) Exceeding Rs. 10 Crore but not exceeding Rs.50 Crore
- (d) Exceeding Rs. 50 Crore but not exceeding Rs.250 Crore
- (e) Exceeding Rs. 250 Crore but not exceeding Rs.500 Crore
- (f) Exceeding Rs. 500 Crore but not exceeding Rs.1000 Crore
- (g) Exceeding Rs. 1000 Crore

2. Annual Fee for Industrial plants. – (a) The annual fee for grant of consent is determined based on the capital investment and categorization of the industrial plant, using the following formula, as follows: -

$$\text{CF} = \text{CI} * \text{SF} * \text{PIF}$$

Where,

- CF : Annual Fee for consent (in Rs.)
- CI : Capital Investment (in Rs.)
- SF : Scale Factor (based on [Capital Investment](#))
- PIF : Pollution Index Factor (based on category)

(b) The Scale Factor (SF) according to capital investment slabs is as under: -

| S. No. | Capital Investment | SF |
|--------|---|--------|
| (1) | (2) | (3) |
| (i) | Rs. 1 Crore and below | 0.100% |
| (ii) | Exceeding Rs. 1 Crore but not exceeding Rs.10 Crores | 0.080% |
| (iii) | Exceeding Rs. 10 Crores but not exceeding Rs.50 Crores | 0.060% |
| (iv) | Exceeding Rs. 50 Crores but not exceeding Rs.250 Crores | 0.040% |
| (v) | Exceeding Rs. 250 Crores but not exceeding Rs.500 Crores | 0.030% |
| (vi) | Exceeding Rs. 500 Crores but not exceeding Rs.1000 Crores | 0.020% |
| (vii) | Exceeding Rs. 1000 Crores | 0.010% |

(c) The Pollution Index Factor (PIF) based on categorization of Industry is as under: -

| S. No. | Category of Industrial | PIF |
|--------|------------------------|-----|
|--------|------------------------|-----|

| (1) | (2) | (3) |
|-------|--------|------|
| (i) | Green | 1.00 |
| (ii) | Orange | 1.50 |
| (iii) | Red | 2.00 |

(d) The maximum annual fee of the preceding slab shall serve as the base fee for the next slab, with the Scale Factor (SF) applicable on the difference amount. The details are as under: -

Annual Fee (CF) = Max. fee of the preceding slab + {(Diff. of CI) * SF * PIF}

(e) The minimum annual fee for grant of consent shall be Rs.5,000, Rs. 7,500 and Rs. 10,000 for Green, Orange and Red Category industry / activity respectively.

3. Annual Fee for local bodies and infrastructure projects (residential and others).

- (a) The capital investment for the purpose of determining annual fee for consent to establish w.r.t. infrastructure projects, as covered under the notification of the Government of India number S.O.1533 (E), dated the 14th September, 2006, as amended from time to time, shall be based on the capital investment during the establishment phase. This includes Residential (Standalone Apartment / complexes), Layouts, Integrated projects, Commercial Complex, Office Complex, Education Institutions, Township and Local Body including Water Supply and Sewerage Board. The annual fee for Consent to Establish shall be calculated using the formula adopted for the industrial plants, as above at para. 2 above.

(b) The annual fee for consent to operate of the projects at sub para (a) above, shall be based on the quantity of sewage generated / handled, as given below: -

| S. No. | Sewage generated /handled | Annual Fee for Consent to Operate | |
|-----------|---------------------------------|---------------------------------------|---------------------------------|
| | | Local Bodies and Residential (Rs.) | Other than Residential (Rs.) |
| (1) | (2) | (3) | (4) |
| 1 | Up to 10 KLD | 5,000 | 7,500 |
| 2 | Above 10 - 50 KLD | 15,000 | 22,500 |
| 3 | Above 50 - 100 KLD | 25,000 | 37,500 |
| 4 | Above 100 - 300 KLD | 35,000 | 52,500 |
| 5 | Above 300 - 500 KLD | 55,000 | 82,500 |
| 6 | Above 500 - 1 MLD | 65,000 | 97,500 |
| 7 | Above 1 to 5 MLD | 75,000 | 1,12,500 |
| 8 | Above 5 to 10 MLD | 1,00,000 | 15,00,00 |
| 9 | Above 10 MLD to 25 MLD | 2,00,000 | 30,00,00 |

| | | | |
|----|--------------|----------|----------|
| 10 | Above 25 MLD | 4,00,000 | 60,00,00 |
|----|--------------|----------|----------|

4. Annual Fees for mining projects. – (a) The annual fee for grant of consent for mining project / activity will be determined based on the consented capacity of the mineral to be mined, the type of mineral, the mining area, and the type of mining. The fee shall be calculated using the following formula -

$$CF = CC * MF * AF * TMF$$

Where,

- CF: Annual Consent fees (in Rs.)
- CC: Consented Capacity of Mineral to be mined (in Tonne / Annum)
- MF: Mineral Factor (based on type of Mineral)
- AF: Area Factor (in Rs. based on mining area)
- TMF: Type of Mining Factor (based on type of mining)

Note: Minimum fees: Rs. 5,000 per annum

(b) The Mineral Factor (MF) based on type of mineral mined are:

| S. No. | Minerals | Mineral Factor (MF) |
|--------|--|---------------------|
| 1 | Manganese, Chromite, Steatite, Barites, Mica, Gold, Uranium, Silver, Copper, Lead, Zinc | 1.0 |
| 2 | Iron, Bauxite, Coal | 0.8 |
| 3 | Dolomite, Limestone, Gypsum, Feldspar, Garnet, Quartz, Silica State Stone, Bentonite, Pyropylite, Graphite, Phosphorite, Clays – China, White, Fire and Ball | 0.6 |
| 4 | Other minerals such as stone quarry, Granite, Marble, River Sand / River bed material etc. | 0.4 |

(c) The Area Factor (AF) based on mining area:

| S. No. | Lease hold area in ha | Area Factor (AF) |
|--------|-----------------------|------------------|
| 1 | Up to 5 | 1.0 |
| 2 | Above 5 to 25 | 1.2 |
| 3 | Above 25 to 100 | 1.4 |
| 4 | Above 100 to 500 | 1.6 |
| 5 | Above 500 | 1.7 |

(d) The Type of Mining Factor (TMF) based on types of mining:

| S. | Types of Mining | Types of Mining Factor |
|----|-----------------|------------------------|
|----|-----------------|------------------------|

| No. | | (TMF) |
|-----|--------------------|-------|
| 1 | Open cast mining | 1.25 |
| 2 | Underground mining | 1.00 |

- 5. Annual Fees for coffee pulping activities.** - (a) The annual fee for coffee pulping shall be determined on the basic fee and pulping factor, taking into account the types of pulping (i.e. wet and dry pulping) irrespective of capacity of operation, as it is a seasonal production. The fees is calculated using the following formula -

$$CF = BF * PF$$

Where,

- CF: Fee (in Rs)
- BF: Basic Fee (i.e. Rs. 2,500 per annum)
- PF: Pulping Factor (based on type of pulping)

- (b) The Pulping Factor (PF) based on the type of pulping:

| S. No. | Types of Pulping | Pulping Factor (PF) |
|--------|------------------|---------------------|
| 1 | 2 | 3 |
| 1 | Wet pulping | 1.25 |
| 2 | Dry pulping | 1.00 |

- 6. Annual Fees for Aqua Culture activities.** – The annual fee for aqua culture shall be determined based on the lease hold area, and the fees as follows :-

| S. No. | Lease hold area | Fees (Rs.) |
|--------|--------------------|------------|
| 1 | Up to 5 Ha | Nil |
| 2 | Between 5 to 25 Ha | 5,000 |
| 3 | Above 25 to 100 Ha | 25,000 |
| 4 | More than 100 Ha | 1,00,000 |

- 7. Annual Fees for establishment having diesel generator as the only source.** For any industrial plant having diesel generator set as the only source of air pollution, the annual fee will be as under-

| S. No. | Rating of diesel generator set | Fee (Rs.) |
|--------|--------------------------------|-----------|
| 1 | 2 | 3 |

| | | |
|---|---------------------------|-------|
| 1 | ≥ 250 KVA | Nil |
| 2 | 250 KVA to ≤ 500 KVA | 1,000 |
| 3 | 500 KVA to ≤ 1 MVA | 2,000 |
| 4 | >1 MVA | 5,000 |

- 8. Incentives to industrial plants.** - The industrial plants that adopt environmental conservation measures to reduce water, air and land pollutions, conserve natural resources (resource consumption per unit production) and undertake voluntary initiatives without directions of the Central Board or State Board to protect the environment using best technologies, cleaner technology, achieving levels below the national or location specific standards, shall be identified. Further Incentives may be given by the State Board after consulting the Central Board.
- B. Fee for consent to Establish:** The fee for obtaining consent to establish shall not exceed twice the annual fee of consent as prescribed in this Schedule.
- C. Fee for consent to operate:** The fee for obtaining consent to operate shall not be more than that determined by multiplying annual fee of consent and period of consent as given in para 4(3) of these guidelines.

[F.No.Q-15012/1/2022-CPW](e-240803)

VED PRAKASH MISHRA , Jt. Secy.

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THE AIR (PREVENTION AND CONTROL OF POLLUTION) (MANNER OF HOLDING INQUIRY AND IMPOSITION OF PENALTY) RULES, 2024.

G.S.R. 701(E).— In exercise of the powers conferred by clause (h) of sub-section (1) of section 53 of the Air (Prevention and Control of Pollution) Act, 1981 (14 of 1981), the Central Government hereby makes the following rules, namely:—

1. Short title and commencement.—(1) These rules may be called the Air (Prevention and Control of Pollution) (Manner of Holding Inquiry and Imposition of Penalty) Rules, 2024.

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

2. Definitions.—(1) In these rules, unless the context otherwise requires, —

(a) “Act” means the Air (Prevention and Control of Pollution) Act, 1981 (14 of 1981); (b)

“adjudicating officer” means an officer appointed under section 39A of the Act;

(c) “form” means a form appended to these rules.

(2) The words and expressions used in these rules and not defined, but defined in the Act, shall have the same meanings respectively assigned to them in the Act

3. Complaint.—The Central Pollution Control Board, the Commission for Air Quality Management in National Capital Region and Adjoining Areas, State Pollution Control Boards, Pollution Control Committees and Integrated Regional Offices of the Ministry of Environment, Forest and Climate Change, in their respective jurisdictions, through their authorized Officers, or any other persons, may file a complaint in Form-I through electronic means or speed post or by hand to the adjudicating officer regarding any contravention committed under sections 37, 38, 38A and section 39 of the Act.

4. Holding of Inquiry.—(1) For the purpose of adjudication under section 39A of the Act whether any person has committed any contravention as specified in that section, the adjudicating officer within thirty days from the date of receipt of the complaint shall, issue a notice in Form-II to such person requiring him to show cause within such period as may be specified in the notice (being not less than fifteen days from the date of service thereof) why an inquiry should not be held against him.

(2) Every notice under sub-rule (1) shall indicate the nature of contravention alleged to have been committed.

(3) After considering the cause, if any, shown by such person, the adjudicating officer is of the opinion that an inquiry should be held, he shall issue a notice requiring the appearance of that person personally or through a legal representative duly authorised by him on such date as may be fixed in the notice.

(4) On the date fixed, the adjudicating officer shall explain to the person proceeded against or his authorised legal representative , the contravention, committed by such person and the provision of the Act, in respect of which contravention is alleged to have been committed.

(5) The adjudicating officer shall, then, give an opportunity to such person to produce such documents or evidence under Form-III as he may consider relevant to the inquiry and if necessary, the hearing may be adjourned to a future date and in taking such evidence the adjudicating officer shall not be bound to observe the provisions of the Bhartiya Sakshya Adhiniyam, 2023 (47 of 2023).

(6) While holding an inquiry under this rule, the adjudicating officer may require and enforce the attendance of any person acquainted with the facts and circumstances of the case to give evidence or to produce any document which in the opinion of the adjudicating officer may be useful for or relevant to the subject matter of the inquiry.

(7) If any person fails, neglects or refuses to appear as required under sub-rule (3) before the adjudicating officer, the adjudicating officer may proceed with the inquiry in the absence of such person after recording the reasons for doing so.

(8) If, upon consideration of the evidence produced before the adjudicating officer, the adjudicating officer is satisfied that the person has committed the contravention, he may by order in writing, impose such penalty under the Act as he considers reasonable.

(9) Every order made under sub-rule (8) shall specify the provision of the Act in respect of which contravention has been committed and shall contain the reasons for imposing the penalty.

- (10) A copy of the order made under this rule and all other copies of proceedings shall be supplied free of cost to the complainant and the person against whom the inquiry was held.
- (11) The adjudicating officer shall complete the proceeding within six months from the issuance of the notice to the opposite party.
- (12) A notice or an order issued under these rules shall be served on the person against whom an inquiry is held, in any of the following manner,-
- (i) by delivering or tendering it to that person or his authorised representative; or
 - (ii) by sending it to the person through electronic means or by registered post or speed post to the address of his place of residence or his last known place of residence or the place where he carried on or last carried on, business or personally works or last worked for gain; or
 - (iii) if it cannot be served in the manner specified under clauses (i) or (ii), by affixing it on the outer door or some other conspicuous part of the premises in which that person resides or is known to have last resided or carried on business or personally works or has worked for gain.

5. Transfer of complaint.—(1) If the adjudicating officer is of the view or it is made to appear that he does not have jurisdiction to entertain any complaint under these rules, he shall transfer the matter to the adjudicating officer concerned within fifteen days of the receipt of such complaint or information made to him after reasons to be recorded in writing.

(2) The adjudicating officer to whom such case is transferred shall proceed with the inquiry from the stage it is transferred to him.

6. Extension of time.—The adjudicating officer may, for reasons to be recorded in writing, where there is a reasonable cause for the delay or failure to act, extend any period specified in these rules till such period as he considers reasonable.

7. Order and penalties.—(1) Every order under these rules, shall be dated, signed and communicated to all the parties;

(2) All sums realised by way of penalties under these rules shall be credited to the Environment Protection Fund established under section 16 of the Act.

FORM I

(see rule 3)

To,

The Adjudication Officer

-
1. Particular of complainant: -
 - (a) Name:
 - (b) Address for service:
 - (c) Contact No:
 - (d) Email (for service):
 2. Particulars of complaint: -
 - (a) Date, time and instance of commission of the alleged contravention:
 - (b) Statement of contravention setting out all relevant material particulars:
 - (c) Evidence in support of the statement:
 - (d) Tentative amount of damage (in pecuniary terms) with cost break-up.

I/We....., the complainant.....herein declare that the facts stated herein are correct to the best of my/our knowledge.

3. Name and Signature of the Complainant:

Note. – Strike out whichever is not applicable.

Form –II

[See sub- rule (1) of rule 4]

To

SHOW CAUSE NOTICE

Sub: Contravention of the Air (Prevention and Control of Pollution) Act, 1981.

Sir/Madam,

As per the complaint received in Form-I dated _____ (copy enclosed), contravention has been committed under section ----- of the Air (Prevention and Control of Pollution) Act, 1981 in

2. The above contravention is liable for penalty. Therefore, you are required to show cause within a period of ----- days of service of this notice, why an inquiry should not be initiated against you under the Air (Prevention and Control of Pollution) Act, 1981 for imposition of penalty. In case, no reply is received within the given period, the further action shall be taken under the Act .

Adjudicating Officer
(Name and seal of the office)

FORM-III

Furnishing of document or evidence by or on behalf of the contravener
[see sub-rule (5) of rule 4]

To

Adjudication Officer

.....
.....

I/We,.....
.....hereby give a counter statement to the complaint made in Form-I

The grounds in which the counter statement is made are as follows: -

.....
.....

Complete address including postal index number/
code and state along with mobile number and e-mail

.....

Signature of the contravener or his
authorised representative:

.....

Name of the person along with mobile number
who has signed.

.....

[F. No. Q-15012/1/2022-CPW/e-178305]
VED PRAKASH MISHRA, Jt.Secy

THE WATER (PREVENTION AND CONTROL OF POLLUTION) (MANNER OF HOLDING INQUIRY AND IMPOSITION OF PENALTY) RULES, 2024.

G.S.R. 696(E).—In exercise of the powers conferred by clause (ma) of sub-section (2) of section 63 of the Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974), the Central Government hereby makes the following rules, namely:—

1. Short title and commencement.— (1) These rules may be called the Water (Prevention and Control of Pollution) (Manner of Holding Inquiry and Imposition of Penalty) Rules, 2024.

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

2. Definitions.— (1) In these rules, unless the context otherwise requires, —

(a) “Act” means the Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974);

(b) “adjudicating officer” means an officer appointed under section 45B of the Act; (c)
“form” means a form appended to these rules.

(2) The words and expressions used in these rules and not defined, but defined in the Act, shall have the same meanings respectively assigned to them in the Act

3. Complaint.— The Central Pollution Control Board, State Pollution Control Boards, Pollution Control Committees and Integrated Regional Offices of the Ministry of Environment, Forest and Climate Change, in their respective jurisdictions, through their authorized Officers, or any other persons, may file a complaint in Form-I through electronic means or speed post or by hand to the adjudicating officer regarding any contravention committed under sections 41, 41A, 42, 43, 44, 45A and 48 of the Act.

4. Holding of Inquiry.— (1) For the purpose of adjudication under section 45B of the Act whether any person has committed any contravention as specified in that section, the adjudicating officer within thirty days from the date of receipt of the complaint shall, issue a notice in Form-II to such person requiring him to show cause within such period as may be specified in the notice (being not less than fifteen days from the date of service thereof) why an inquiry should not be held against him.

(2) Every notice under sub-rule (1) shall indicate the nature of contravention alleged to have been committed.

(3) After considering the cause, if any, shown by such person, the adjudicating officer is of the opinion that an inquiry should be held, he shall issue a notice requiring the appearance of that person personally or through a legal representative duly authorised by him on such date as may be fixed in the notice.

(4) On the date fixed, the adjudicating officer shall explain to the person proceeded against or his authorised legal representative, the contravention, committed by such person and the provision of the Act, in respect of which contravention is alleged to have been committed.

(5) The adjudicating officer shall, then, give an opportunity to such person to produce such documents or evidence under Form-III as he may consider relevant to the inquiry and if necessary, the hearing may be adjourned to a future date and in taking such evidence the adjudicating officer shall not be bound to observe the provisions of the Bhartiya Sakshya Adhiniyam, 2023 (47 of 2023).

(6) While holding an inquiry under this rule, the adjudicating officer may require and enforce the attendance of any person acquainted with the facts and circumstances of the case to give evidence or to produce any document which in the opinion of the adjudicating officer may be useful for or relevant to the subject matter of the inquiry.

(7) If any person fails, neglects or refuses to appear as required under sub-rule (3) before the adjudicating officer, the adjudicating officer may proceed with the inquiry in the absence of such person after recording the reasons for doing so.

(8) If, upon consideration of the evidence produced before the adjudicating officer, the adjudicating officer is satisfied that the person has committed the contravention, he may by order in writing, impose such penalty under the Act as he considers reasonable.

(9) Every order made under sub-rule (8) shall specify the provision of the Act in respect of which contravention has been committed and shall contain the reasons for imposing the penalty.

- (10) A copy of the order made under this rule and all other copies of proceedings shall be supplied free of cost to the complainant and the person against whom the inquiry was held .
- (11) The adjudicating officer shall complete the proceeding within six months from the issuance of the notice to the opposite party.
- (12) A notice or an order issued under these rules shall be served on the person against whom an inquiry is held, in any of the following manner,-
 - (i) by delivering or tendering it to that person or his authorised representative; or
 - (ii) by sending it to the person through electronic means or by registered post or speed post to the address of his place of residence or his last known place of residence or the place where he carried on or last carried on, business or personally works or last worked for gain; or
 - (iii) if it cannot be served in the manner specified under clauses (i) or (ii), by affixing it on the outer door or some other conspicuous part of the premises in which that person resides or is known to have last resided or carried on business or personally works or has worked for gain.

5. Transfer of complaint.— (1) If the adjudicating officer is of the view or it is made to appear that he does not have jurisdiction to entertain any complaint under these rules, he shall transfer the matter to the adjudicating officer concerned within fifteen days of the receipt of such complaint or information made to him after reasons to be recorded in writing.

(2) The adjudicating officer to whom such case is transferred shall proceed with the inquiry from the stage it is transferred to him.

6. Extension of time.— The adjudicating officer may, for reasons to be recorded in writing, where there is a reasonable cause for the delay or failure to act, extend any period specified in these rules till such period as he considers reasonable.

7. Order and penalties.— (1) Every order under these rules, shall be dated, signed and communicated to all the parties;

(2) All sums realised by way of penalties under these rules shall be credited to the Environment Protection Fund established under 16 of the Act.

FORM I
(see rule 3) To,

The Adjudication Officer

1. Particular of complainant: -

- (a) Name:
- (b) Address for service:
- (c) Contact No:
- (d) Email (for service):

2. Particulars of complaint: -

- (a) Date, time and instance of commission of the alleged contravention:
- (b) Statement of contravention setting out all relevant material particulars:
- (c) Evidence in support of the statement:
- (d) Tentative amount of damage (in pecuniary terms) with cost break-up.

I/We....., the complainant.....herein declare that the facts stated herein are correct to the best of my/our knowledge.

3. Name and Signature of the Complainant:

Note.— Strike out whichever is not applicable.

Form -II
[See sub- rule (1) of rule 4]

To

SHOW CAUSE NOTICE

Sub: Contravention of the Water (Prevention and Control of Pollution) Act, 1974.

Sir/Madam,

As per the complaint received in Form-I dated _____ (copy enclosed), contravention has been committed under section ----- of the Water (Prevention and Control of Pollution) Act, 1974 in
.....

2. The above contravention is liable for penalty. Therefore, you are required to show cause within a period of ----- days of service of this notice, why an inquiry should not be initiated against you under the Water (Prevention and Control of Pollution) Act, 1974 for imposition of penalty. In case, no reply is received within the given period, the further action shall be taken under the Act .

Adjudicating Officer
(Name and seal of the office)

FORM-III

Furnishing of document or evidence by or on behalf of the contravener
[see sub-rule (5) of rule 4]

To

Adjudication Officer
.....
.....

I/We,..... hereby give a counter statement to the complaint made in Form-I

The grounds in which the counter statement is made are as follows: -
.....
.....

Complete address including postal index number/
code and state along with mobile number and e-mail

Signature of the contravener or his
authorised representative:

Name of the person along with mobile number
who has signed.

[F. No. Q-15012/2/2022-CPW-Part (2)/e-240798]

VED PRAKASH MISHRA, Jt. Secy.

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ASH UTILISATION NOTIFICATION AMENDED UPTO 2024

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 Subparagraph (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.

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. (w.e.f 30.12.2022)

- (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 1st April, 2022 (w.e.f 30.12.2022) 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 | 1 st | 2 nd | 3 rd -10 th |
|---|----------------------|----------------------|-----------------------------------|
| 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 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) (w.e.f 30.12.2022) 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 (w.e.f 30.12.2022) State Pollution Control Board (SPCB) or Pollution Control Committee (PCC) shall be carried out within three years (2022) from 1st April, 2022 (w.e.f 30.12.2022). 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.

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. (w.e.f 30.12.2022)

- (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^(w.e.f 30.12.2022)

- (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 a radius of 300 kms** ^(w.e.f 30.12.2022) from the lignite or coal based thermal power plants shall mandatorily utilise ash in these activities:

Provided that the coal or lignite based thermal power plant has given a notice to such agencies for making available ash to such agencies for which cost of ash and transportation shall be borne by the coal or lignite based thermal power plant. ^(w.e.f 1.1.2024)

- (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 of 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 300 kms 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 the Central Public Works Department (CPWD) or Public Works Department (PWD) of the State concerned or price of alternative products, if not mentioned in the Schedule of Rates.**

That the Central Public Works Department and Public Works Department of the State concerned shall publish the Schedule of Rates specified within six months from the 1st January, 2024. (w.e.f.1.1.2024)

- (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.

- (10) All local authorities shall make provisions in their respective building bye-laws and other relevant regulations for the use of ash and ash-based products, such as bricks, blocks, tiles, sintered or cold bonded ash aggregates, fibre cement sheets, pipes, boards, panels in construction of buildings, roads, embankments or for any other related construction activity. (w.e.f.1.1.2024)

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 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 shall give a written notice to persons or agencies who are required to utilise ash under sub-paragraph (1) & (3) of paragraph B for offering the supply of ash free of cost and bearing cost of transportation, with a copy to concerned State Pollution Control Board.
 - (1A) The manufacturers of ash bricks or tiles or sintered ash aggregate or other ash-based products shall give a written notice to persons or agencies who are required to utilise ash-based products under sub-paragraph (8) of paragraph B for offering for sale of such products with a copy to concerned State Pollution Control Board. (w.e.f.1.1.2024)
- (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.
- (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. (w.e.f. 30.12.2022)
- (4) The coal or lignite based thermal power plants, while utilising ash under this notification shall reserve certain percentage of ash for supply to all micro and small enterprises engaged in ash-based product manufacturing namely, bricks, blocks, tiles, sintered or cold bonded ash aggregates, fibre cement sheets, pipes, boards, panels for sale at concessional price or through limited auction in accordance with the guidelines issued by the Central Government in the Ministry of Power. (w.e.f.1.1.2024)

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. | <p>Details of disposal of ash in ash ponds</p> <p>(a) Total quantity of ash disposed in ash pond(s) (Metric Tons) as on 31st March (excluding reporting period):</p> <p>(b) Quantity of ash disposed in ash pond(s) during reporting period (Metric Tons):</p> <p>(c) Total quantity of water consumption for slurry discharge into ash ponds during reporting period (m³):</p> <p>(d) Total number of ash ponds:</p> <ul style="list-style-type: none"> (i) Active: (ii) Exhausted (yet to be reclaimed): (iii) Reclaimed: <p>(e) total area under ash ponds (ha):</p> | |
| 18. | <p>Individual ash pond details</p> <p><i>Ash pond-1,2, etc (please provide below mentioned details separately, if number of ash ponds is more than one)</i></p> <p>(a) Status: Under construction or Active or Exhausted or</p> | |
| | <p>Reclaimed</p> <p>(b) Date of start of ash disposal in ash pond (DD/MM/YYYY or MM/YYYY):</p> <p>(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)</p> <p>(c) area (hectares):</p> <p>(d) dyke height (m):</p> <p>(d) volume (m³):</p> <p>(e) quantity of ash disposed as on 31st March (Metric Tons):</p> <p>(f) available volume in percentage (per cent) and quantity of ash can be further disposed (Metric Tons):</p> <p>(g) expected life of ash pond (number of years and months):</p> <p>(e) co-ordinates (Lat and Long): (please specify minimum 4 co-ordinates)</p> <p>(f) type of lining carried in ash pond: HDPE lining or LDPE lining or clay lining or No lining</p> <p>(g) mode of disposal: Dry disposal or wet slurry (in case of wet slurry please specify whether HCSD or MCSD or LCSD)</p> <p>(h) Ratio of ash: water in slurry mix (1:____):</p> <p>(i) Ash water recycling system (AWRS) installed and functioning: Yes or No</p> <p>(j) Quantity of wastewater from ash pond discharged into land or water body (m³):</p> <p>(k) Last date when the dyke stability study was conducted and name of the organisation who conducted the study:</p> <p>(l) Last date when the audit was conducted and name of the organisation who conducted the audit:</p> | |

| 19. | <p>Quantity of legacy ash utilised (MTPA):</p> <ul style="list-style-type: none"> 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. | <p>Summary:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">Details</th><th style="text-align: center;">Quantity generated (MTP)</th><th style="text-align: center;">Quantity utilised (MTP) and (per cent)</th><th style="text-align: center;">Balance quantity (MTP)</th></tr> </thead> <tbody> <tr> <td>Current ash during reporting period</td><td></td><td></td><td></td></tr> <tr> <td>Legacy ash</td><td></td><td></td><td></td></tr> <tr> <td>Total</td><td></td><td></td><td></td></tr> </tbody> </table> | | | | Details | Quantity generated (MTP) | Quantity utilised (MTP) and (per cent) | Balance quantity (MTP) | Current ash during reporting period | | | | Legacy ash | | | | Total | | | |
| Details | Quantity generated (MTP) | Quantity utilised (MTP) and (per cent) | Balance quantity (MTP) | | | | | | | | | | | | | | | | | |
| Current ash during reporting period | | | | | | | | | | | | | | | | | | | | |
| Legacy ash | | | | | | | | | | | | | | | | | | | | |
| Total | | | | | | | | | | | | | | | | | | | | |
| 21. | <p>Any other information: Soft copy of the annual compliance report, and shape files of power plant and ash ponds may be e-mailed to:- moefcccoalash@gov.in</p> | | | | | | | | | | | | | | | | | | | |
| 22. | <p>Signature of Authorised Signatory</p> | | | | | | | | | | | | | | | | | | | |

THE BIO-MEDICAL WASTE MANAGEMENT RULES, 2016 AS AMENDED UPTO 2024

And whereas, to implement these rules more effectively and to improve the collection, segregation, processing, treatment and disposal of these bio-medical wastes in an environmentally sound management thereby, reducing the bio-medical waste generation and its impact on the environment, the Central Government reviewed the existing rules;

And whereas, in exercise of the powers conferred by sections 6, 8 and 25 of the Environment (Protection) Act, 1986 (29 of 1986), the Central Government published the draft rules in the Gazette vide number G.S.R. 450 (E), dated the 3rd June, 2015 inviting objections or suggestions from the public within 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 Gazette containing the said draft rules were made available to the public on the 3rd June, 2015;

And whereas, the objections or comments 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 section 6, 8 and 25 of the Environment (Protection) Act, 1986 (29 of 1986), and in supersession of the Bio-Medical Waste (Management and Handling) Rules, 1998, except as respects things done or omitted to be done before such suppression, the Central Government hereby makes the following rules, namely:-

1. Short title and commencement.- (1) these rules may be called the Bio-Medical Waste Management Rules, 2016.

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

2. Application.-

(1) These rules shall apply to all persons who generate, collect, receive, store, transport, treat, dispose, or handle bio medical waste in any form including hospitals, nursing homes, clinics, dispensaries, veterinary institutions, animal houses, pathological laboratories, blood banks, ayush hospitals, clinical establishments, research or educational institutions, health camps, medical or surgical camps, vaccination camps, blood donation camps, first aid rooms of schools, forensic laboratories and research labs.

(2). These rules shall not apply to,-

(a) radioactive wastes as covered under the provisions of the Atomic Energy Act, 1962(33 of 1962) and the rules made there under;

- (b) hazardous chemicals covered under the Manufacture, Storage and Import of Hazardous Chemicals Rules, 1989 made under the Act;
- (c) solid wastes covered under the [Solid Waste Management Rules, 2016^{\(w.e.f.16.03.2018\)}](#) made under the Act;
- (d) the lead acid batteries covered under the Batteries (Management and Handling) Rules, 2001 made under the Act;
- (e) hazardous wastes covered under the [Hazardous and Other Wastes \(Management and Transboundary Movement\) Rules, 2016^{w.e.f.16.03.2018}](#) made under the Act;
- (f) waste covered under the [E-Waste \(Management\) Rules, 2016^{\(w.e.f.16.03.2018\)}](#) made under the Act; and
- (g) hazardous micro organisms, genetically engineered micro organisms and cells covered under the Manufacture, Use, Import, Export and Storage of Hazardous Microorganisms, Genetically Engineered Micro organisms or Cells Rules, 1989 made under the Act.

3. **Definitions.-** In these rules, unless the context otherwise requires, -

- (a) "Act" means the Environment (Protection) Act, 1986 (29 of 1986);
- (b) "animal house" means a place where animals are reared or kept for the purpose of experiments or testing;
- (c) "authorisation" means permission granted by the prescribed authority for the generation, collection, reception, storage, transportation, treatment, processing, disposal or any other form of handling of bio-medical waste in accordance with these rules and guidelines issued by the Central Government or Central Pollution Control Board as the case may be;
- (d) "authorised person" means an occupier or operator authorised by the prescribed authority to generate, collect, receive, store, transport, treat, process, dispose or handle bio-medical waste in accordance with these rules and the guidelines issued by the Central Government or the Central Pollution Control Board, as the case may be;
- (e) "biological" means any preparation made from organisms or micro-organisms or product of metabolism and biochemical reactions intended for use in the diagnosis, immunisation or the treatment of human beings or animals or in research activities pertaining thereto;
- (f) "bio-medical waste" means any waste, which is generated during the diagnosis, treatment or immunisation of human beings or animals or research activities pertaining thereto or in the production or testing of biological or in health camps, including the categories mentioned in Schedule I appended to these rules;

- (g) "bio-medical waste treatment and disposal facility" means any facility wherein treatment, disposal of bio-medical waste or processes incidental to such treatment and disposal is carried out, and includes common bio-medical waste treatment facilities;
- (h) "Form" means the Form appended to these rules;
- (i) "handling" in relation to bio-medical waste includes the generation, sorting, segregation, collection, use, storage, packaging, loading, transportation, unloading, processing, treatment, destruction, conversion, or offering for sale, transfer, disposal of such waste;
- (j) "health care facility" means a place where diagnosis, treatment or immunisation of human beings or animals is provided irrespective of type and size of health treatment system, and research activity pertaining thereto;
- (k) "major accident" means accident occurring while handling of bio-medical waste having potential to affect large masses of public and includes toppling of the truck carrying bio-medical waste, accidental release of bio-medical waste in any water body but exclude accidents like needle prick injuries, mercury spills;
- (l) "management" includes all steps required to ensure that bio-medical waste is managed in such a manner as to protect health and environment against any adverse effects due to handling of such waste;
- (m) "occupier" means a person having administrative control over the institution and the premises generating bio-medical waste, which includes a hospital, nursing home, clinic, dispensary, veterinary institution, animal house, pathological laboratory, blood bank, health care facility and clinical establishment, irrespective of their system of medicine and by whatever name they are called;
- (n) "operator of a common bio-medical waste treatment facility" means a person who owns or controls a Common Bio-medical Waste Treatment Facility (CBMWTF) for the collection, reception, storage, transport, treatment, disposal or any other form of handling of bio-medical waste;
- (o) "prescribed authority" means the State Pollution Control Board in respect of a State and Pollution Control Committees in respect of an Union territory;
- (p) "Schedule" means the Schedule appended to these rules.

4. **Duties of the Occupier.-** It shall be the duty of every occupier to-

- (a) take all necessary steps to ensure that bio-medical waste is handled without any adverse effect to human health and the environment and in accordance with these rules;
- (b) make a provision within the premises for a safe, ventilated and secured location for storage of segregated biomedical waste in colored bags or containers in the manner as specified in Schedule I, to ensure that there shall be no secondary handling, pilferage of recyclables or inadvertent scattering or spillage by animals and the bio-medical waste from such place or premises shall be directly

transported in the manner as prescribed in these rules to the common bio-medical waste treatment facility or for the appropriate treatment and disposal, as the case may be, in the manner as prescribed in Schedule I;

(c) pre-treat the laboratory waste, microbiological waste, blood samples and blood bags through disinfection or sterilisation on-site in the manner as prescribed by the World Health Organisation (WHO), guidelines on Safe management of wastes from health care activities and WHO Blue Book, 2014 and then sent to the Common bio-medical waste treatment facility for final disposal. (w.e.f.16.03.2018)

(d) phase out use of chlorinated plastic bags (excluding blood bags) and gloves by the 27th March, 2019. (w.e.f.16.03.2018)

Explanation.- For removal of doubts, it is hereby clarified that the expression “Chlorinated plastic bags” shall not include urine bags, effluent bags, abdominal bags and chest drainage bags. (w.e.f.13.05.2019)

(e) dispose of solid waste other than bio-medical waste in accordance with the provisions of respective waste management rules made under the relevant laws and amended from time to time;

(f) not to give treated bio-medical waste with municipal solid waste;

(g) provide training to all its health care workers and others, involved in handling of bio medical waste at the time of induction and thereafter at least once every year and the details of training programmes conducted, number of personnel trained and number of personnel not undergone any training shall be provided in the Annual Report;

(h) immunise all its health care workers and others, involved in handling of bio-medical waste for protection against diseases including Hepatitis B and Tetanus that are likely to be transmitted by handling of bio-medical waste, in the manner as prescribed in the National Immunisation Policy or the guidelines of the Ministry of Health and Family Welfare issued from time to time;

(i) establish a Bar- Code System for bags or containers containing bio-medical waste to be sent out of the premises or **for the further treatment and disposal in accordance with the guidelines issued by the Central Pollution Control Board by 27th March, 2019** (w.e.f.16.03.2018)

(j) ensure segregation of liquid chemical waste at source and ensure pre-treatment or neutralisation prior to mixing with other effluent generated from health care facilities;

(k) ensure treatment and disposal of liquid waste in accordance with the Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974);

(l) ensure occupational safety of all its health care workers and others involved in handling of biomedical waste by providing appropriate and adequate personal protective equipments;

- (m) conduct health check up at the time of induction and at least once in a year for all its health care workers and others involved in handling of bio-medical waste and maintain the records for the same;
- (n) In case of all bedded health care units, maintain and update on day to day basis the bio-medical waste management register and display the monthly record on its website according to the bio-medical waste generated in terms of category and colour coding as specified in Schedule I.^(w.e.f.20.2.2019)
- (o) report major accidents including accidents caused by fire hazards, blasts during handling of biomedical waste and the remedial action taken and the records relevant thereto, (including nil report) in Form I to the prescribed authority **and also** along with the annual report;
- (p) In case of all bedded health care facilities (any number of beds), make available the annual report on its web-site within a period of two years from the date of publication of the Bio-Medical Waste Management (Amendment) Rules, 2018.^(w.e.f.20.2.2019)
- (q) inform the prescribed authority immediately in case the operator of a facility does not collect the bio-medical waste within the intended time or as per the agreed time;
- (r) establish a system to review and monitor the activities related to bio-medical waste management, either through an existing committee or by forming a new committee and the Committee shall meet once in every six months and the record of the minutes of the meetings of this committee shall be submitted along with the annual report to the prescribed authority and the healthcare establishments having less than thirty beds shall designate a qualified person to review and monitor the activities relating to bio-medical waste management within that establishment and submit the annual report;
- (s) maintain all record for operation of incineration, hydro or autoclaving etc., for a period of five years;
- (t) existing incinerators to achieve the standards for treatment and disposal of bio-medical waste as specified in Schedule II for retention time in secondary chamber and Dioxin and Furans within two years from the date of this notification.

5. Duties of the operator of a common bio-medical waste treatment and disposal facility.-It shall be the duty of every operator to -

- (a) take all necessary steps to ensure that the bio-medical waste collected from the occupier is transported, handled, stored, treated and disposed of, without any adverse effect to the human health and the environment, in accordance with these rules and guidelines issued by the Central Government or, as the case may be, the central pollution control board from time to time;
- (b) ensure timely collection of bio-medical waste from the occupier as prescribed under these rules;
- (c) establish bar coding and global positioning system for handling of bio-medical waste **in accordance with the guidelines issued by the Central Pollution Control Board by 27th March, 2019**^(w.e.f.16.03.2018)
- (d) inform the prescribed authority immediately regarding the occupiers which are not handing over the segregated bio-medical waste in accordance with these rules;

- (e) provide training for all its workers involved in handling of bio-medical waste at the time of induction and at least once a year thereafter;
- (f) assist the occupier in training conducted by them for bio-medical waste management;
- (g) undertake appropriate medical examination at the time of induction and at least once in a year and immunise all its workers involved in handling of bio-medical waste for protection against diseases, including Hepatitis B and Tetanus, that are likely to be transmitted while handling bio-medical waste and maintain the records for the same;
- (h) ensure occupational safety of all its workers involved in handling of bio-medical waste by providing appropriate and adequate personal protective equipment;
- (i) report major accidents including accidents caused by fire hazards, blasts during handling of biomedical waste and the remedial action taken and the records relevant thereto, (including nil report) in Form I to the prescribed authority **and also** along with the annual report;
- (j) maintain a log book for each of its treatment equipment according to weight of batch; categories of waste treated; time, date and duration of treatment cycle and total hours of operation;
- (k) allow occupier , who are giving waste for treatment to the operator, to see whether the treatment is carried out as per the rules;
- (l) shall display details of authorisation, treatment, annual report etc on its web-site;
- (m) after ensuring treatment by autoclaving or microwaving followed by mutilation or shredding, whichever is applicable, the recyclables from the treated bio-medical wastes such as plastics and glass, shall be given to recyclers having valid consent or authorisation or registration from the respective State Pollution Control Board or Pollution Control Committee;
- (n) supply non-chlorinated plastic coloured bags to the occupier on chargeable basis, if required;
- (o) common bio-medical waste treatment facility shall ensure collection of biomedical waste on holidays also;
- (p) maintain all record for operation of incineration, hydoor autoclaving for a period of five years, and
- (q) upgrade existing incinerators to achieve the standards for retention time in secondary chamber and Dioxin and Furans within two years from the date of this notification.

6. Duties of authorities.-The Authority specified in column (2) of Schedule-III shall perform the duties as specified in column (3) thereof in accordance with the provisions of these rules.

7. Treatment and disposal.-(1) Bio-medical waste shall be treated and disposed of in accordance with Schedule I, and in compliance with the standards provided in Schedule-II by the health care facilities and common bio-medical waste treatment facility.

- (2) Occupier shall hand over segregated waste as per the Schedule-I to common bio-medical waste treatment facility for treatment, processing and final disposal:

Provided that the lab and highly infectious bio-medical waste generated shall be pre-treated by equipment like autoclave or microwave.

- (3) No occupier shall establish on-site treatment and disposal facility, if a service of ` common biomedical waste treatment facility is available at a distance of seventy-five kilometer.
- (4) In cases where service of the common bio-medical waste treatment facility is not available, the Occupiers shall set up requisite biomedical waste treatment equipment like incinerator, autoclave or microwave, shredder prior to commencement of its operation, as per the authorisation given by the prescribed authority.
- (5) Any person including an occupier or operator of a common bio medical waste treatment facility, intending to use new technologies for treatment of bio medical waste other than those listed in Schedule I shall request the Central Government for laying down the standards or operating parameters.
- (6) On receipt of a request referred to in sub-rule (5), the Central Government may determine the standards and operating parameters for new technology which may be published in Gazette by the Central Government.
- (7) Every operator of common bio-medical waste treatment facility shall set up requisite biomedical waste treatment equipments like incinerator, autoclave or microwave, shredder and effluent treatment plant as a part of treatment, prior to commencement of its operation.
- (8) Every occupier shall [phase out use of chlorinated plastic bags](#)^(w.e.f.16.03.2018) within two years from the date of publication of these rules and after two years from such publication of these rules, the chlorinated plastic bags shall not be used for storing and transporting of bio-medical waste and the occupier or operator of a common bio-medical waste treatment facility shall not dispose of such plastics by incineration and the bags used for storing and transporting biomedical waste shall be in compliance with the Bureau of Indian Standards. Till the Standards are published, the carry bags shall be as per [the Plastic Waste Management Rules, 2016](#)^(w.e.f.16.03.2018).
- (9) After ensuring treatment by autoclaving or microwaving followed by mutilation or shredding, whichever is applicable, the recyclables from the treated bio-medical wastes such as plastics and glass shall be given to such recyclers having valid authorisation or registration from the respective prescribed authority.
- (10) The Occupier or Operator of a common bio-medical waste treatment facility shall maintain a record of recyclable wastes referred to in sub-rule (9) which are auctioned or sold and the same shall be submitted to the prescribed authority as part of its annual report. The record shall be open for inspection by the prescribed authorities.
- (11) The handling and disposal of all the mercury waste and lead waste shall be in accordance with the respective rules and regulations.

8. Segregation, packaging, transportation and storage.-(1) No untreated bio-medical waste shall be mixed with other wastes.

- (2) The bio-medical waste shall be segregated into containers or bags at the point of generation in accordance with Schedule I prior to its storage, transportation, treatment and disposal.
- (3) The containers or bags referred to in sub-rule (2) shall be labeled as specified in Schedule IV.
- (4) Bar code and global positioning system shall be added by the Occupier and common bio-medical waste treatment facility in one year time.
- (5) The operator of common bio-medical waste treatment facility shall transport the bio-medical waste from the premises of an occupier to any off-site bio-medical waste treatment facility only in the vehicles having label as provided in part 'A' of the Schedule IV along with necessary information as specified in part 'B' of the Schedule IV.
- (6) The vehicles used for transportation of bio-medical waste shall comply with the conditions if any stipulated by the State Pollution Control Board or Pollution Control Committee in addition to the requirement contained in the Motor Vehicles Act, 1988 (59 of 1988), if any or the rules made there under for transportation of such infectious waste.
- (7) Untreated human anatomical waste, animal anatomical waste, soiled waste and, biotechnology waste shall not be stored beyond a period of forty –eight hours:

Provided that in case for any reason it becomes necessary to store such waste beyond such a period, the occupier shall take appropriate measures to ensure that the waste does not adversely affect human health and the environment and inform the prescribed authority along with the reasons for doing so.

- (8) Microbiology waste and all other clinical laboratory waste shall be pre-treated by sterilisation to Log 6 or disinfection to Log 4, as per the World Health Organisation guidelines before packing and sending to the common bio-medical waste treatment facility.

9. Prescribed authority.-(1) The prescribed authority for implementation of the provisions of these rules shall be the State Pollution Control Boards in respect of States and Pollution Control Committees in respect of Union territories.

- (2) The prescribed authority for enforcement of the provisions of these rules in respect of all health care establishments including hospitals, nursing homes, clinics, dispensaries, veterinary institutions, animal houses, pathological laboratories and blood banks of the Armed Forces under the Ministry of Defence shall be the Director General, Armed Forces Medical Services, who shall function under the supervision and control of the Ministry of Defence.
- (3) The prescribed authorities shall comply with the responsibilities as stipulated in Schedule III of these rules.

10. Procedure for authorisation.-Every occupier or operator handling bio-medical waste, irrespective of the quantity shall make an application in Form II to the prescribed authority i.e. State Pollution Control Board and Pollution Control Committee, as the case may be, for grant of authorisation and the prescribed authority shall grant the provisional authorisation in Form III and the validity of such authorisation for bedded health care facility and operator of a common facility shall be synchronised with the validity of the consents.

- (1) The authorisation shall be one time for non-bedded occupiers and the authorisation in such cases shall be deemed to have been granted, if not objected by the prescribed authority within a period of ninety days from the date of receipt of duly completed application along with such necessary documents.
- (2) In case of refusal of renewal, cancellation or suspension of the authorisation by the prescribed authority, the reasons shall be recorded in writing:

Provided that the prescribed authority shall give an opportunity of being heard to the applicant before such refusal of the authorisation.

- (3) Every application for authorisation shall be disposed of by the prescribed authority within a period of ninety days from the date of receipt of duly completed application along with such necessary documents, failing which it shall be deemed that the authorisation is granted under these rules.
- (4) In case of any change in the bio-medical waste generation, handling, treatment and disposal for which authorisation was earlier granted, the occupier or operator shall intimate to the prescribed authority about the change or variation in the activity and shall submit a fresh application in Form II for modification of the conditions of authorisation.

11. Advisory Committee.-(1) Every State Government or Union territory Administration shall constitute an Advisory Committee for the respective State or Union territory under the chairmanship of the respective health secretary to oversee the implementation of the rules in the respective state and to advise any improvements and the Advisory Committee shall include representatives from the Departments of Health, Environment, Urban Development, Animal Husbandry and Veterinary Sciences of that State Government or Union territory Administration, State Pollution Control Board or Pollution Control Committee, urban local bodies or local bodies or Municipal Corporation, representatives from Indian Medical Association, common bio-medical waste treatment facility and non-governmental organisation.

- (2) Notwithstanding anything contained in sub-rule (1), the Ministry of Defence shall constitute the Advisory Committee (Defence) under the chairmanship of Director General of Health Services of Armed Forces consisting of representatives from the Ministry of Defence, Ministry of Environment, Forest and Climate Change, Central Pollution Control Board, Ministry of Health and Family Welfare, Armed Forces Medical College or Command Hospital.
- (3) The Advisory Committee constituted under sub-rule (1) and (2) shall meet at least once in six months and review all matters related to implementation of the provisions of these rules in the State and Armed Forces Health Care Facilities, as the case may be.

- (4) The Ministry of Health and Defence may co-opt representatives from the other Governmental and non-governmental organisations having expertise in the field of bio-medical waste management.

12. Monitoring of implementation of the rules in health care facilities.- (1) The Ministry of Environment, Forest and Climate Change shall review the implementation of the rules in the country once in a year through the State Health Secretaries and Chairmen or Member Secretary of State Pollution Control Boards and Central Pollution Control Board and the Ministry may also invite experts in the field of bio-medical waste management, if required.

- (2) The Central Pollution Control Board shall monitor the implementation of these rules in respect of all the Armed Forces health care establishments under the Ministry of Defence.

- (3) The Central Pollution Control Board along with one or more representatives of the Advisory Committee constituted under sub-rule (2) of rule 11, may inspect any Armed Forces health care establishments after prior intimation to the Director General Armed Forces Medical Services.

- (4) Every State Government or Union territory Administration shall constitute District Level Monitoring Committee in the districts under the chairmanship of District Collector or District Magistrate or Deputy Commissioner or Additional District Magistrate to monitor the compliance of the provisions of these rules in the health care facilities generating bio-medical waste and in the common bio-medical waste treatment and disposal facilities, where the bio-medical waste is treated and disposed of.

- (5) The District Level Monitoring Committee constituted under sub-rule (4) shall submit its report once in six months to the State Advisory Committee and a copy thereof shall also be forwarded to State Pollution Control Board or Pollution Control Committee concerned for taking further necessary action.

- (6) The District Level Monitoring Committee shall comprise of District Medical Officer or District Health Officer, representatives from State Pollution Control Board or Pollution Control Committee, Public Health Engineering Department, local bodies or municipal corporation, Indian Medical Association, common bio-medical waste treatment facility and registered nongovernmental organisations working in the field of bio-medical waste management and the Committee may co-opt other members and experts, if necessary and the District Medical Officer shall be the Member Secretary of this Committee.

13. Annual report.-(1) Every occupier or operator of common bio-medical waste treatment facility shall submit an annual report to the prescribed authority in Form-IV, on or before the 30th June of every year.

- (2) The prescribed authority shall compile, review and analyse the information received and send this information to the [Central Pollution Control Board in Form IVA before\(w.e.f.16.03.2018\)](#) the 31st July of every year.

- (3) The Central Pollution Control Board shall compile, review and analyse the information received and send this information, along with its comments or suggestions or observations to the Ministry of Environment, Forest and Climate Change on or before 31st August every year.

- (4) The Annual Reports shall also be available online on the websites of Occupiers, State Pollution Control Boards and Central Pollution Control Board.

14. Maintenance of records.- (1) Every authorised person shall maintain records related to the generation, collection, reception, storage, transportation, treatment, disposal or any other form of handling of bio-medical waste, for a period of five years, in accordance with these rules and guidelines issued by the Central Government or the Central Pollution Control Board or the prescribed authority as the case may be.

- (2) All records shall be subject to inspection and verification by the prescribed authority or the Ministry of Environment, Forest and Climate Change at any time.

15. Accident reporting.- (1) In case of any major accident at any institution or facility or any other site while handling bio-medical waste, the authorised person shall intimate immediately to the prescribed authority about such accident and forward a report within twenty-four hours in writing regarding the remedial steps taken in Form I.

- (2) Information regarding all other accidents and remedial steps taken shall be provided in the annual report in accordance with rule 13 by the occupier.

16. Appeal.-(1) Any person aggrieved by an order made by the prescribed authority under these rules may, within a period of thirty days from the date on which the order is communicated to him, prefer an appeal in Form V to the Secretary (Environment) of the State Government or Union territory administration .

- (2) Any person aggrieved by an order of the Director General Armed Forces Medical Services under these rules may, within thirty days from the date on which the order is communicated to him, prefer an appeal in Form V to the Secretary, Ministry of Environment, Forest and Climate Change.

- (3) The authority referred to in sub-para (1) and (2) as the case may be, may entertain the appeal after the 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.

- (4) The appeal shall be disposed of within a period of ninety days from the date of its filing.

17. Site for common bio-medical waste treatment and disposal facility.-(1) Without prejudice to rule 5 of these rules, the department in the business allocation of land assignment shall be responsible for providing suitable site for setting up of common biomedical waste treatment and disposal facility in the State Government or Union territory Administration.

- (2) The selection of site for setting up of such facility shall be made in consultation with the prescribed authority, other stakeholders and in accordance with guidelines published by the Ministry of Environment, Forest and Climate Change or Central Pollution Control Board.

18. Liability of the occupier, operator of a facility. - (1) The occupier or an operator of a common bio-medical waste treatment facility shall be liable for all the damages caused to the environment or the public due to improper handling of bio-medical wastes.

(2) The occupier or operator of common bio-medical waste treatment facility shall be liable for action under section 5 and section 15 of the Act, in case of any violation.

SCHEDULE I
[See rules 3 (e), 4(b), 7(1), 7(2), 7(5), 7 (6) and 8(2)]
Part-1

Biomedical wastes categories and their segregation, collection, treatment, processing and disposal options

| Category | Type of Waste | Type of Bag or Container to be used | Treatment and Disposal options |
|-----------------|--|--|--|
| | | | (1) (2) (3) (4) |
| Yellow | <p>(a) Human Anatomical Waste: Human tissues, organs, body parts and fetus below the viability period (as per the Medical Termination of Pregnancy Act 1971, amended from time to time).</p> <p>(b) Animal Anatomical Waste : Experimental animal carcasses, body parts, organs, tissues, including the waste generated from animals used in experiments or testing in veterinary hospitals or colleges or animal houses.</p> <p>(c) Soiled Waste: Items contaminated with blood, body fluids like dressings, plaster casts, cotton swabs and</p> | Yellow coloured non-chlorinated plastic bags | Incineration or Plasma Pyrolysis or deep burial* |
| | | | Incineration or Plasma Pyrolysis or deep burial* |
| | | | In absence of above facilities, autoclaving or micro-waving/ |

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| | bags containing residual or discarded blood and blood components. | | hydroclaving followed by shredding or mutilation or combination of sterilization and shredding. Treated waste to be sent for energy recovery. |
| | (d) Expired or Discarded Medicines: Pharmaceutical waste like antibiotics, cytotoxic drugs including all items contaminated with cytotoxic drugs along with glass or plastic ampoules, vials etc. | Yellow coloured non-chlorinated plastic bags or containers | Expired cytotoxic drugs and items contaminated with cytotoxic drugs to be returned back to the manufacturer or supplier for incineration at temperature $>1200^{\circ}\text{C}$ or to common biomedical waste treatment facility or hazardous waste treatment, storage and disposal facility for incineration at $>1200^{\circ}\text{C}$. Or Encapsulation or Plasma Pyrolysis at $>1200^{\circ}\text{C}$. All other discarded medicines shall be either sent back to manufacturer or disposed by incineration. |
| | (e) Chemical Waste: Chemicals used in production of biological and used or discarded disinfectants. | Yellow coloured containers or non-chlorinated plastic bags | Disposed of by incineration or Plasma Pyrolysis or Encapsulation in hazardous waste treatment, storage and disposal facility. |
| | (f) Chemical Liquid Waste : Liquid waste generated due to use of chemicals in production of biological and used or discarded disinfectants, Silver X-ray film developing liquid, discarded Formalin, infected secretions, aspirated body fluids, liquid from laboratories and floor washings, cleaning, house-keeping and disinfecting activities etc. | Separate collection system leading to effluent treatment system | After resource recovery, the chemical liquid waste shall be pre-treated before mixing with other wastewater. The combined discharge shall conform to the discharge norms given in Schedule-III. |
| | (g) Discarded linen, mattresses, beddings contaminated with blood or body fluid, routine mask and gown (w.e.f.16.03.2018) | Non-chlorinated yellow plastic bags or suitable packing material | Non- chlorinated chemical disinfection followed by incineration or Plazma Pyrolysis or for energy recovery. In absence of above facilities, shredding or mutilation or combination of sterilization and shredding. Treated waste to be sent for energy recovery or incineration or Plazma Pyrolysis. |

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| | <p>(h) Microbiology, Biotechnology and other clinical laboratory waste: Blood bags, Laboratory cultures, stocks or specimens of micro-organisms, live or attenuated vaccines, human and animal cell cultures used in research, industrial laboratories, production of biological, residual toxins, dishes and devices used for cultures.</p> | <p>Autoclave or Microwave or Hydroclave safe plastic bags or containers. <small>(w.e.f.16.03.2018)</small></p> | <p>Pre-treat to sterilize with nonchlorinated chemicals on-site as per World Health Organisation guidelines on Safe management of wastes from health care activities and WHO Blue Book, 2014 and thereafter sent for incineration. <small>(w.e.f.16.03.2018)</small></p> |
| Red | <p>Contaminated Waste (Recyclable)</p> <p>(a) Wastes generated from disposable items such as tubing, bottles, intravenous tubes and sets, catheters, urine bags, syringes (without needles and <i>fixed needle syringes</i>) and vaccutainers with their needles cut) and gloves.</p> | <p>Red coloured non-chlorinated plastic bags or containers</p> | <p>Autoclaving or micro-waving/hydroclaving followed by shredding or mutilation or combination of sterilization and shredding. Treated waste to be sent to registered or authorized recyclers or for energy recovery or plastics to diesel or fuel oil or for road making, whichever is possible.</p> <p>Plastic waste should not be sent to landfill sites.</p> |
| White (Translucent) | <p>Waste sharps including Metals:</p> <p>Needles, syringes with fixed needles, needles from needle tip cutter or burner, scalpels, blades, or any other contaminated sharp object that may cause puncture and cuts. This includes both used, discarded and contaminated metal sharps</p> | <p>Puncture proof, Leak proof, tamper proof Containers. <small>(w.e.f.16.03.2018)</small></p> | <p>Autoclaving or Dry Heat Sterilization followed by shredding or mutilation or encapsulation in metal container or cement concrete; combination of shredding cum autoclaving; and sent for final disposal to iron foundries (having consent to operate from the State Pollution Control Boards or Pollution Control Committees) or sanitary landfill or designated concrete waste sharp pit.</p> |
| Blue | <p>(a) Glassware:</p> <p>Broken or discarded and contaminated glass including medicine vials and ampoules except those contaminated with cytotoxic wastes.</p> | <p>(a) Puncture proof and leak proof boxes or containers with blue colored marking. <small>(w.e.f.16.03.2018)</small></p> | <p>Disinfection (by soaking the washed glass waste after cleaning with detergent and Sodium Hypochlorite treatment) or through autoclaving or microwaving or hydroclaving and then sent for recycling.</p> |

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| | (b) Metallic Body Implants | (b) Puncture proof and leak proof boxes or containers with blue colored marking. <small>(w.e.f.16.03.2018)</small> | |
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***Disposal by deep burial is permitted only in rural or remote areas where there is no access to common bio-medical waste treatment facility. This will be carried out with prior approval from the prescribed authority and as per the Standards specified in Schedule – II. (w.e.f.16.03.2018) The deep burial facility shall be located as per the provisions and guidelines issued by Central Pollution Control Board from time to time.**

Part -2

- (1) All plastic bags shall be as per BIS standards as and when published, till then the prevailing Plastic Waste Management Rules shall be applicable.
- (2) Chemical treatment using at least **1% to 2%** (w.e.f.16.03.2018) Sodium Hypochlorite having 30% residual chlorine for twenty minutes or any other equivalent chemical reagent that should demonstrate Log₁₀4 reduction efficiency for microorganisms as given in Schedule- III.
- (3) Mutilation or shredding must be to an extent to prevent unauthorized reuse.
- (4) There will be no chemical pretreatment before incineration, except for microbiological, lab and highly infectious waste.
- (5) Incineration ash (ash from incineration of any bio-medical waste) shall be disposed through hazardous waste treatment, storage and disposal facility, if toxic or hazardous constituents are present beyond the prescribed limits as given in the Hazardous Waste (Management, Handling and Transboundary Movement) Rules, 2008 or as revised from time to time.
- (6) Dead Fetus below the viability period (as per the Medical Termination of Pregnancy Act 1971, amended from time to time) can be considered as human anatomical waste. Such waste should be handed over to the operator of common bio-medical waste treatment and disposal facility in yellow bag with a copy of the official Medical Termination of Pregnancy certificate from the Obstetrician or the Medical Superintendent of hospital or healthcare establishment.
- (7) Cytotoxic drug vials shall not be handed over to unauthorised person under any circumstances. These shall be sent back to the manufacturer for necessary disposal at a single point. As a second option, these may be sent for incineration at common bio-medical waste treatment and disposal facility or TSDFs or plasma pyrolysis at temperature >1200 °C.
- (8) Residual or discarded chemical wastes, used or discarded disinfectants and chemical sludge can be disposed at hazardous waste treatment, storage and disposal facility. In such case, the waste should

be sent to hazardous waste treatment, storage and disposal facility through operator of common bio-medical waste treatment and disposal facility only.

- (9) On-site pre-treatment of laboratory waste, microbiological waste, blood samples, blood bags should be disinfected or sterilized as per the Guidelines of World Health Organisation or National AIDS Control Organisation and then given to the common bio-medical waste treatment and disposal facility.
- (10) Installation of in-house incinerator is not allowed. However in case there is no common biomedical facility nearby, the same may be installed by the occupier after taking authorisation from the State Pollution Control Board.
- (11) Syringes should be either mutilated or needles should be cut and or stored in tamper proof, leak proof and puncture proof containers for sharps storage. Wherever the occupier is not linked to a disposal facility it shall be the responsibility of the occupier to sterilize and dispose in the manner prescribed.
- (12) Bio-medical waste generated in households during healthcare activities shall be segregated as per these rules and handed over in separate bags or containers to municipal waste collectors. Urban Local Bodies shall have tie up with the common bio-medical waste treatment and disposal facility to pickup this waste from the Material Recovery Facility (MRF) or from the house hold directly, for final disposal in the manner as prescribed in this Schedule.

SCHEDULE II
[See rule 4(t), 7(1) and 7(6)]

**STANDARDS FOR TREATMENT AND DISPOSAL OF
BIO-MEDICALWASTES**

1. STANDARDS FOR INCINERATION.-

All incinerators shall meet the following operating and emission standards-

A. Operating Standards

1). Combustion efficiency (CE) shall be at least 99.00%.

2). The Combustion efficiency is computed as follows:

$$\text{C.E.} = \frac{\% \text{CO}_2}{\% \text{CO}_2 + \% \text{ CO}} \times 100$$

3). The temperature of the primary chamber shall be a minimum of 800 °C and the secondary chamber shall be minimum of 1050°C + or - 50°C.

4). The secondary chamber gas residence time shall be at least two seconds.

B. Emission Standards

| Sl. No. | Parameter | Standards | |
|------------|--|--|---|
| | | (3) | (4) |
| | | Limiting concentration in mg/Nm³(w.e.f.16.03.2018) unless stated | Sampling Duration in minutes, unless stated |
| 1. | Particulate matter | 50 | 30 or 1NM ³ of sample volume, whichever is more |
| 2. | Nitrogen Oxides NO and NO ₂ expressed asNO ₂ | 400 | 30 for online sampling or grab sample |
| 3. | HCl | 50 | 30 or 1NM ³ of sample volume, whichever is more |
| 4. | Total Dioxins and Furans | 0.1ngTEQ/Nm ³ (at 11% O ₂) | 8 hours or 5NM ³ of sample volume, whichever is more |
| 5. | Hg and its compounds | 0.05 | 2 hours or 1NM ³ of sample volume, whichever is more |

C. **Stack Height:** Minimum stack height shall be 30 meters above the ground and shall be attached with the necessary monitoring facilities as per requirement of monitoring of ‘general parameters’ as notified under the Environment (Protection) Act, 1986 and in accordance with the Central Pollution Control Board Guidelines of Emission Regulation Part-III.

Note:

- (a) The existing incinerators shall comply with the above within a period of two years from the date of the notification.
- (b) The existing incinerators shall comply with the standards for Dioxins and Furans of 0.1ngTEQ/Nm³, as given below within two years from the date of commencement of these rules.
- (c) All upcoming common bio-medical waste treatment facilities having incineration facility or captive incinerator shall comply with standards for Dioxins and Furans.
- (d) The existing secondary combustion chambers of the incinerator and the pollution control devices shall be suitably retrofitted, if necessary, to achieve the emission limits.
- (e) Wastes to be incinerated shall not be chemically treated with any chlorinated disinfectants.
- (f) Ash from incineration of biomedical waste shall be disposed of at common hazardous waste treatment and disposal facility. However, it may be disposed of in municipal landfill, if the toxic metals in incineration ash are within the regulatory quantities as defined under the Hazardous Waste (Management and Handling and Transboundary Movement) Rules, 2008 as amended from time to time.

- (g) Only low Sulphur fuel like Light Diesel Oil or Low Sulphur Heavy Stock or Diesel, Compressed Natural Gas, Liquefied Natural Gas or Liquefied Petroleum Gas shall be used as fuel in the incinerator.
- (h) The occupier or operator of a common bio-medical waste treatment facility shall monitor the stack gaseous emissions (under optimum capacity of the incinerator) once in three months through a laboratory approved under the Environment (Protection) Act, 1986 and record of such analysis results shall be maintained and submitted to the prescribed authority. In case of dioxins and furans, monitoring should be done once in a year.
- (i) The occupier or operator of the common bio-medical waste treatment facility shall install continuous emission monitoring system for the parameters as stipulated by State Pollution Control Board or Pollution Control Committees in authorisation and transmit the data real time to the servers at State Pollution Control Board or Pollution Control Committees and Central Pollution Control Board.
- (j) All monitored values shall be corrected to 11% Oxygen on dry basis.
- (k) Incinerators (combustion chambers) shall be operated with such temperature, retention time and turbulence, as to achieve Total Organic Carbon content in the slag and bottom ashes less than 3% or their loss on ignition shall be less than 5% of the dry weight.
- (l) The occupier or operator of a common bio-medical waste incinerator shall use combustion gas analyzer to measure CO₂, CO and O₂.

2. Operating and Emission Standards for Disposal by Plasma Pyrolysis or Gasification:

A. Operating Standards:

All the operators of the Plasma Pyrolysis or Gasification shall meet the following operating and emission standards:

1) Combustion Efficiency (CE) shall be at least 99.99%.

2) The Combustion Efficiency is computed as follows.

$$\frac{\% \text{ CO}_2}{(\% \text{ CO}_2 + \% \text{ CO})} \times 100 = \text{C.E.}$$

3) The temperature of the combustion chamber after plasma gasification shall be 1050 ± 50 °C with gas residence time of at least 2(two) second, with minimum 3 % Oxygen in the stack gas.

4) The Stack height should be minimum of 30 m above ground level and shall be attached with the necessary monitoring facilities as per requirement of monitoring of ‘general parameters’ as notified under the Environment (Protection) Act, 1986 and in accordance with the CPCB Guidelines of Emission Regulation Part-III.

B. Air Emission Standards and Air Pollution Control Measures

- (i) Emission standards for incinerator, notified at Sl No.1 above in this Schedule, and revised from time to time, shall be applicable for the Plasma Pyrolysis or Gasification also.
- (ii) Suitably designed air pollution control devices shall be installed or retrofitted with the ‘Plasma Pyrolysis or Gasification to achieve the above emission limits, if necessary.
- (iii) Wastes to be treated using Plasma Pyrolysis or Gasification shall not be chemically treated with any chlorinated disinfectants and chlorinated plastics shall not be treated in the system.

C. Disposal of Ash Vitrified Material: The ash or vitrified material generated from the ‘Plasma Pyrolysis or Gasification shall be disposed off in accordance with the Hazardous Waste (Management, Handling and Transboundary Movement) Rules 2008 and revisions made thereafter in case the constituents exceed the limits prescribed under Schedule II of the said Rules or else in accordance with the provisions of the Environment (Protection) Act, 1986, whichever is applicable.

3. STANDARDS FOR AUTOCLAVING OF BIO-MEDICAL WASTE.-

The autoclave should be dedicated for the purposes of disinfecting and treating bio-medical waste.

- (1) When operating a gravity flow autoclave, medical waste shall be subjected to:
 - (i) a temperature of not less than 121° C and pressure of 15 pounds per square inch (psi) for an autoclave residence time of not less than 60 minutes; or
 - (ii) a temperature of not less than 135° C and a pressure of 31 psi for an autoclave residence time of not less than 45 minutes; or
 - (iii) a temperature of not less than 149° C and a pressure of 52 psi for an autoclave residence time of not less than 30 minutes.
- (2) When operating a vacuum autoclave, medical waste shall be subjected to a minimum of three pre-vacuum pulse to purge the autoclave of all air. The air removed during the pre-vacuum, cycle should be decontaminated by means of HEPA and activated carbon filtration, steam treatment, or any other method to prevent release of pathogen. The waste shall be subjected to the following:
 - (i) a temperature of not less than 121°C and pressure of 15 psi per an autoclave residence time of not less than 45 minutes; or
 - (ii) a temperature of not less than 135°C and a pressure of 31 psi for an autoclave residence time of not less than 30 minutes;
- (3) Medical waste shall not be considered as properly treated unless the time, temperature and pressure indicators indicate that the required time, temperature and pressure were reached during the autoclave process. If for any reasons, time temperature or pressure indicator indicates that the required temperature, pressure or residence time was not reached, the entire load of medical

waste must be autoclaved again until the proper temperature, pressure and residence time were achieved.

- (4) **Recording of operational parameters:** Each autoclave shall have graphic or computer recording devices which will automatically and continuously monitor and record dates, time of day, load identification number and operating parameters throughout the entire length of the autoclave cycle.
- (5) **Validation test for autoclave:** The validation test shall use four biological indicator strips, one shall be used as a control and left at room temperature, and three shall be placed in the approximate center of three containers with the waste. Personal protective equipment (gloves, face mask and coveralls) shall be used when opening containers for the purpose of placing the biological indicators. At least one of the containers with a biological indicator should be placed in the most difficult location for steam to penetrate, generally the bottom center of the waste pile. The occupier or operator shall conduct this test three consecutive times to define the minimum operating conditions. The temperature, pressure and residence time at which all biological indicator vials or strips for three consecutive tests show complete inactivation of the spores shall define the minimum operating conditions for the autoclave. After determining the minimum temperature, pressure and residence time, the occupier or operator of a common biomedical waste treatment facility shall conduct this test once in three months and records in this regard shall be maintained.
- (6) **Routine Test:** A chemical indicator strip or tape that changes colour when a certain temperature is reached can be used to verify that a specific temperature has been achieved. It may be necessary to use more than one strip over the waste package at different locations to ensure that the inner content of the package has been adequately autoclaved. The occupier or operator of a common bio medical waste treatment facility shall conduct this test during autoclaving of each batch and records in this regard shall be maintained.
- (7) **Spore testing:** The autoclave should completely and consistently kill the approved biological indicator at the maximum design capacity of each autoclave unit. Biological indicator for autoclave shall be Geobacillusstearothermophilus spores using vials or spore Strips; with at least 1×10^6 spores. Under no circumstances will an autoclave have minimum operating parameters less than a residence time of 30 minutes, a temperature less than $121^\circ C$ or a pressure less than 15 psi. The occupier or operator of a common bio medical waste treatment and disposal facility shall conduct this test at least once in every week and records in this regard shall be maintained.

4. **STANDARDS OF MICROWAVING.-**

- (1) Microwave treatment shall not be used for cytotoxic, hazardous or radioactive wastes, contaminated animal carcasses, body parts and large metal items.
- (2) The microwave system shall comply with the efficacy test or routine tests and a performance guarantee may be provided by the supplier before operation of the limit.

(3) The microwave should completely and consistently kill the bacteria and other pathogenic organisms that are ensured by approved biological indicator at the maximum design capacity of each microwave unit. Biological indicators for microwave shall be Bacillus atrophaeusspores using vials or spore strips with at least 1×10^4 sporesper detachable strip. The biological indicator shall be placed with waste and exposed to same conditions as the waste during a normal treatment cycle.

5. STANDARDS FOR DEEP BURIAL.- (1) A pit or trench should be dug about two meters deep. It should be half filled with waste, then covered with lime within 50 cm of the surface, before filling the rest of the pit with soil.

- (2) It must be ensured that animals do not have any access to burial sites. Covers of galvanised iron or wire meshes may be used.
- (3) On each occasion, when wastes are added to the pit, a layer of 10 cm of soil shall be added to cover the wastes.
- (4) Burial must be performed under close and dedicated supervision.
- (5) The deep burial site should be relatively impermeable and no shallow well should be close to the site.
- (6) The pits should be distant from habitation, and located so as to ensure that no contamination occurs to surface water or ground water. The area should not be prone to flooding or erosion.
- (7) The location of the deep burial site shall be authorised by the prescribed authority.
- (8) The institution shall maintain a record of all pits used for deep burial.
- (9) The ground water table level should be a minimum of six meters below the lower level of deep burial pit.

6. STANDARDS FOR EFFICACY OF CHEMICAL DISINFECTION

Microbial inactivation efficacy is equated to “Log10 kill” which is defined as the difference between the logarithms of number of test microorganisms before and after chemical treatment. Chemical disinfection methods shall demonstrate a 4 Log10 reduction or greater for *Bacillus Subtilis* (ATCC 19659) in chemical treatment systems.

7. STANDARDS FOR DRY HEAT STERILIZATION

Waste sharps can be treated by dry heat sterilization at a temperature not less than 185°C , at least for a residence period of 150 minutes in each cycle, which sterilization period of 90 minutes. There should be automatic recording system to monitor operating parameters.

(i) Validation test for Sharps sterilization unit

Waste sharps sterilization unit should completely and consistently kill the biological indicator *Geobacillus Stearothermophilus* or *Bacillus Atropheau* spores using vials with at least $\log_{10} 6$ spores per ml. The test shall be carried out once in three months

(ii) Routine test

A chemical indicator strip or tape that changes colour when a certain temperature is reached can be used to verify that a specific temperature has been achieved. It may be necessary to use more than one strip over the waste to ensure that the inner content of the sharps has been adequately disinfected. This test shall be performed once in week and records in this regard shall be maintained.

8. STANDARDS FOR LIQUID WASTE.-

- (1) The effluent generated or treated from the premises of occupier or operator of a common bio medical waste treatment and disposal facility, before discharge into the sewer should conform to the following limits-

| PARAMETERS | PERMISSIBLE LIMITS |
|------------------|---|
| pH | 6.5-9.0 |
| Suspended solids | 100 mg/l |
| Oil and grease | 10 mg/l |
| BOD | 30 mg/l |
| COD | 250 mg/l |
| Bio-assay test | 90% survival of fish after 96 hours in 100% effluent. |

Note—

1. Above limits are applicable to the occupiers of Health Care Facilities (bedded) which are either connected with sewerage network without terminal sewage treatment plant or not connected to public sewers.

2. For discharge into public sewers with terminal facilities, the general standards as notified under the Environment (Protection) Act, 1986 (29 of 1986) shall be applicable. (w.e.f.16.03.2018)

3. Health Care Facilities having less than ten beds shall have to install Sewage Treatment Plant by the 31st December, 2019. (w.e.f.20.2.2019)

4 Non-bedded occupiers shall dispose infectious liquid wastes only after treatment by disinfection as per Schedule – II (6) of the principal rules. (w.e.f.16.03.2018)

- (2) Sludge from Effluent Treatment Plant shall be given to common bio-medical waste treatment facility for incineration or to hazardous waste treatment, storage and disposal facility for disposal.

Schedule III
[See rule 6 and 9(3)]

List of Prescribed Authorities and the Corresponding Duties

| Sl. No . . (1) | Authority (2) | Corresponding Duties (3) |
|-----------------------------------|---|--|
| 1 | Ministry of Environment, Forest and Climate Change, Government of India | <p>(i) Making Policies concerning bio-medical waste Management in the Country including notification of Rules and amendments to the Rules as and when required.</p> <p>(ii) Providing financial assistance for training and awareness programmes on bio-medical waste management related activities to for the State Pollution Control Boards or Pollution Control Committees.</p> <p>(iii) Facilitating financial assistance for setting up or up-gradation of common bio-medical waste treatment facilities.</p> <p>(iv) Undertake or support operational research and assessment with reference to risks to environment and health due to bio-medical waste and previously unknown disposables and wastes from new types of equipment.</p> <p>(v) Constitution of Monitoring Committee for implementation of the rules.</p> <p>(vi) Hearing Appeals and give decision made in Form-V against order passed by the prescribed authorities.</p> <p>(vii) Develop Standard manual for Trainers and Training.</p> <p>(viii) Notify the standards or operating parameters for new technologies for treatment of bio medical waste other than those listed in Schedule- I.</p> |
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| 2 | Central or State Ministry of Health and Family Welfare, Central Ministry for Animal Husbandry and Veterinary or State Department of Animal Husbandry and Veterinary. | <ul style="list-style-type: none"> (i) Grant of license to health care facilities or nursing homes or veterinary establishments with a condition to obtain authorisation from the prescribed authority for bio-medical waste management. (ii) Monitoring, Refusal or Cancellation of license for health care facilities or nursing homes or veterinary establishments for violations of conditions of authorisation or provisions under these Rules. (iii) Publication of list of registered health care facilities with regard to bio-medical waste generation, treatment and disposal. (iv) Undertake or support operational research and assessment with reference to risks to environment and health due to bio-medical waste and previously unknown disposables and wastes from new types of equipment. (v) Coordinate with State Pollution Control Boards for organizing training programmes to staff of health care facilities and municipal workers on bio-medical waste. (vi) Constitution of Expert Committees at National or State level for overall review and promotion of clean or new technologies for bio-medical waste management. |
| | | <ul style="list-style-type: none"> (vii) Organizing or Sponsoring of trainings for the regulatory authorities and health care facilities on bio-medical waste management related activities. (viii) Sponsoring of mass awareness campaigns in electronic media and print media. |
| 3 | Ministry of Defence | <ul style="list-style-type: none"> (i) Grant and renewal of authorisation to Armed Forces health care facilities or common bio-medical waste treatment facilities (Rule 10 <small>(w.e.f.16.03.2018)</small>) |

| | | |
|----|---------------------------------|--|
| | | <p>(ii) Conduct training courses for authorities dealing with management of bio-medical wastes in Armed Forces health care facilities or treatment facilities in association with State Pollution Control Boards or Pollution Control Committees or Central Pollution Control Board or Ministry of Environment, Forest and Climate Change.</p> <p>(iii) Publication of inventory of occupiers and biomedical waste generation from Armed Forces health care facilities or occupiers</p> <p>(iv) Constitution of Advisory Committee for implementation of the rules.</p> <p>(v) Review of management of bio-medical waste generation in the Armed Forces health care facilities through its Advisory Committee (Rule 11).</p> <p>(vi) Submission of annual report to Central Pollution Control Board within the stipulated time period (Rule 13).</p> <p>(vii) Inspection and monitoring of Medical Inspection (MI) rooms, sick bays onboard ships or submarines, station medical centres and field hospitals in forward locations operated by the Director General, Armed Force Medical Services.^(w.e.f.13.05.2019)</p> |
| 4. | Central Pollution Control Board | <p>(i) Prepare Guidelines on bio-medical waste Management and submit to the Ministry of Environment, Forest and Climate Change.</p> <p>(ii) Co-ordination of activities of State Pollution Control Boards or Pollution Control Committees on biomedical waste.</p> <p>(iii) Conduct training courses for authorities dealing with management of bio-medical waste.</p> <p>(iv) Lay down standards for new technologies for</p> |

| | |
|--|---|
| | <p>treatment and disposal of bio-medical waste (Rule 7) and prescribe specifications for treatment and disposal of bio-medical wastes (Rule 7).</p> <p>(v) Lay down Criteria for establishing common biomedical waste treatment facilities in the Country.</p> <p>(vi) Random inspection or monitoring of health care facilities and common bio-medical waste treatment facilities.</p> <p>(vii) Review and analysis of data submitted by the State Pollution Control Boards on bio-medical waste and submission of compiled information in the form of annual report along with its observations to Ministry of Environment, Forest and Climate Change .</p> <p>(viii) Inspection and monitoring of health care facilities other than Medical Inspection (MI) rooms, sick bays on board ships or submarines, station medical centres and field hospitals in forward locations operated by the Director General, Armed Forces Medical Services (Rule-9). <small>(w.e.f.20.02.2019)</small></p> <p>(ix) Undertake or support research or operational research regarding bio-medical waste.</p> |
|--|---|

| | | |
|----|---|--|
| 5. | <p>State Government of Health or Union Territory Government or Administration</p> | <ul style="list-style-type: none"> (i) To ensure implementation of the rule in all health care facilities or occupiers. (ii) Allocation of adequate funds to Government health care facilities for bio-medical waste management. (iii) Procurement and allocation of treatment equipments and make provision for consumables for bio-medical waste management in Government health care facilities. (iv) Constitute State or District Level Advisory Committees under the District Magistrate or Additional District Magistrate to oversee the biomedical waste management in the Districts. (v) Advise State Pollution Control Boards or Pollution Control Committees on implementation of these Rules. (vi) Implementation of recommendations of the Advisory Committee in all the health care facilities. |
| | | |

| | | |
|----|--|---|
| 6. | State Pollution Control Boards or Pollution Control Committees | <ul style="list-style-type: none"> (i) Inventorisation of Occupiers and data on bio-medical waste generation, treatment & disposal. (ii) Compilation of data and submission of the same in annual report to Central Pollution Control Board within the stipulated time period. (iii) Grant and renewal, suspension or refusal cancellation or of authorisation under these rules (Rule 7, 8 and 10). (iv) Monitoring of compliance of various provisions and conditions of authorisation. (v) Action against health care facilities or common biomedical waste treatment facilities for violation of these rules (Rule 18). (vi) Organizing training programmes to staff of health care facilities and common bio-medical waste treatment facilities and State Pollution Control Boards or Pollution Control Committees Staff on segregation, collection, storage, transportation, treatment and disposal of bio-medical wastes. (vii) Undertake or support research or operational research regarding bio-medical waste management. (viii) Any other function under these rules assigned by Ministry of Environment, Forest and Climate Change or Central Pollution Control Board from time to time. (ix) Implementation of recommendations of the Advisory Committee. (x) Publish the list of Registered or Authorised (or give consent) Recyclers. (xi) Undertake and support third party audits of the common bio-medical waste treatment facilities in their State. |
| 7 | Municipalities or Corporations, Urban Local Bodies and Gram Panchayats | <ul style="list-style-type: none"> (i) Provide or allocate suitable land for development of common bio-medical waste treatment facilities in their respective jurisdictions as per the guidelines of |

| | |
|--|---|
| | <p>Central Pollution Control Board.</p> <p>(ii) Collect other solid waste (other than the biomedical waste) from the health care facilities as per the Municipal Solid Waste (Management and handling) Rules, 2000 or as amended time to time.</p> <p>(iii) Any other function stipulated under these Rules.</p> |
|--|---|

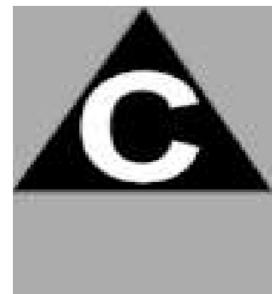
SCHEDULE IV
[See rule 8(3) and (5)] Part
A

LABEL FOR BIO-MEDICAL WASTE CONTAINERS or BAGS



HANDLE WITH CARE

CYTOTOXIC HAZARD SYMBOL



HANDLE WITH CARE

Part B

LABEL FOR TRANSPORTING BIO-MEDICAL WASTE BAGS OR CONTAINERS

DayMonth

Year

Date of generation

Waste category Number

Waste quantity.....

Sender's Name and Address

Phone Number

Fax Number.....

Contact Person

Receiver's Name and Address:

Phone Number

Fax Number

Contact Person

In case of emergency please contact :

Name and Address :

Phone No.

Note :Label shall be non-washable and prominently visible.

FORM – I
[(See rule 4(o), 5(i) and 15 (2)]

ACCIDENT REPORTING

1. Date and time of accident :
2. Type of Accident :

3. Sequence of events leading to accident :
4. Has the Authority been informed immediately :
5. The type of waste involved in accident :
6. Assessment of the effects of the accidents on human health and the environment:
7. Emergency measures taken :
8. Steps taken to alleviate the effects of accidents :
9. Steps taken to prevent the recurrence of such an accident :
10. Does your facility has an Emergency Control policy? If yes give details:

Date :

Signature

Place:

Designation

FORM - II

(See rule10)

APPLICATION FOR AUTHORISATION OR RENEWAL OF AUTHORISATION

(To be submitted by occupier of health care facility or common bio-medical waste treatment facility)

To

The Prescribed Authority

(Name of the State or UT Administration) Address.

1. Particulars of Applicant:

(i) Name of the Applicant:

(In block letters & in full)

(ii) Name of the health care facility (HCF) or common bio-medical waste treatment facility (CBWTF) :

(iii) Address for correspondence:

(iv) Tele No., Fax No.:

(v) Email:

(vi) Website Address:

2. Activity for which authorisation is sought:

| | |
|---------------------------------------|------------------------------------|
| Activity | Please tick |
| Generation, segregation | |
| Collection, | |
| Storage | packaging |
| Transportation | Reception |
| Treatment or processing or conversion | |
| Recycling | |
| Disposal or destruction | use offering for sale, transfer |
| Any other form of handling | |

3. Application for fresh or renewal of authorisation (please tick whatever is applicable):

(i) Applied for CTO/CTE Yes/No

(ii) In case of renewal previous authorisation number and date:

----- (iii)

Status of Consents:

(a) under the Water (Prevention and Control of Pollution) Act, 1974

(b) under the Air (Prevention and Control of Pollution) Act, 1981:

4. (i) Address of the health care facility (HCF) or common bio-medical waste treatment facility (CBWTF):

(ii) GPS coordinates of health care facility (HCF) or common bio-medical waste treatment facility (CBWTF):

5. Details of health care facility (HCF) or common bio-medical waste treatment facility (CBWTF):

- (i) Number of beds of HCF:
 - (ii) Number of patients treated per month by HCF:
 - (iii) Number healthcare facilities covered by CBMWTF: _____
 - (iv) No of beds covered by CBMWTF: _____
 - (v) Installed treatment and disposal capacity of CBMWTF: Kg per day

(vi) Quantity of biomedical waste treated or disposed by CBMWTF: _____ Kg/ day

(vii) Area or distance covered by CBMWTF: _____

(pl. attach map a map with GPS locations of CBMWTF and area of coverage) (viii)

Quantity of Biomedical waste handled, treated or disposed:

| Category | Type of Waste | Quantity Generated or Collected, kg/day | Method of Treatment and Disposal (Refer Schedule-I) |
|-----------------------------|--|---|---|
| (1) | (2) | (3) | (4) |
| Yellow | (a) Human Anatomical Waste: | | |
| | (b) Animal Anatomical Waste : | | |
| | (c) Soiled Waste: | | |
| | (d) Expired or Discarded Medicines: | | |
| | (e) Chemical Solid Waste: | | |
| | (f) Chemical Liquid Waste : | | |
| | (g) Discarded linen, mattresses, beddings contaminated with blood or body fluid. | | |
| | (h) Microbiology, Biotechnology and other clinical laboratory waste: | | |
| Red | Contaminated Waste (Recyclable) | | |
| White (Translucen t) | Waste sharps including Metals: | | |
| Blue | Glassware: | | |
| | Metallic Body Implants | | |

6. Brief description of arrangements for handling of biomedical waste (attach details): (i) Mode of transportation (if any) of bio-medical waste:

(ii) Details of treatment equipment (please give details such as the number, type & capacity of each unit)

| No of units | Capacity of each unit |
|-------------------------------------|-------------------------|
| Incinerators : | Plasma Pyrolysis: |
| Autoclaves: | Microwave: |
| Hydroclave: | Shredder: |
| Needle tip cutter or | destroyer |
| Sharps encapsulation or | concrete pit: |
| Deep burial pits: | |
| Chemical disinfection: treatment | Any other equipment: |

7. Contingency plan of common bio-medical waste treatment facility (CBWTF)(attach documents):

8. Details of directions or notices or legal actions if any during the period of earlier authorisation 9.

Declaration

I do hereby declare that the statements made and information given above are true to the best of my knowledge and belief and that I have not concealed any information.

I do also hereby undertake to provide any further information sought by the prescribed authority in relation to these rules and to fulfill any conditions stipulated by the prescribed authority.

Date : Signature of the Applicant

Place : Designation of the Applicant

**FORM -III
(See rule 10)**

AUTHORISATION

(Authorisation for operating a facility for generation, collection, reception, treatment, storage, transport and disposal of biomedical wastes)

1. File number of authorisation and date of issue.....

2. M/s _____ an occupier or operator of the facility located at _____ is hereby granted an authorisation for;

Activity Please tick

Generation, segregation

Collection,

Storage packaging Reception

Transportation

Treatment or processing or conversion

Recycling

Disposal or destruction use offering for sale, transfer

Any other form of handling

3. M/s _____ is hereby authorized for handling of biomedical waste as per the capacity given below;

- (i) Number of beds of HCF:
- (ii) Number healthcare facilities covered by CBMWTF: _____

(iii) Installed treatment and disposal capacity: _____ Kg per day
(iv) Area or distance covered by CBMWTF: _____

(v) Quantity of Biomedical waste handled, treated or disposed:

| Type of Waste Category | Quantity permitted for Handling |
|------------------------|---------------------------------|
| Yellow | |
| Red | |
| White (Translucent) | |
| Blue | |

3. This authorisation shall be in force for a period of Years from the date of issue.
4. This authorisation is subject to the conditions stated below and to such other conditions as may be specified in the rules for the time being in force under the Environment (Protection) Act, 1986.

Date Signature.....
Place: Designation

Terms and conditions of authorisation *

1. The authorisation 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 prescribed authority.
3. The person authorized shall not rent, lend, sell, transfer or otherwise transport the biomedical wastes without obtaining prior permission of the prescribed authority.
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. It is the duty of the authorised person to take prior permission of the prescribed authority to close down the facility and such other terms and conditions may be stipulated by the prescribed authority.

Form - IV
(See rule 13)
ANNUAL REPORT

[To be submitted to the prescribed authority on or before 30th June every year for the period from January to December of the preceding year, by the occupier of health care facility (HCF) or common bio-medical waste treatment facility (CBWTF)]

| Sl. No. | Particulars | | |
|------------|-----------------------------|---|--|
| 1 . | Particulars of the Occupier | : | |

| | | | |
|----|---|--|--|
| | (i) Name of the authorised person (occupier or operator of facility) | : | |
| | (ii) Name of HCF or CBMWTF | : | |
| | (iii) Address for Correspondence | : | |
| | (iv) Address of Facility | : | |
| | (v) Tel. No, Fax. No | : | |
| | (vi) E-mail ID | : | |
| | (vii) URL of Website | : | |
| | (viii) GPS coordinates of HCF or CBMWTF | : | |
| | (ix) Ownership of HCF or CBMWTF | : | (State Government or Private or Semi Govt. or any other) |
| | (x). Status of Authorisation under the Bio-Medical Waste (Management and Handling) Rules | : | Authorisation No.:valid up to |
| | (xi). Status of Consents under Water Act and Air Act | : | Valid up to: |
| 2. | Type of Health Care Facility | : | |
| | (i) Bedded Hospital | : | No. of Beds:..... |
| | (ii) Non-bedded hospital (Clinic or Blood Bank or Clinical Laboratory or Research Institute or Veterinary Hospital or any other) | : | |
| | (iii) License number and its date of expiry | : | |
| 3. | Details of CBMWTF | : | |
| | (i) Number healthcare facilities covered by CBMWTF | : | |
| | (ii) No of beds covered by CBMWTF | : | |
| | (iii) Installed treatment and disposal capacity of CBMWTF: | : | _____ Kg per day |
| | (iv) Quantity of biomedical waste treated or disposed by CBMWTF | : | _____ Kg/day |
| 4. | Quantity of waste generated or disposed in Kg per annum (on monthly average basis) | : | Yellow Category : Red Category : White: Blue Category : General Solid waste: |
| 5 | Details of the Storage, treatment, transportation, processing and Disposal Facility | | |
| | (i) Details of the on-site storage facility | Size : | |
| | | Capacity : | |
| | | Provision of on-site storage : (cold storage or any other provision) | |

(ii) Details of the treatment or :

| | disposal facilities | Type of treatment equipment | No of units | Capacity per year | Quantity treated per day in kg |
|---|---|---|-------------|--|--------------------------------|
| | | Incinerators Plasma Pyrolysis Autoclaves Microwave Hydroclave Shredder Needle tip cutter or destroyer Sharps | | - | |
| | | encapsulation or concrete pit Deep burial pits: Chemical disinfection: Any other treatment equipment: | | - | |
| | (iii) Quantity of recyclable wastes sold to authorized recyclers after treatment in kg per annum. | : | | Red Category (like plastic, glass etc.) | |
| | (iv) No of vehicles used for collection and transportation of biomedical waste | : | | | |
| | (v) Details of incineration ash and ETP sludge generated and disposed during the treatment of wastes in Kg per annum | | | Quantity generated Incineration Ash ETP Sludge | Where disposed |
| | (vi) Name of the Common BioMedical Waste Treatment Facility Operator through which wastes are disposed of | : | | | |
| | (vii) List of member HCF not handed over bio-medical waste. | | | | |
| 6 | Do you have bio-medical waste management committee? If yes, attach minutes of the meetings held during the reporting period | | | | |

| | | | |
|----|---|---|---|
| 7 | Details trainings conducted on BMW | | |
| | (i) Number of trainings conducted on BMW Management. | | |
| | (ii) number of personnel trained | | |
| | (iii) number of personnel trained at the time of induction | | |
| | (iv) number of personnel not undergone any training so far | | |
| | (v) whether standard manual for training is available? | | |
| 8 | (vi) any other information) | | |
| | Details of the accident occurred during the year | | |
| | (i) Number of Accidents occurred | | |
| | (ii) Number of the persons affected | | |
| | (iii) Remedial Action taken (Please attach details if any) | | |
| 9. | (iv) Any Fatality occurred, details. | | |
| | Are you meeting the standards of air Pollution from the incinerator? How many times in last year could not met the standards? | | |
| 10 | Details of Continuous online emission monitoring systems installed | | |
| | Liquid waste generated and treatment methods in place. How many times you have not met the standards in a year? | | |
| 11 | Is the disinfection method or sterilization meeting the log 4 standards? How many times you have not met the standards in a year? | | |
| | Any other relevant information | : | (Air Pollution Control Devices attached with the Incinerator) |

Certified that the above report is for the period from

.....

Name and Signature of the Head of the Institution

Form IVA

[See rule 13(2)]

Format for Submission of the Annual Report Information on Bio-medical Waste Management (to be submitted by the State Pollution Control Boards or Pollution Control Committees and Director General Armed Forces Medical Services to Central Pollution Control Board on or before 31st July of every year for the period from January to December of the preceding calendar year) (w.e.f.16.03.2018)

"Form IVA"

[See rule 13(2)]

Format for Submission of the Annual Report Information on Bio-medical Waste Management (to be submitted by the State Pollution Control Boards or Pollution Control Committees and Director General Armed Forces Medical Services to Central Pollution Control Board on or before 31st July of every year for the period from January to December of the preceding calendar year)

Part-1 (Summary of Information)

| | | |
|--------|---|----------------------|
| (1) | Name of the Organisation | : |
| (2) | Name of the Nodal Officer with contact telephone number and e-mail | : |
| (3) | Total no. of Health Care Facilities / Occupiers | : |
| (i) | Bedded Hospitals and Nursing Homes (bedded) | : |
| (ii) | Clinics, dispensaries | : |
| (iii) | Veterinary institutions | : |
| (iv) | Animal houses | : |
| (v) | Pathological laboratories | : |
| (vi) | Blood banks | : |
| (vii) | Clinical establishment | : |
| (viii) | Research Institutions | : |
| (ix) | AYUSH | : |
| (4) | Total no. of beds | : |
| (5) | Status of authorisation | : |
| (i) | Total number of Occupiers applied for authorisation | : |
| (ii) | Total number of Occupiers granted authorisation | : |
| (iii) | Total number of application under consideration | : |
| (iv) | Total number of applications rejected | : |
| (v) | Total number of Occupiers in operation without applying for authorisation | : |
| (6) | Quantity of Bio-medical Waste Generation (in kg/day) (please enclose District Wise Bio-medical Waste Generation as per Part-2) | : |
| (i) | Bio-medical waste generation by bedded hospitals(in kg/day) | : |
| (ii) | Bio-medical waste generation by non-bedded hospitals (in kg/day) | : |
| (iii) | Any other | : |
| (7) | Bio-medical waste treatment and disposal | Total : _____ Kg/day |
| (a) | By Captive bio-medical waste treatment and disposal by Health Care Facilities (please enclose details as per Part-3) | |
| (i) | Number of Health Care Facilities having captive treatment and Disposal facilities : | |
| (ii) | Total bio-medical waste treated and disposed by captive treatment facilities in kg/day : | |
| (b) | Bio-medical waste treatment and disposal by Common Bio Medical Waste Treatment Facilities (please enclose details as per Part 4) | |
| (i) | Number of Common Bio Medical Waste Treatment Facilities in Operation | : |
| (ii) | Number of Common Bio Medical Waste Treatment Facilities under construction : | |

- (iii) Total bio-medical waste treated in kg/day :
- (iv) Total treated bio-medical waste disposed through authorised recyclers (in Kg/day) :
- (8) Total no. of violation by
- (i) Health Care Facilities (bedded and non-bedded)
- (ii) Common Bio Medical Waste Treatment Facilities
- (iii) Others (please specify)
- (9) Show cause notices/directions issued to defaulters
- (i) Health Care Facilities (bedded and non-bedded)
- (ii) Common Bio Medical Waste Treatment Facilities
- (iii) Others
- (10) Any other relevant information:
- (i) Number of workshops / trainings conducted during the year
- (ii) Number of occupiers installed liquid waste treatment facility
- (iii) Number of captive incinerators complying to the norms
- (iv) Number of occupiers organised trainings
- (v) Number of occupiers constituted Bio-medical Waste Management Committees
- (vi) Number of occupiers submitted Annual Report for the previous calendar year
- (vii) Number of occupiers practising pre-treatment of lab microbiology and Bio-technology waste :
- (viii) Number of Common Bio Medical Waste Treatment Facilities that have installed Continuous Online Emission Monitoring Systems

Part 2: District-wise Bio-medical Waste Generation (for the previous calendar year)

| S. No. | Name of the State / Union Territory | Name of the District | Bio-medical Waste Generation (in Kg/day) | Existing Total bio-medical waste treatment capacity (both captive and CBMWTF) in kg/day | |
|--------|-------------------------------------|----------------------|--|---|-------|
| | | | | Equipment | Total |
| | | | | Incinerator: | |
| | | | | Autoclave: | |
| | | | | Deep | |
| | | | | Burial: | |
| | | | | Any other: | |
| | | | | | |
| | | | | | |

Part 3 : Information on Health Care Facilities having captive treatment facilities (for the previous calendar Year)

| S. No. | Name and address of the Health Care Facility | Quantity of Bio-medical Waste Generation (in kg/day) | | | | | Total Installed Treatment Capacity in kg/day | | | | Total bio-medical waste treated and disposed by Health Care Facilities in kg/day |
|--------|--|--|-----|------|-------|---|--|-----------|-------------|-----------|--|
| | | Yellow | Red | Blue | White | Total bio-medical waste generated (in kg/day) | Incinerator | Autoclave | Deep Burial | Any other | |
| | | | | | | | | | | | Incinerator: |
| | | | | | | | | | | | Autoclave: |
| | | | | | | | | | | | Deep: |
| | | | | | | | | | | | Burial: |
| | | | | | | | | | | | Any other: |
| | | | | | | | | | | | Total: |

Part 4: Information on Common Bio-Medical Waste Treatment and Disposal Facilities (for the previous calendar Year)

| S. No. | Name and Address of the Common Bio | GPS Coordinates | Coverage Area in KMS | Name of the cities/ areas covered | Total number of Health Care Facilities | Total number of beds covered | Total Quantity of Bio-Medical Waste | Capacity of Treatment equipments installed by Common Bio Medical Waste Treatment Facilities | Total Bio-Medical waste treated in | Method of Disposal of treated wastes (Incineration Ash/Sharps/Plas |
|--------|------------------------------------|-----------------|----------------------|-----------------------------------|--|------------------------------|-------------------------------------|---|------------------------------------|--|
| | | | | | | | | | | |

| Medical Waste Treatment Facilities with contact person name and telephone number | | | by Common Bio-Medical Waste Treatment Facilities | being covered | | collected from member Health Care Facilities (in Kg/day) | Equipment | Numbers | Total installed capacity (kg/day) | kg/day | tics) |
|--|--|--|--|---------------|--|--|--------------------------------------|---------|-----------------------------------|--------|------------------------------------|
| | | | | | | | Incinerator | | | | Incineration Ash: |
| | | | | | | | Plasma Pyrolysis | | | | Quantity: Disposed by: |
| | | | | | | | Autoclave | | | | Sharps: |
| | | | | | | | Hydroclave | | | | Quantity: Disposed by: |
| | | | | | | | Microwave | | | | Plastics: |
| | | | | | | | Shredder | | | | Quantity: Disposed by: |
| | | | | | | | Sharps encapsulation or concrete pit | | | | |
| | | | | | | | Deep burial pits | | | | |
| | | | | | | | Any other equipment | | | | |
| | | | | | | | Effluent Treatment Plant | | | | ETP Sludge: Quantity: Disposed by: |
| | | | | | | | Sub-total | | | | |

- (a) Total Number of transportation vehicles used for collection of Bio-medical Waste on daily basis by the Common Bio-Medical Waste Treatment Facilities:
- (b) List of Health Care Facilities not having membership with the Common Bio-Medical Waste Treatment Facilities and neither having captive treatment facilities:
- (c) Number of trainings organised by the Common Bio-Medical Waste Treatment Facility operators:
- (d) Number of Accidents reported by the Common Bio Medical Waste Treatment Facilities: (w.e.f.16.03.2018)

Date:

Place

FORM -V

(See rule 16)

Application for filing appeal against order passed by the prescribed authority

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

Date :

Signature
Name and Address.....

[F. No. 3-1/2000-HSMD]

(Bishwanath Sinha)
Joint secretary to the Government of India

E-WASTE (MANAGEMENT) RULES AS AMENDED UPTO 2024

G.S.R. 801(E).—Whereas the draft rules, namely the E-Waste (Management) Rules, 2022 were published by the Government of India in the Ministry of Environment, Forest and Climate Change, *vide* notification number S.O. 360 (E), dated the 19th May, 2022 in the Gazette of India, Extraordinary, Part II, section 3, sub-section (i), 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 Gazette containing the said notification were made available to the public on the 19th day of May, 2022;

AND WHEREAS, the objections and suggestions received from the public in respect of the said draft notification within the said period 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) read with sub-rule (3) of rule 5 of the Environment (Protection) Rules, 1986, and in supersession of the E-waste (Management) Rules, 2016, 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 E-Waste (Management) Rules, 2022.

(2) They shall come into force from the 1st day of April, 2023.

2. Application. - These rules shall apply to every manufacturer, producer refurbisher, dismantler and recycler involved in manufacture, sale, transfer, purchase, refurbishing, dismantling, recycling and processing of e-waste or electrical and electronic equipment listed in Schedule I, including their components, consumables, parts and spares which make the product operational but shall not apply to

-
- (a) waste batteries as covered under the Battery Waste Management Rules, 2022;
- (b) packaging plastics as covered under the Plastic Waste Management Rules, 2016;
- (c) micro enterprise as defined in the Micro, Small and Medium Enterprises Development Act, 2006 (27 of 2006); and
- (d) radio-active wastes as covered under the provisions of the Atomic Energy Act, 1962 (33 of 1962) and rules made there under.

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

'Act' means the Environment (Protection) Act, 1986 (29 of 1986);

- (b) 'bulk consumer' means any entity which has used at least one thousand units of electrical and electronic equipment listed in Schedule I, at any point of time in the particular Financial Year and includes e-retailer;
- (c) 'business' means manufacturing, production, assembling and import of electrical and electronic equipment as listed in Schedule I and refurbishing, recycling, disposal and treatment of e-waste;
- (d) 'component' means one of the parts of a sub-assembly or assembly of which a manufactured product is made up of and into which it may be resolved and includes an accessory or attachment to another component;
- (e) 'consumables' means an item, which participates in or is required for a manufacturing process or for functioning of the electrical and electronic equipment and may or may not form part of end-product and Items which are substantially or totally consumed during a manufacturing process shall be deemed to be consumables;
- (f) "**dismantler**" means any person or entity engaged in dismantling of used electrical and electronic equipment and components thereof in accordance with the guidelines of the Central Pollution Control Board made in this regard. (w.e.f.08.03.2024)

- (g) 'disposal and treatment' means any operation which does not lead to recycling, recovery or reuse and includes physicochemical or biological treatment, incineration and deposition in secured landfill;
- (h) 'end-of-life' of the product means the time when the product is intended to be discarded by the user;
- (i) 'environmentally sound management of e-waste' means taking all steps required to ensure that e-waste is managed in a manner which shall protect health and environment against any adverse effects, which may result from such e-waste;
- (j) 'electrical and electronic equipment' means equipment which are dependent on electric current or electro-magnetic field in order to become functional and also the equipment for the generation, transfer and measurements of the electricity;
- (k) 'e-retailer' means an individual or company or business entity that uses an electronic network such as internet, social media, telephone or any other media, to sell its goods;
- (l) 'e-waste' means electrical and electronic equipment, including solar photo-voltaic modules or panels or cells, whole or in part discarded as waste, as well as rejects from manufacturing, refurbishment and repair processes;
- (m) 'extended producer responsibility' means responsibility of any producer of electrical or electronic equipment as given in Schedule-I for meeting recycling targets as per Schedule-III and Schedule-IV, only through registered recyclers of e-waste to ensure environmentally sound management of such waste;
- (n) 'facility' means any location wherein the process incidental to the collection, reception, storage, segregation, refurbishing, recycling, disposal and treatment of e-waste are carried out;
- (o) 'historical e-waste' means e-waste generated from electrical and electronic equipment as specified in Schedule-I which was available on the date from which these rules come into force;
- (p) 'manufacturer' means a person or an entity or a company as defined in the Companies Act, 2013 (18 of 2013) or a factory as defined in the Factories Act, 1948 (63 of 1948) or Small and Medium Enterprises as defined in the Micro, Small and Medium Enterprises Development Act, 2006 (27 of 2006), which has facilities for manufacture of electrical and electronic equipment as specified in Schedule-I;
- (q) 'orphaned products' means non-branded or assembled electrical and electronic equipment as specified in Schedule-I or those produced by a company which has closed its operations;
- (r) 'part' means an element of a sub-assembly or assembly including its component, spares or accessory not normally useful by itself and not amenable to further disassembly for maintenance purposes;
- (s) 'portal' means the online system developed by the Central Pollution Control Board for the purposes of these rules;
- (t) 'producer' means any person or entity who, -
 - (i) manufactures and offers to sell electrical and electronic equipment and their components or consumables or parts or spares under its own brand; or
 - (ii) offers to sell under its own brand, assembled electrical and electronic equipment and their components or consumables or parts or spares produced by other manufacturers or suppliers; or
 - (iii) offers to sell imported electrical and electronic equipment and their components or consumables or parts or spares; or
 - (iv) who imports used electrical and electronic equipment; irrespective of the selling technique used such as dealer, retailer, e-retailer, etc.;
- (u) 'recycler' means any person or entity who is engaged in recycling and reprocessing of waste electrical and electronic equipment or assemblies or their components or their parts for recovery

of precious, semi-precious metals including rare earth elements and other useful recoverable materials to strengthened the secondary sourced materials and having facilities as elaborated in the guidelines of the Central Pollution Control Board made in this regard;

- (v) 'refurbisher' means any person or entity repairing or assembling used electrical and electronic equipment as listed in Schedule-I for extending its working life over its originally intended life and for same use as originally intended, and selling the same in the market;
 - (w) 'Schedule' means the Schedule appended to these rules;
 - (x) 'spares' means a part or a sub-assembly or assembly for substitution which is ready to replace an identical or similar part or sub-assembly or assembly including a component or an accessory; and
 - (y) 'target' means the quantity of e-waste to be recycled through registered recycler by the producer in fulfilment of extended producer responsibility.
- (2) Words and expressions used in these rules and not defined but defined in the Act shall have the same meanings as respectively, as assigned to them in the Act.

CHAPTER II

Extended Producer Responsibility Framework

4. **Registration.** - (1) The entities shall register on the portal in any of the following category, namely:
- - (a) manufacturer;
 - (b) producer;
 - (c) refurbisher; or (d) recycler.
- (2) In case any entity falls in more than one categories under sub-rule (1), then the entity shall register under those categories separately.
- (3) No entity referred in sub-rule (1) shall carry out any business without registration.
- (4) The entities registered under sub-rule (1) shall not deal with any unregistered manufacturer, producer, recycler and refurbisher.
- (5) Where any registered entity furnishes false information or willfully conceals information for getting registration or return or report or information required to be provided or furnished under these rules or in case of any irregularity, the registration of such entity may be revoked by the Central Pollution Control Board for a period up to three-years after giving an opportunity to be heard and in addition, environmental compensation charges may also be levied as per rule 22 in such cases.
- (6) The Central Pollution Control Board may charge such registration fee and annual maintenance charges from the entities seeking registration under these rules based on capacity of e-waste generated or recycled or handled by them as laid down by the Central Pollution Control Board with the approval of the Steering Committee.

CHAPTER III

RESPONSIBILITIES

5. **Responsibilities of the manufacturer.** – All manufacturer shall have to, -

- (1) register on the portal;
- (2) collect e-waste generated during the manufacture of any electrical and electronic equipment and ensure its recycling or disposal;
- (3) file annual and quarterly returns in the laid down form on the portal on or before end of the month succeeding the quarter or year, as the case may be, to which the return relates.

- (4) ensure secure, accountable and sustainable management of refrigerant generated during the manufacture of refrigeration and air-conditioning equipment by adopting approved destruction technologies as per the guidelines issued by the Central Pollution Control Board. (w.e.f.24.07.2023)

6. Responsibilities of the producer. - The producer of electrical and electronic equipment listed in Schedule I shall be responsible for - (1) registration on the portal;

- (2) obtaining and implementing extended producer responsibility targets as per Schedule-III and Schedule-IV through the portal:

Provided that the producer having extended producer responsibility plan under the provisions of the erstwhile E-Waste (Management) Rules, 2016 shall migrate under these rules as per the procedure laid down by the Central Pollution Control Board with approval of Steering Committee;

- (3) creating awareness through media, publications, advertisements, posters or by any other means of communication;
- (4) file annual and quarterly returns in the laid down form on the portal on or before the end of the month succeeding the quarter or year, as the case may be, to which the return relates.

7. Responsibilities of the refurbisher. – All refurbisher shall have to, -

- (1) register on the portal;
- (2) collect e-waste generated during the process of refurbishing and hand over the waste to registered recycler and upload information on the portal;
- (3) ensure that the refurbished equipment shall be as per Compulsory Registration Scheme of the Ministry of Electronics and Information Technology and Standards of Bureau of Indian Standards framed for this purpose;
- (4) file annual and quarterly returns in the laid down form on the portal on or before the end of the month succeeding the quarter or year, as the case may be, to which the return relates.
- (5) ensure secure, accountable and sustainable management of refrigerant generated from the end-of life refrigeration and air-conditioning equipment by adopting approved destruction technologies as per the guidelines issued by the Central Pollution Control Board. (w.e.f.24.07.2023)

8. Responsibilities of bulk consumer. - Bulk consumers of electrical and electronic equipment listed in Schedule I shall ensure that e-waste generated by them shall be handed over only to the registered producer, refurbisher or recycler.

9. Responsibilities of the recycler. - All recycler shall have to, -

- (1) register on the portal;
- (2) ensure that the facility and recycling processes are in accordance with the standards or guidelines laid down by the Central Pollution Control Board in this regard from time to time;
- (3) ensure that the fractions or material not recycled in its facility is sent to the respective registered recyclers;
- (4) ensure that residue generated during recycling process is disposed of in an authorised treatment storage disposal facility;
- (5) maintain record of e-waste collected, dismantled, recycled and sent to registered recycler on the portal and make available all records for verification or audit as and when required;
- (6) file annual and quarterly returns in the laid down form on the portal on or before the end of the month succeeding the quarter or year, as the case may be, to which the return relates;
- (7) accept waste electrical and electronic equipment or components not listed in Schedule-I for recycling provided that they do not contain any radioactive material and same shall be uploaded on the portal;
- (8) create awareness through media, publications, advertisements, posters or by such other means of communication;

- (9) account for and upload information about any non-recyclable e-waste or any quantity which is not recycled and disposed of;

9A. Relaxation of timelines for filing of returns. – The Central Government may, if it is satisfied that it is necessary so to do in the public interest or for effective implementation of these rules, by order, relax any period within which any return or report is to be filed under these rules by a manufacturer, producer, refurbisher or recycler of electrical and electronic equipment and components or consumables or parts or spares thereof, for a further period not exceeding nine months. (w.e.f.08.03.2024)

- (10) take help of dismantlers for recycling purposes:

Provided that it shall be the responsibility of recycler to ensure proper material flow to and from those dismantlers and the dismantler shall give dismantled material to registered recycler only and maintain record of the same.

- (11) **ensure secure, accountable and sustainable management of refrigerant generated from the end-of life refrigeration and air-conditioning equipment by adopting approved destruction technologies as per the guidelines issued by the Central Pollution Control Board.** (w.e.f.24.07.2023)

10. Responsibilities of State Government or Union territories. – (1) The Department of Industry in the State and Union territory or any other government agency authorised in this regard by the State Government or the Union territory, as the case may be, shall ensure earmarking or allocation of industrial space or shed for e-waste dismantling and recycling in the existing and upcoming industrial park, estate and industrial clusters.

- (2) Department of Labor in the State and Union territory or any other government agency authorised in this regard by the State Government or the Union territory, as the case may be, shall, -
- ensure recognition and registration of workers involved in dismantling and recycling;
 - assist formation of groups of such workers to facilitate setting up of dismantling facilities;
 - undertake industrial skill development activities for the workers involved in dismantling and recycling;
 - undertake annual monitoring and to ensure safety and health of workers involved in dismantling and recycling.

CHAPTER IV

11. Procedure for storage of e-waste. – Every manufacturer, producer, refurbisher and recycler may store the e-waste for a period not exceeding one hundred and eighty days and shall maintain a record of sale, transfer and storage of e-wastes and make these records available for inspection and the storage of the e-waste shall be done as per the applicable rules or guidelines for the time being in force:

Provided that the Central Pollution Control Board may extend the said period up to three hundred and sixty-five days in case the e-waste needs to be specifically stored for development of a process for its recycling or reuse.

CHAPTER V

12. Management of solar photo-voltaic modules or panels or cells. – (1) These rules shall be applicable to solar photo-voltaic modules or panels or cells, subject to provisions of this chapter.

- (2) Every manufacturer and producer of solar photo-voltaic modules or panels or cells shall, -
- ensure registration on the portal;
 - store solar photo-voltaic modules or panels or cells waste generated up to the year 2034-2035 as per the guidelines laid down by the Central Pollution Control Board in this regard;
 - file annual returns in the laid down form on the portal on or before the end of the year to which the return relates up to year 2034-2035;

- (iv) ensure that the processing of the waste other than solar photo-voltaic modules or panels or cells shall be done as per the applicable rules or guidelines for the time being in force;
 - (v) ensure that the inventory of solar photo-voltaic modules or panels or cells shall be put in place distinctly on portal;
 - (vi) comply with standard operating procedure and guidelines laid down by the Central Pollution Control Board in this regard.
- (3) Recycler of solar photo-voltaic modules or panels or cells shall be mandated for recovery of material as laid down by the Central Pollution Control Board in this regard.

CHAPTER VI

13. Modalities of the extended producer responsibility Regime. – (1) All producers shall fulfil their extended producer responsibility obligation as per Schedule-III and Schedule-IV, in doing so they may also take help of third party organisations such as producer responsibility organisations, collection centres, dealers etc.:

Provided that the extended producer responsibility shall lie entirely on the producer only.

- (2) The extended producer responsibility for each product shall be decided on the basis of the information provided by the producers on the portal and the individual product's life period as laid down by the Central Pollution Control Board in this regard and the targets specified in Schedule-III and Schedule-IV.
- (3)
 - (i) The producer shall fulfill their extended producer responsibility through online purchase of extended producer responsibility certificate from registered recyclers only and submit it online by filing quarterly return.
 - (ii) The details provided by producer and registered recycler shall be cross-checked on the portal.
 - (iii) In case of any difference, the lower figure shall be considered towards fulfilment of extended producer responsibility obligation of the producer.
 - (iv) The certificates shall be subject to environmental audit by the Central Pollution Control Board or any other agencies authorized by the Central Pollution Control Board in this regard.

14. Extended producer responsibility Certificate Generation. – (1) **Recycling.** - (i) The Central Pollution Control Board shall generate extended producer responsibility certificate through the portal in favour of a registered recycler in the format laid down by it in this regard.

- (ii) (a) The quantity eligible for generation of extended producer responsibility certificate shall be calculated by the following formula namely:

$$*Q_{EPR} = Q_p \times C_f$$

*the Q_{EPR} is the quantity eligible for generation of the certificate, Q_p is the quantity of the end product and C_f is the conversion factor (quantity of inputs required for production of one unit of output)

- (b) Conversion factor C_f for each end product shall be determined by Central Pollution Control Board with the approval of the steering committee.
- (c) In case of multiple end products of recycling, the conversion factor for generation of extended producer responsibility certificate shall be determined as per the guidelines issued by the Central Pollution Control Board with the approval of the Steering Committee. (w.e.f.24.07.2023)
- (iii) The validity of the extended producer responsibility certificate shall be two years from the end of the financial year in which it was generated and the expired certificate automatically extinguished after the period unless extinguished earlier as per the provisions of these rules.
- (iv) Each extended producer responsibility certificate shall have a unique number containing year of generation, code of end product, recycler code and a unique code and the extended producer responsibility certificates shall be in the denominations of 100, 200, 500 and 1000 kg or such other denominations as may be laid down by the Central Pollution Control Board with the approval of the Steering Committee.

(2) Refurbishing. – (i) The e-waste shall also be allowed for refurbishing and refurbisher shall have to get registered on the portal and based on the data provided, refurbishing certificate shall be generated in favour of a registered refurbisher in the format laid down by it in this regard.

(ii) On production of the refurbishing certificates purchased from the registered refurbishers, the extended producer responsibility of the producers shall be deferred by the duration as laid down by the Central Pollution Control Board for the corresponding quantity of e-waste and shall be added to the extended producer responsibility of the producer upon expiry of the extended life of the refurbished product.

(iii) To incentivise refurbishing, only 75 per cent of the deferred quantity shall be added to the extended producer responsibility of the producer for recycling upon expiry of the extended life of the refurbished product.

Example: - If a producer has extended producer responsibility obligation of 100 tonnes in the year 2023-2024 and he purchases recycling certificate of 60 tonnes and refurbishing certificate of 40 tonnes and the concerned item has extended life of five years due to refurbishing.

In this case 60 tonnes of the extended producer responsibility of the producer shall be achieved in the year 2023-2024 itself and 75 per cent of the remaining 40 tonnes i.e. 30 tonnes shall be carried over and added to the extended producer responsibility of that producer for the year 2028-2029 for that item.

(iv) The extended producer responsibility obligation shall be extinguished only after end of life disposal through a registered recycler and producing extended producer responsibility certificate and not by refurbishing certificate.

15. Transaction of extended producer responsibility certificates. - (1) A producer may purchase extended producer responsibility certificates limited to its extended producer responsibility liability of current year (Year Y) plus any leftover liability of preceding years plus 5 per cent of the current year liability.

- (2) The extended producer responsibility obligation shall have to be fulfilled by the producers by proportionately purchasing extended producer responsibility certificate on quarterly basis.
- (3) As soon as the producer purchases extended producer responsibility certificate, it shall be automatically adjusted against its liability and priority in adjustment shall be given to earlier liability and the extended producer responsibility certificate so adjusted shall be automatically extinguished and cancelled.
- (4) As soon as producer purchases refurbishing certificates its extended producer responsibility liability shall be deferred automatically for the relevant quantity of the product, for the duration as laid down by the Central Pollution Control Board.
- (5) The availability, requirement and other details of the extended producer responsibility certificate and refurbishing certificates for every producer or recycler or refurbisher shall be made available on the portal.
- (6) All the transactions under these rules shall be recorded and submitted by the producers or recyclers on the portal at the time of filing of quarterly returns.
- (7) **The Central Government may by, order, establish one or more platform for exchange or transfer of extended producer responsibility certificates in accordance with the guidelines issued by the Central Pollution Control Board with the approval of the Central Government.**
- (8) **The operation of the platform, established under sub-rule (7) shall be operated and regulated in accordance with guidelines made by the Central Government on the recommendation of the Central Pollution Control Board.**
- (9) **The Central Pollution Control Board shall fix the highest and lowest price for exchange of extended producer responsibility certificates which shall be equal to hundred per cent and thirty per cent, respectively of the environmental compensation for non-fulfilment of extended producer responsibility obligation under rule 22.**
- (10) **The exchange price of extended producer responsibility certificate between registered entities through the portal shall be between the highest and lowest prices referred to in sub-rule (9).**
(w.e.f.08.03.2024)

CHAPTER VII

REDUCTION IN THE USE OF HAZARDOUS SUBSTANCES IN THE MANUFACTURE OF ELECTRICAL AND ELECTRONIC EQUIPMENT AND THEIR COMPONENTS OR CONSUMABLES OR PARTS OR SPARES

16. Reduction in the use of hazardous substances in the manufacture of electrical and electronic equipment and their components or consumables or parts or spares. – (1) Every producer of electrical and electronic equipment and their components or consumables or parts or spares listed in Schedule I shall ensure that, new electrical and electronic equipment and their components or consumables or parts or spares do not contain Lead, Mercury, Cadmium, Hexavalent Chromium, polybrominated biphenyls and polybrominated diphenyl ethers beyond a maximum concentration value of 0.1 per cent by weight in homogenous materials for lead, mercury, hexavalent chromium, polybrominated biphenyls and polybrominated diphenyl ethers and of 0.01 per cent by weight in homogenous materials for cadmium.

(2) The provisions of sub-rule (1) shall not apply to components or consumables or parts or spares required for electrical and electronic equipment specified in Schedule – II B placed in the market on or before the 1st May, 2014 provided reduction of hazardous substances compliant parts and spares are not available.

(2A) The provisions of sub-rule (1) shall not apply to electrical and electronic equipment specified in Schedule – II C placed in the market on or before the 1st April, 2025.

(2B) The provisions of sub-rule (1) shall not apply to components or consumables or parts or spares required for electrical and electronic equipment referred in sub-rule (2A) till the 1st April, 2028, provided reduction of hazardous substances compliant parts and spares are not available. (w.e.f.24.07.2023)

~~Components or consumables or parts or spares required for the electrical and electronic equipment placed in the market prior to the 1st May, 2014 may be exempted from the provisions of sub-rule (1) provided reduction of hazardous substances compliant parts and spares are not available.~~

- (3) The applications listed in Schedule-II and Schedule II A (w.e.f.24.07.2023) shall be exempted from provisions of sub- rule (1).
- (4) Every producer of applications listed in Schedule-II shall ensure that the limits of hazardous substances as given in Schedule-II are to be complied.
- (5) Every producer shall provide the detailed information on the constituents of the equipment and their components or consumables or parts or spares along with a declaration of conformance to the reduction of hazardous substances provisions as and when required by the Central Pollution Control Board (w.e.f.30.01.2023).
- (6) Imports or placement in the market for new electrical and electronic equipment shall be permitted only for those which are compliant to provisions of sub-rules (1) and (4).
- (7) Manufacture and supply of electrical and electronic equipment used for defence and other similar strategic applications shall be excluded from provisions of sub- rule (1).
- (8) Every producer shall provide information on the compliance of the provisions of sub-rule (1) and this information shall be in terms of self-declaration.
- (9) Manufacturer shall use the technology or methods so as to make the end product recyclable;
- (10) Manufacturer shall ensure that component or part made by different manufacturer are compatible with each other so as to reduce the quantity of e-waste.
- (11) The Central Pollution Control Board shall conduct random sampling of electrical and electronic equipment placed on the market to monitor and verify the compliance of reduction of hazardous substances provisions and the cost for sample and testing shall be borne by the producer and the random sampling shall be as per the guidelines laid down by the Central Pollution Control Board in this regard.

- (12) If the product does not comply with reduction of hazardous substances provisions, the producer shall take corrective measures to bring the product into compliance and withdraw or recall the product from the market, within a reasonable period as per the guidelines laid down by the Central Pollution Control Board in this regard.
- (13) The Central Pollution Control Board shall lay down the methods for sampling and analysis of hazardous substances as listed in sub-rule (1) with respect to the items listed in Schedule-I and Schedule-II **and Schedule II A** (*w.e.f.24.07.2023*) and also enlist the labs for the said purpose.

CHAPTER VIII

MISCELLANEOUS

17. Duties of Authorities. - Subject to the other provisions of these rules, the authorities shall perform duties as specified in Schedule-V.

18. Annual Report. - The Central Pollution Control Board shall submit an annual report to the Ministry of Environment, Forest and Climate Change regarding status of implementation of the e-waste management rules with quantitative and qualitative analysis along with its recommendations, within one month of the end of the financial year.

19. Transportation of e-waste. - Transportation of waste generated from manufacturing or recycling destined for final disposal to a treatment, storage and disposal facility shall follow the provisions under the Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016.

20. Accident reporting. - Where an accident occurs at the facility processing e-waste or during transportation of e-waste, the producer, refurbisher, transporter, dismantler, or recycler, as the case may be, shall report immediately to the concerned State Pollution Control Board about the accident through telephone and e-mail.

21. Appeal. - (1) Any person aggrieved by an order of suspension or cancellation or refusal of registration or its renewal passed by the Central Pollution Control Board, within a period of thirty days from the date on which the order is communicated to him, prefer an appeal to the Additional Secretary or Joint Secretary, Ministry of Environment, Forest and Climate Change duly nominated by the Central Government in this regard.

- (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.

22. Environmental Compensation. - (1) The Central Pollution Control Board shall lay down guidelines for imposition and collection of environmental compensation on any entity in case of violation of any of the provision of these rules and guidelines issued hereunder and the said guidelines shall be in accordance with these rules and shall be approved by the Ministry of Environment, Forest and Climate Change.

- (2) The Central Pollution Control Board shall also lay down guidelines for imposition and collection of environmental compensation on the producer in case of non-fulfilment of obligations set out in these rules and transaction or use of false extended producer responsibility certificate and the said guidelines shall be in accordance with these rules and shall be approved by the Ministry of Environment, Forest and Climate Change.
- (3) The environmental compensation shall also be levied on unregistered producers, manufacturer, refurbisher, recyclers and any entity which aids or abets the violation of these rules.
- (4) (i) Payment of environmental compensation shall not absolve the producer from the extended producer responsibility as specified in these rules and the unfulfilled extended producer responsibility for a particular year shall be carried forward to the next year and so on and up to three years.
- (ii) In case, the shortfall of extended producer responsibility obligation is addressed after one year, 85 per cent of the environmental compensation levied shall be returned to the producer.
- (iii) In case, the shortfall of extended producer responsibility obligation is addressed after two year, 60 per cent of the environmental compensation levied shall be returned to the producer, and in case, the shortfall of extended producer responsibility obligation is addressed after three year, 30 per cent of the environmental compensation levied shall be returned to the producer, thereafter no environmental compensation shall be returned to the producer.

- (5) False information resulting in over generation of extended producer responsibility certificates by recycler shall result in revocation of registration and imposition of environmental compensation which shall not be returnable and repeat offence, violation of these rules for three times or more shall also result in permanent revocation of registration over and above the environmental compensation charges.
- (6) (i) The funds collected under environmental compensation shall be kept in a separate Escrow account by the Central Pollution Control Board and the funds collected shall be utilized in collection and recycling or end of life disposal of uncollected, historical, orphaned e-waste and non-recycled or non-end of life disposal of e-waste on which the environment compensation is levied, research and development, incentivising recyclers, financial assistance to local bodies for managing waste management projects and on other heads as decided by the committee.
- (ii) The modalities and heads for utilisation of the funds shall be decided by the Steering Committee with the approval of the Ministry of Environment, Forest and Climate Change.

23. Action for contravention. - Any person who fails to comply or contravenes the provisions of these rules shall be liable to a penalty in accordance with the provisions of section 15 of the Act. (w.e.f.08.03.2024)

24. Verification and Audit. – The Central Pollution Control Board by itself or through a designated agency shall verify compliance of these rules by producers, manufacturer, refurbisher, dismantlers and recyclers through random inspection and periodic audit, as deemed appropriate so as to take action against violations of the provisions of these rules as per rule 22.

25. Steering Committee. - (1) There shall be a Steering Committee under the Chairmanship of Chairman, Central Pollution Control Board to oversee the overall implementation of these rules and the Steering Committee shall comprise of following other members in addition to the chair, namely: -

- (a) one representative of the Ministry of Environment, Forest and Climate Change;
 - (b) one representative of the Ministry of Electronics and Information Technology;
 - (c) one representative of the Ministry of New and Renewable Energy;
 - (d) one representative of the Ministry of Housing and urban Affairs;
 - (e) a maximum of two representatives of electrical and electronic equipment Producer and Manufacturer Association;
 - (f) a maximum of two representatives of E-Waste Recycler Associations;
 - (g) one representative of State Pollution Control Board or Pollution Control Committee as co-opted by the Chairman of the Steering Committee;
 - (h) Head of the Concerned Division of the Central Pollution Control Board – Member- Convener.
- (2) The steering committee shall be responsible for overall implementation, monitoring and supervision of these rules and it shall also decide upon the disputes arisen from time to time and on representations received in this regard, and shall refer to the Ministry of Environment, Forest and Climate Change any substantial issue arisen or pertaining to these rules.
- (3) The steering committee shall review and revise the guidelines or extended producer responsibility target or addition of new Electrical and Electronic Equipment in Schedule I, in view of the technological advancements and other factors with the approval of the Central Government.
- (4) The Steering Committee shall take all such measures as it deems necessary for proper implementation of provisions of these rules.

SCHEDULE - I

[See rules 2, 3 (b), 3 (c), 3 (m), 3 (o), 3 (p), 3 (q), 3 (v), 6, 8, 10 (7), 16 (13)]

Categories of electrical and electronic equipment including their components, consumables, parts and spares covered under the rules

| Sl. No. | Categories of electrical and electronic equipment | Electrical and electronic equipment code |
|---------|---|--|
| | | |

| | | |
|-------------|--|--------|
| (i) | Information technology and telecommunication equipment: | |
| | Centralized data processing: Mainframes, Minicomputers | ITEW1 |
| | Personal Computing: Personal Computers (Central Processing unit with input and output devices) | ITEW2 |
| | Personal Computing: Laptop Computers (Central Processing unit with input and output devices) | ITEW3 |
| | Personal Computing: Notebook Computers | ITEW4 |
| | Personal Computing: Notepad Computers | ITEW5 |
| | Printers including cartridges | ITEW6 |
| | Copying Equipment | ITEW7 |
| | Electrical and Electronic Typewriters | ITEW8 |
| | User terminal and Systems | ITEW9 |
| | Facsimile | ITEW10 |
| | Telex | ITEW11 |
| | Telephones | ITEW12 |
| | Pay telephones | ITEW13 |
| | Cordless telephones | ITEW14 |
| | Cellular telephones | ITEW15 |
| | Answering System | ITEW16 |
| | Products or equipment of transmitting sound, images or other information by telecommunications | ITEW17 |
| | BTS (all components excluding structure of tower) | ITEW18 |
| | Tablets, I-PAD | ITEW19 |
| | Phablets | ITEW20 |
| | Scanners | ITEW21 |
| | Routers | ITEW22 |
| | GPS | ITEW23 |
| | UPS | ITEW24 |
| | Inverter | ITEW25 |
| | Modems | ITEW26 |
| | Electronic data storage devices | ITEW27 |
| (ii) | Consumer Electrical and Electronics and Photovoltaic Panels: | |
| | Television sets (including sets based on Liquid Crystal Display and light Emitting Diode Technology) | CEEW1 |
| | Refrigerator | CEEW2 |
| | Washing Machine | CEEW3 |
| | Air- Conditioners excluding centralised air conditioning plants | CEEW4 |
| | Fluorescent and other Mercury containing lamps | CEEW5 |
| | Screen, Electronic Photo frames, Electronic Display Panel, Monitors | CEEW6 |
| | Radio sets | CEEW7 |
| | Set top Boxes | CEEW8 |
| | Video Cameras | CEEW9 |
| | Video Recorders | CEEW10 |
| | Hi-Fi Recorders | CEEW11 |

| | | |
|-------|--|---------|
| | Audio Amplifiers | CEEW12 |
| | Other products or equipment for the purpose of recording or reproducing sound or images including signals and other technologies for the distribution of sound and image by telecommunications | CEEW13 |
| | Solar panels/cells, solar Photovoltaic panels/cells/modules. | CEEW14 |
| | Luminaires for fluorescent lamps with the exception of luminaires in households | CEEW15 |
| | High intensity discharge lamps, including pressure sodium lamps and metal halide lamps | CEEW16 |
| | Low pressure sodium lamps | CEEW17 |
| | Other lighting or equipment for the purpose of spreading or controlling light excluding filament bulbs | CEEW18 |
| | Digital camera | CEEW19 |
| (iii) | Large and Small Electrical and Electronic Equipment | |
| | Large cooling appliances | LSEEW1 |
| | Freezers | LSEEW2 |
| | Other large appliances used for refrigeration, conservation and storage of food | LSEEW3 |
| | Clothes dryers | LSEEW4 |
| | Dish Washing Machines | LSEEW5 |
| | Electric cookers | LSEEW6 |
| | Electric stoves | LSEEW7 |
| | Electric hot plates | LSEEW8 |
| | Microwaves, Microwave Oven | LSEEW9 |
| | Other large appliances used for cooking and other processing of food | LSEEW10 |
| | Electric heating appliances | LSEEW11 |
| | Electric radiators | LSEEW12 |
| | Other large appliances for heating rooms, beds, seating furniture | LSEEW13 |
| | Electric fans | LSEEW14 |
| | Other fanning, exhaust ventilation and conditioning equipment | LSEEW15 |
| | Vacuum cleaners | LSEEW16 |
| | Carpet sweepers | LSEEW17 |
| | Other appliances for cleaning | LSEEW18 |
| | Appliances used for sewing, knitting, weaving and other processing for textiles | LSEEW19 |
| | Iron and other appliances for ironing, mangling and other care of clothing | LSEEW20 |
| | Grinders, coffee machines and equipment for opening or sealing containers or packages | LSEEW21 |
| | Smoke detector | LSEEW22 |
| | Heating Regulators | LSEEW23 |
| | Thermostats | LSEEW24 |
| | Automatic dispensers for hot drinks | LSEEW25 |
| | Automatic dispensers for hot or cold bottles or cans | LSEEW26 |
| | Automatic dispensers for solid products | LSEEW27 |
| | Automatic dispensers for money | LSEEW28 |
| | All appliances which deliver automatically all kinds of products | LSEEW29 |
| | Indoor air purifier | LSEEW30 |

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| | Hair dryer | LSEEW31 |
| | Electric shaver | LSEEW32 |
| | Electric kettle | LSEEW33 |
| | Electronic display panels/board/visual display unit | LSEEW34 |
| (iv) | Electrical and Electronic Tools (With the exception of large- Scale Stationary Industrial Tools) | |
| | Drills | EETW1 |
| | Saws | EETW2 |
| | Sewing Machines | EETW3 |
| | Equipment for turning, milling, sanding, grinding, sawing, cutting, shearing, drilling, making holes, punching, folding, bending or similar processing of wood, metal and other materials | EETW4 |
| | Tools for riveting, nailing or screwing or removing rivets, nails, screws or similar uses | EETW5 |
| | Tools for welding, soldering, or similar use | EETW6 |
| | Equipment for spraying, spreading, dispersing or other treatment of liquid or gaseous substance by other means | EETW7 |
| | Tools for mowing or other gardening activities | EETW8 |
| | | |
| (v) | Toys, Leisure and Sports Equipment | |
| | Electrical trains or car racing sets | TLSEW1 |
| | Hand-held video games consoles | TLSEW2 |
| | Video games | TLSEW3 |
| | Computers for biking, diving, running, rowing, etc. | TLSEW4 |
| | Sports equipment with electric or electronic components | TLSEW5 |
| | Coin slot machines | TLSEW6 |
| (vi) | Medical Devices (With the Exception of All Implanted and Infected Products) | |
| | Radiotherapy equipment and accessories | MDW1 |
| | Cardiology equipment and accessories | MDW2 |
| | Dialysis equipment and accessories | MDW3 |
| | Pulmonary ventilators and accessories | MDW4 |
| | Nuclear Medicine Equipment and accessories | MDW5 |
| | Laboratory equipment for in vitro diagnosis and accessories | MDW6 |
| | Analysers and accessories | MDW7 |
| | Magnetic Resonance Imaging (MRI), Positron Emission Tomography (PET) Scanner, Computed Tomography (CT) Scanner, & Ultrasound Equipment along with accessories | MDW8 |
| | Fertilization tests equipment and accessories | MDW9 |
| | Other electric appliances/equipment/kits used for preventing, screening, detecting, monitoring, evaluating, reviewing, examining, investigating, probing, treating illness sickness, disease, disorder, affliction, infection, injury, trauma, abuse or disability including the Mobiles, Tablets or any other device with the features having the potential of sex selection and their accessories | MDW10 |
| (vii) | Laboratory Instruments | |
| | Gas analyser | LIW1 |
| | Equipment having electrical and electronic components | LIW2 |

SCHEDULE - II

[See rules 16(3), 16(4), 16(13)]

| Applications, which are exempted from the requirements of sub-rule (1) of rule 16 | |
|--|---|
| Sl. No. | Substance |
| 1. | Mercury in single capped (compact) fluorescent lamps not exceeding (per burner): |
| (a) | for general lighting purposes <30 W : 2.5 mg |
| (b) | for general lighting purposes \geq 30 W and <50 W : 3.5mg |
| (c) | for general lighting purposes \geq 50 W and <150 W : 5mg |
| (d) | for general lighting purposes \geq 150 W : 15 mg |
| (e) | for general lighting purposes with circular or square structural shape and tube diameter \leq 17 mm : 7mg |
| (f) | for special purposes:5 mg |
| 2.(a) | Mercury in double-capped linear fluorescent lamps for general lighting purposes not exceeding (per lamp): |
| (1) | Tri-band phosphor with normal life time and a tube diameter < 9mm (e.g.T2): 4mg |
| (2) | Tri-band phosphor with normal life time and a tube diameter \geq 9 mm and \leq 17 mm (e.g. T5): 3 mg |
| (3) | Tri- band phosphor with normal life time and a tube diameter >17 mm and \leq 28 mm(e.g. T8): 3.5 mg |
| (4) | Tri-band phosphor with normal life time and a tube diameter >28 mm (e.g. T12):3.5 mg |
| (5) | Tri-band phosphor with long life time (\geq 25000 h):5mg |
| 2.(b) | Mercury in other fluorescent lamps not exceeding(per lamp): |
| (1) | Linear halophosphate lamps with tube >28 mm (e.g. T 10 and T12):10 mg |
| (2) | Non-linear halophosphate lamps(all diameters):15mg |
| (3) | Non-linear tri-band phosphor lamps with tube diameter >17 mm(e.g.T9):15 mg |
| (4) | Lamps for other general lighting and special purposes (e.g. induction lamps):15mg |
| 3. | Mercury in cold cathode fluorescent lamps and external electrode fluorescent lamps (CCFL and EEFL)for special purposes not exceeding (per lamp): |
| (a) | Short length(\leq 500 mm):3.5mg |
| (b) | Medium length(>500 mm and \leq 1500 mm): 5mg |
| (c) | Long length(>1500 mm): 13mg |
| 4.(a) | Mercury in other low pressure discharge lamps (per lamp): 15mg |
| (b) | Mercury in High Pressure Sodium (vapour) lamps for general lighting purposes not exceeding (per burner)in lamps with improved colour rendering index Ra>60: |
| (b)-I | P \leq 155 W : 30 mg |
| (b)-II | 155 W < P \leq 405 W : 40 mg |
| (b)-III | P >405 W: 40 mg |
| (c) | Mercury in other High Pressure Sodium (vapour) lamps for general lighting purposes not exceeding (per burner): |
| (c)-I | P \leq 155 W:25mg |
| (c)-II | 155 W < P \leq 405 W:30 mg |

| | |
|---------|---|
| (c)-III | P >405 W:40 mg |
| (d) | Mercury in High Pressure Mercury (vapour) lamps (HPMV) |
| (e) | Mercury in metal halide lamps (MH) |
| (f) | Mercury in other discharge lamps for special purposes not specifically mentioned in this Schedule |
| 5.(a) | Lead in glass of cathode ray tubes |
| (b) | Lead in glass of fluorescent tubes not exceeding 0.2% by weight |
| 6.(a) | Lead as an alloying element in steel for machining purposes and in galvanized steel containing up to 0.35% lead by weight |
| (b) | Lead as an alloying element in aluminium containing up to 0.4% lead by weight |
| (c) | Copper alloy containing up to 4% lead by weight |
| 7.(a) | Lead in high melting temperature type solders (i.e. lead-based alloys containing 85% by weight or more lead) |
| (b) | Lead in solders for servers, storage and storage array systems, network infrastructure equipment for switching, signalling, transmission, and network management for telecommunications |
| (c) | Electrical and electronic components containing lead in a glass or ceramic other than dielectric ceramic in capacitors, e.g. piezoelectronic devices, or in a glass or ceramic matrix compound. |
| (d) | Lead in dielectric ceramic in capacitors for a rated voltage of 125 V AC or 250 V DC or higher |
| (e) | Lead in dielectric ceramic in capacitors for a rated voltage of less than 125 V AC or 250 V DC |
| 8.(a) | Cadmium and its compounds in one shot pellet type thermal cut-offs |
| (b) | Cadmium and its compounds in electrical contracts |
| 9. | Hexavalent chromium as an anticorrosion agent of the carbon steel cooling system in absorption refrigerators up to 0.75% by weight in the cooling solution |
| (a) | Lead in bearing shells and bushes for refrigerant-containing compressors for heating, ventilation, air conditioning and refrigeration (HVACR) application. |
| 10.(a) | Lead used in C-press compliant pin connector systems |
| (b) | Lead used in other than C-press compliant pin connector systems |
| 11. | Lead as a coating material for the thermal conduction module C- ring |
| 12.(a) | Lead in white glasses used for optical applications |
| (b) | Cadmium and lead in filter glasses and glasses used for reflectance standards. |
| 13. | Lead in solders consisting of more than two elements for the connection between the pins and the package of microprocessors with a lead content of more than 80% and less than 85% by weight |
| 14. | Lead in solders to complete a viable electrical connection between semiconductor die and carrier within integrated circuit flip chip packages. |
| 15. | Lead in linear incandescent lamps with silicate coated tubes |
| 16. | Lead halide as radiant agent in high intensity discharge (HID) lamps used for professional reprography applications. |

| | |
|--------|---|
| 17.(a) | Lead as activator in the fluorescent powder (1% lead by weight or less) of discharge lamps when used as specialty lamps for diazoprinting reprography, lithography, insect traps, photochemical and curing processes containing phosphors such as SMS ((Sr, Ba) ₂ Mg Si ₂ O ₇ :Pb) |
| (b) | Lead as activator in the fluorescent powder (1% lead by weight or less) of discharge lamps when used as sun tanning lamps containing phosphors suchas BSP (Ba Si ₂ O ₅ :Pb) |
| 18. | Lead with PbBiSn-Hg and PbInSn-Hg in specific compositions as main amalgam and with PbSn-Hg as auxiliary amalgam in very compact energy saving lamps (ESL) |
| 19. | Lead oxide in glass used for bonding front and rear substrates of flat fluorescent lamps used for Liquid Crystal Displays (LCDs) |
| 20. | Lead and cadmium in printing inks for the application of enamels on glasses, such as borosilicate and soda lime glasses |
| 21. | Lead in finishes of fine pitch components other than connectors with a pitch of 0.65 mm and less |
| 22. | Lead in solders for the soldering to machine through hole discoidal and planar array ceramic multilayer capacitors |
| 23. | Lead oxide in surface conduction electron emitter displays (SED) used in structural elements, notably in the seal frit and frit ring. |
| 24. | Lead oxide in the glass envelope of black light blue lamps |
| 25. | Lead alloys as solder for transducers used in high-powered (designated to operate for several hours at acoustic power levels of 125 dB SPL and above) loudspeakers |
| 26. | Lead bound in crystal glass |
| 27. | Cadmium alloys as electrical/mechanical solder joints to electrical conductors located directly on the voice coil in transducers used in high-powered loudspeakers with sound pressure levels of 100 dB(A) and more |
| 28. | Lead in soldering materials in mercury free flat fluorescent lamps (which e.g. are used for liquid crystal displays, design or industrial lighting) |
| 29. | Lead oxide in seal frit used for making window assemblies for Argon and Krypton laser tubes |
| 30. | Lead in solders for the soldering of thin copper wires of 100 µm diameter and less in power transformers |
| 31. | Lead in cermet-based trimmer potentiometer elements |
| 32. | Mercury used as a cathode sputtering inhibitor in DC plasma displays with a content up to 30 mg per display |
| 33. | Lead in the plating layer of high voltage diodes on the basis of a zinc borate glass body |
| 34. | Cadmium and cadmium oxide in thick film pastes used on aluminium bonded beryllium oxide |
| 35. | ² Cadmium in color converting II-VI LEDs (<10 µg Cd per mm of light- emitting area) for use in solid state illumination or display systems. |
| 36. | Cadmium and lead in Solar panels/cells, solar Photovoltaic panels/cells/modules as listed in Schedule – I. <small>(w.e.f.30.01.2023)</small> |
| 37. | Lead in Medical Devices (with the exception of all implanted and infected products) as listed in Schedule – I. <small>(w.e.f.30.01.2023) (w.e.f.24.07.2023)</small> |

SCHEDULE - III

[See rules 3(m), 6(2), 13(1), 13(2)]

| Sl. No. | Year (Y) | E-Waste Recycling Target (by weight) |
|----------------|-------------------|---|
| 1. | 2023 -2024 | 60% of the quantity of an EEE placed in the market in year Y-X, where 'X' is the average life of that product |
| 2. | 2024 -2025 | 60% of the quantity of an EEE placed in the market in year Y-X, where 'X' is the average life of that product |
| 3. | 2025 -2026 | 70% of the quantity of an EEE placed in the market in year Y-X, where 'X' is the average life of that product |
| 4. | 2026-2027 | 70% of the quantity of an EEE placed in the market in year Y-X, where 'X' is the average life of that product |
| 5. | 2027-2028 | 80% of the quantity of an EEE placed in the market in year Y-X, where 'X' is the average life of that product |
| 6. | 2028-2029 onwards | 80% of the quantity of an EEE placed in the market in year Y-X, where 'X' is the average life of that product |

Note: (1) E-waste recycling target shall be reviewed and may be increased after the end of year 20282029.

(2) The importers of used electrical and electronic equipment shall have 100% extended producer responsibility obligation for the imported material after end of life, if not re-exported.

(3) E-Waste recycling targets shall not be applicable for waste generated from solar photovoltaic modules or panels or cells.

Schedule-II A

[See rules 16(3), 16(13)] (w.e.f.24.07.2023)

Applications exempted from the provisions of sub-rule 1 of rule 16 specific to medical devices and monitoring and control instruments including laboratory equipment as listed in Schedule – I

| Sl. No. | Categories of electrical and electronic equipment |
|---|--|
| Equipment utilising or detecting ionising radiation: | |
| 1. | Lead, cadmium and mercury in detectors for ionising radiation. |
| 2. | Lead bearings in X-ray tubes. |

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| 3. | Lead in electromagnetic radiation amplification devices: micro-channel plate and capillary plate. |
| 4. | Lead in glass frit of X-ray tubes and image intensifiers and lead in glass frit binder for assembly of gas lasers and for vacuum tubes that convert electromagnetic radiation into electrons. |
| 5. | Lead in shielding for ionising radiation. |
| 6. | Lead in X-ray test objects. |
| 7. | Lead stearate X-ray diffraction crystals. |
| 8. | Radioactive cadmium isotope source for portable X-ray fluorescence spectrometers. |
| Sensors, detectors and electrodes | |
| 9. | Lead and cadmium in ion selective electrodes including glass of pH electrodes. |
| 10. | Lead anodes in electrochemical oxygen sensors. |
| 11. | Lead, cadmium and mercury in infra-red light detectors. |
| 12. | Mercury in reference electrodes: low chloride mercury chloride, mercury sulphate and mercury oxide. |
| Others | |
| 13. | Cadmium in helium-cadmium lasers. |
| 14. | Lead and cadmium in atomic absorption spectroscopy lamps. |
| 15. | Lead in alloys as a superconductor and thermal conductor in MRI. |
| 16. | Lead and cadmium in metallic bonds to superconducting materials in MRI and SQUID detectors. |
| 17. | Lead in counterweights. |
| 18. | Lead in single crystal piezoelectric materials for ultrasonic transducers. |
| 19. | Lead in solders for bonding to ultrasonic transducers. |
| 20. | Mercury in very high accuracy capacitance and loss measurement bridges and in high frequency RF switches and relays in monitoring and control instruments not exceeding 20 mg of mercury per switch or relay. |
| 21. | Lead in solders in portable emergency defibrillators. |
| 22. | Lead in solders of high performance infrared imaging modules to detect in the range 8-14 μm . |
| 23. | Lead in Liquid crystal on silicon (LCoS) displays. |
| 24. | Cadmium in X-ray measurement filters. |

SCHEDULE – II B

[See rule 16 (2)] (w.e.f.24.07.2023)

Categories of electrical and electronic equipment including their components,consumables, parts and spares covered under the rules

| Sl. No. | Categories of electrical and electronic equipment | Electrical and electronic equipment code |
|----------------|--|---|
| | Information technology and telecommunication equipment: | |
| 1. | Centralized data processing: Mainframes, Minicomputers | ITEW1 |

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|---|--|--------|
| 2. | Personal Computing: Personal Computers (Central Processing unit with input and output devices) | ITEW2 |
| 3. | Personal Computing: Laptop Computers (Central Processing unit with input and output devices) | ITEW3 |
| 4. | Personal Computing: Notebook Computers | ITEW4 |
| 5. | Personal Computing: Notepad Computers | ITEW5 |
| 6. | Printers including cartridges | ITEW6 |
| 7. | Copying Equipment | ITEW7 |
| 8. | Electrical and Electronic Typewriters | ITEW8 |
| 9. | User terminal and Systems | ITEW9 |
| 10. | Faximile | ITEW10 |
| 11. | Telex | ITEW11 |
| 12. | Telephones | ITEW12 |
| 13. | Pay telephones | ITEW13 |
| 14. | Cordless telephones | ITEW14 |
| 15. | Cellular telephones | ITEW15 |
| 16. | Answering System | ITEW16 |
| Consumer Electrical and Electronics and Photovoltaic Panels: | | |
| 17. | Television sets (including sets based on Liquid Crystal Display and light Emitting Diode Technology) | CEEW1 |
| 18. | Refrigerator | CEEW2 |
| 19. | Washing Machine | CEEW3 |
| 20. | Air-Conditioners excluding centralised air conditioning plants | CEEW4 |
| 21. | Fluorescent and other Mercury containing lamps | CEEW5 |

SCHEDULE – II C (w.e.f.24.07.2023)

[See rules 16 (2A) and 16 (2B)]

Categories of electrical and electronic equipment including their components,consumables, parts and spares covered under the rules

| | Categories of electrical and electronic equipment | Electrical and electronic equipment code |
|----|--|---|
| | Information technology and telecommunication equipment: | |
| 1. | Products or equipment of transmitting sound, images or other information by telecommunications | ITEW17 |
| 2. | BTS (all components excluding structure of tower) | ITEW18 |
| 3. | Tablets, I-PAD | ITEW19 |
| 4. | Phablets | ITEW20 |
| 5. | Scanners | ITEW21 |

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| 6. | Router | ITEW22 |
| 7. | GPS | ITEW23 |
| 8. | UPS | ITEW24 |
| 9. | Inverter | ITEW25 |
| 10. | Modems | ITEW26 |
| 11. | Electronic data storage devices | ITEW27 |
| | Consumer Electrical and Electronics and Photovoltaic Panels: | |
| 12. | Screen, Electronic Photo frames, Electronic Display Panel, Monitors | CEEW6 |
| 13. | Radio sets | CEEW7 |
| 14. | Set top Boxes | CEEW8 |
| 15. | Video Cameras | CEEW9 |
| 16. | Video Recorders | CEEW10 |
| 17. | Hi-Fi Recorders | CEEW11 |
| 18. | Audio Amplifiers | CEEW12 |
| 19. | Other products or equipment for the purpose of recording or reproducing sound or images including signals and other technologies for the distribution of sound and image by telecommunications | CEEW13 |
| 20. | Solar panels/cells, solar Photovoltaic panels/cells/modules. | CEEW14 |
| 21. | Luminaires for fluorescent lamps with the exception of luminaires in households | CEEW15 |
| 22. | High intensity discharge lamps, including pressure sodium lamps and metal halide lamps | CEEW16 |
| 23. | Low pressure sodium lamps | CEEW17 |
| 24. | Other lighting or equipment for the purpose of spreading or controlling light excluding filament bulbs | CEEW18 |
| 25. | Digital camera | CEEW19 |
| | Large and Small Electrical and Electronic Equipment | |
| 26. | Large cooling appliances | LSEEW1 |
| 27. | Freezers | LSEEW2 |
| 28. | Other large appliances used for refrigeration, conservation and storage of food | LSEEW3 |
| 29. | Clothes dryers | LSEEW4 |
| 30. | Dish Washing Machines | LSEEW5 |
| 31. | Electric cookers | LSEEW6 |
| 32. | Electric stoves | LSEEW7 |
| 33. | Electric hot plates | LSEEW8 |
| 34. | Microwaves, Microwave Oven | LSEEW9 |
| 35. | Other large appliances used for cooking and other processing of food | LSEEW10 |
| 36. | Electric heating appliances | LSEEW11 |
| 37. | Electric radiators | LSEEW12 |
| 38. | Other large appliances for heating rooms, beds, seating furniture | LSEEW13 |

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| 39. | Electric fans | LSEEW14 |
| 40. | Other fans, exhaust ventilation and conditioning equipment | LSEEW15 |
| 41. | Vacuum cleaners | LSEEW16 |
| 42. | Cooking appliances | LGCDW17 |
| 43. | Other appliances for cleaning | LSEEW18 |
| 44. | Appliances used for sewing, knitting, weaving and other processing for textiles | LSEEW19 |
| 45. | Iron and other appliances for ironing, mangle and other care of clothing | LSEEW20 |
| 46. | Grinders, coffee machines and equipment for opening or sealing containers or packages | LSEEW21 |
| 47. | Smoke detector | LSEEW22 |
| 48. | Heating Regulators | LSEEW23 |
| 49. | Thermostats | LSEEW24 |
| 50. | Automatic dispensers for hot drinks | LSEEW25 |
| 51. | Automatic dispensers for hot or cold bottles or cans | LSEEW26 |
| 52. | Automatic dispensers for solid products | LSEEW27 |
| 53. | Automatic dispensers for money | LSEEW28 |
| 54. | All appliances which deliver automatically all kinds of products | LSEEW29 |
| 55. | Indoor air purifier | LSEEW30 |
| 56. | Hair dryer | LSEEW31 |
| 57. | Electric shaver | LSEEW32 |
| 58. | Electric kettle | LSEEW33 |
| 59. | Electronic display panels/board/visual display unit | LSEEW34 |
| Electrical and Electronic Tools (With the exception of large- Scale Stationary Industrial Tools) | | |
| 60. | Drills | EETW1 |
| 61. | Saws | EETW2 |
| 62. | Sewing Machines | EETW3 |
| 63. | Equipment for turning, milling, sanding, grinding, sawing, cutting, shearing, drilling, making holes, punching, folding, bending or similar processing of wood, metal and other materials | EETW4 |
| 64. | Tools for riveting, nailing or screwing or removing rivets, nails, screws or similar uses | EETW5 |
| 65. | Tools for welding, soldering, or similar use | EETW6 |
| 66. | Equipment for spraying, spreading, dispersing or other treatment of liquid or gaseous substance by other means | EETW7 |
| 67. | Tools for mowing or other gardening activities | EETW8 |
| Toys, Leisure and Sports Equipment | | |
| 68. | Electrical trains or car racing sets | TLSEW1 |
| 69. | Hand-held video games consoles | TLSEW2 |
| 70. | Video games | TLSEW3 |

| | | |
|--|---|---------|
| 71. | Computers for biking, diving, running, rowing, etc. | TLSEW4 |
| 72. | Sports equipment with electric or electronic components | TLSEW5 |
| 73. | Coin slot machines | TLSEW6 |
| Medical Devices (With the Exception of All Implanted and Infected Products) | | |
| 74. | Radiotherapy equipment and accessories | MDW1 |
| 75. | Cardiology equipment and accessories | MDW2 |
| 76. | Dialysis equipment and accessories | MDW3 |
| 77. | Pulmonary ventilators and accessories | MDW4 |
| 78. | Nuclear Medicine Equipment and accessories | MDW5 |
| 79. | Laboratory equipment for in vitro diagnosis and accessories | MDW6 |
| 80. | Analysers and accessories | MDW7 |
| 81. | Magnetic Resonance Imaging (MRI), Positron Emission Tomography (PET) Scanner, Computed Tomography (CT) Scanner, & Ultrasound Equipment along with accessories | MDW8 |
| 82. | Fertilization tests equipment and accessories | MDW9 |
| 83. | Other electric appliances/equipment/kits used for preventing, screening, detecting, monitoring, evaluating, reviewing, examining, investigating, probing, treating illness sickness, disease, disorder, affliction, infection, injury, trauma, abuse or disability including the Mobiles, Tablets or any other device with the features having the potential of sex selection and their accessories | MDW10 |
| Laboratory Instruments | | |
| 84. | Gas analyser | LIW1 |
| 85. | Equipment having electrical and electronic components | LIW2''. |

SCHEDULE - IV*[See rules 3(m), 6(2), 13(1), 13(2)]*

Extended Producer Responsibility targets for producers, who have started sales operations recently, i.e. number of years of sales operations is less than average life of their products mentioned in the guidelines issued by the Central Pollution Control Board from time to time.

| Sl. No. | Year | E-Waste Recycling Target (by weight) |
|----------------|-------------------|--|
| 1. | 2023-2024 | 15% of the sales figure of financial year 2021-22 |
| 2. | 2024-2025 | 20% of the sales figure of financial year 2022-23 |
| 3. | 2025-2026 onwards | 20% of the sales figure of the financial year two years back |

Note: (1) Once the number of years of sales operation equals the average life of their product mentioned in the guidelines issued by Central Pollution Control Board, their extended producer responsibility obligation shall be as per Schedule-III.

(2) E-Waste recycling targets shall not be applicable for waste generated from solar photo-voltaic modules or panels or cells.

SCHEDULE - V*[See rule (17)]***LIST OF AUTHORITIES AND COPRRERSPONDING DUTIES**

| Sl. No. | AUTHORITY | COPRRERSPONDING DUTIES |
|----------------|------------------|-------------------------------|
| | | |

| | | |
|----|---|--|
| 1. | Central Pollution Control Board | <ul style="list-style-type: none"> (1) Operation and maintenance of Extended Producer Responsibility Portal and monitoring of Extended Producer Responsibility compliance. (2) Coordination with State Pollution Control Boards (3) Prepare and issue guidelines and Standard Operating procedures for collection, storage, transportation, segregation, refurbishment, dismantling, recycling and disposal of e-waste under these rules from time to time, and also issue necessary Forms/ Returns for implementation of these rules. (4) Conduct random check for ascertaining compliance of the e-waste rules and may take help of Customs/State Government or any other agency (ies). (5) Documentation, compilation of data on e-waste and uploading on websites of Central Pollution Control Board. (6) Actions against violation of these rules. (7) Conducting training programmes to develop capacity including State Pollution Control Boards and Urban Local Bodies officials. (8) Conducting awareness programmes on e-waste management, RE/CE label, legislation to make consumers responsible towards product usage and safe disposal. (9) Integrate all stakeholders with the centralized digital system. (10) Submit Annual Report to the Ministry. (11) Enforcement of provisions regarding reduction in use of hazardous substances in manufacture of electrical and electronic equipment. (12) Interaction with IT industry for reducing hazardous substances. (13) Set and revise targets for compliance to the reduction in use of hazardous substance in manufacture of electrical and electronic equipment from time to time. (14) Ensure RoHS compliance and its certifications through a recognized lab and its mandatory checks. (15) Any other function delegated by the Ministry under these rules from time to time. |
| 2. | State Pollution Control Boards or Pollution Control Committees of Union territories | <ul style="list-style-type: none"> (1) Inventorisation of e-waste. (2) Monitoring and compliance of Extended Producer Responsibility as directed by Central Pollution Control Board. (3) Conduct random inspection of recycler and refurbisher and monitoring recycling capacity utilization. (4) Implementation of programmes to encourage environmentally sound recycling. (5) Any other function delegated by the Ministry/ Central Pollution Control Board under these rules. |
| 3. | Responsibilities of Local Bodies (Urban and Rural). | <ul style="list-style-type: none"> (1) To ensure that e-waste if found to be mixed with Municipal Solid Waste is properly segregated, collected and is channelised to registered recycler or refurbisher. (2) To ensure that e-waste pertaining to orphan products is collected and channelized to registered recycler or refurbisher. (3) To facilitate setting up e-waste collection, segregation and disposal systems. (4) Conducting training sessions to develop capacities of the urban and rural local bodies. |

| | | |
|----|--|--|
| 4. | Responsibilities of Port authority under Indian Ports Act, 1908 (15 of 1908) and Customs Authority under the Customs Act, 1962 (52 of 1962). | (1) Verify the import or export with respect to Extended Producer Responsibility under these rules. (2) Inform Central Pollution Control Board of any illegal traffic for necessary action. (3) Take action against importer for violations under the Indian Ports Act, 1908 or the Customs Act, 1962. |
| 5. | Responsibilities of Bureau of Indian Standards/ Ministry of Electronics and Information Technology | To issue standards for refurbished products. Bureau of Indian Standards/ Ministry of Electronics and Information Technology shall also develop guidelines for refurbishers with respect to Compulsory Registration Scheme. |

[F. No. 12/136/2021-HSMD]

NARESH PAL GANGWAR, Addl. Secy.

Hazardous And Other Wastes (management And Transboundary Movement) Rules, AMENDED UPTO 2024.

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 and other wastes** (^{w.e.f.15.11.2021}) 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 subsection (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 coprocessing 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;
- 22A. “deposition centers” means the deposition centre specified in the Solid Waste Management Rules, 2016 for collection of domestic hazardous wastes^(w.e.f 12.03.2024)
23. “other wastes” means wastes specified in Part B and Part D of Schedule III for the purpose of import or export and include such indigenously produced wastes as may be notified from time to time. ^(w.e.f 15.11.2021)
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.
40. **waste collector**” means a person who collects hazardous and other wastes on behalf of actual user or operator of disposal facility from the occupier^(w.e.f.05.03.2019)

(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-
- contain contaminants and prevent accidents and limit their consequences on human beings and the environment; and
 - 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,-

- ensure recognition and registration of workers involved in generation, handling, collection, reception, treatment, transport, storage, reuse, recycling, recovery, pre-processing, utilisation including co-processing and disposal of hazardous wastes^(w.e.f 16.10., 2020)

- assist formation of groups of such workers to facilitate setting up such facilities;

- undertake industrial skill development activities for the workers involved in generation, handling, collection, reception, treatment, transport, storage, reuse, recycling, recovery, pre-processing, utilisation including co-processing and disposal of hazardous wastes^{w.e.f 16.10., 2020}

- undertake annual monitoring and to ensure safety and health of workers involved in generation, handling, collection, reception, treatment, transport, storage, reuse, recycling, recovery, pre-processing, utilisation including co-processing and disposal of hazardous wastes.^{; w.e.f 16.10., 2020}

(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:-

- 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);
- 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);
- 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.

(1A) An occupier shall not be required obtain an authorisation under this rule, from the State Pollution Control Board, in case the consent to establish or consent to operate, is not required from the State Pollution Control Board or Pollution Control Committee under the Water (Prevention and Control of Pollution) Act, 1974 (25 of 1974) and Air (Prevention and Control of Pollution) Act, 1981 (21 of 1981); Provided that the hazardous and other wastes generated by the occupier shall be given to the actual user, waste collector or operator of the disposal facility, in accordance with the Central Pollution Control Board guidelines. (w.e.f.05.03.2019)

(1B) The deposition centers shall obtain authorization from the State Pollution Control Board or the Pollution Control Committee concerned. (w.e.f.12.03.2024)

(1C) The deposition centers shall provide the domestic hazardous waste to the actual user or operator of the disposal facility and maintain records of the same in Form 3 and shall file annual return in Form 4 to the State Pollution Control Board or the Pollution Control Committee concerned. (w.e.f.12.03.2024)

(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 (between five to ten tonnes per annum) up to one hundred and eighty days of their annual capacity and small generators (less than five tons per annum) up to three hundred and sixty five days of their annual capacity. (w.e.f.12.03.2024)
- (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 issued by the Central Pollution Control Board from time to time. (w.e.f.15.11.2021)

(2) Where standard operating procedures or guidelines are not available for specific utilisation of hazardous waste, 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 shall be prepared by Central Pollution Control Board: (w.e.f.15.11.2021)

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.

(4) The utilisation and management of waste tyre shall be in accordance to the provisions contained in Schedule IX. (w.e.f.21.07., 2022)

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.

6A. The import of 'post-industrial or pre-consumer polyethylene wastes' and 'Polymethyl Methacrylate' mentioned at column (2), against Basel Number B3010 in Schedule VI, is permitted to units in Special Economic Zones and Export Oriented Units notified by the Central Government.

(6B) The import of post-industrial or pre-consumer polyethylene wastes shall be permitted with a requirement to export at least thirty five percent of the total annual turnover. (w.e.f.12.03.2024)

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.

(7) 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 or for use of the actual users authorised by State Pollution Control Board, shall apply in Form 7 for onetime authorisation and obtain one-time authorisation in Form 7A and copy of such authorisation shall be appended to Form 6.** (w.e.f.15.11.2021)

(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 subrule (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 receiver.

(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.

**(7) The provisions of this rule shall not be applicable to other wastes as listed in Part D of SCHEDULE III.
(w.e.f.15.11.2021)**

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.

Chapter VII (w.e.f.1.4.2024)**Extended Producer Responsibility for Used Oil****25. Définitions.** – For the purposes of this Chapter, -

(a) "base oil" means any oil used for production of finished lubrication oil;

(b) "bulk generator" includes any entity like automobile industry or railways or defence establishments or a transport company or industrial units or power transmission company or hotels or restaurants and other such entity which is generating more than 100 metric tonnes of used oil per annum;

(c) "business" means any activity of production or manufacturing or sale of base oil or lubrication oil, import of base oil, recycling used oil;

(d) "collection point" means the facility where the authorised collection agent would collect and store used oil as per the standard operating procedure or guidelines issued by the Central Pollution Control Board for the purposes of this Chapter;

(e) "collection agent" means any person or entity who collects used oil and supplies it to the recycler;

(f) "energy recovery" means any process of utilizing used oil as a fuel, which is not suitable for recycling in accordance with these rules;

(g) "environmentally sound management of used oil" means taking all steps required to ensure that used oil is managed in a manner so as to protect health and environment against any adverse effects which may result during collection, transportation and recycling of used oil;

(h) "extended producer responsibility" means responsibility of producer of base oil or lubrication oil or importer of used oil under this chapter for meeting recycling targets only through registered recyclers to ensure environmentally sound management of used oil;

(i) “guidelines” means any document prepared and issued by the Central Pollution Control Board elaborating minimum requirements for achieving environmentally sound management of used oil including its handling, collection, transportation, storage and recycling;

(j) “portal” means the online system developed by the Central Pollution Control Board for management and implementation of compliance of this Chapter;

(k) “producer” means any person or entity, irrespective of the selling technique used such as dealer, retailer, e-retailer, who, -

(i) manufactures and offers to sell base oil or lubrication oil domestically under its own brand; or

(ii) offers to sell lubrication oil domestically under its own brand, using the base oil manufactured by other manufacturers or suppliers; or

(iii) offers to sell imported base oil or lubrication oil domestically;

(l) “recycling” means any process of re-refining of used oil to produce base oil or lubrication oil or any process of energy recovery from used oil in an environmentally sound manner with facilities as elaborated in the standard operating procedure or guidelines issued by the Central Pollution Control Board for the purposes of this Chapter;

(m) “re-refining” means any process of removing undesirable impurities from used oil and making base oil or lubrication oil as end product in accordance with the standard operating procedure or guidelines issued by the Central Pollution Control Board;

(n) “recycler” means any person or entity engaged in the process of recycling of used oil;

(o) “recycling target” means the quantity of used oil to be recycled as per the provisions of rule (2) of rule 27;

(p) “standard operating procedure” means the document issued by the Central Pollution Control Board elaborating minimum requirement of equipment and processes;

(q) “used oil” shall have the meaning assigned to it in clause (36) of rule 3 the said rules; and

(r) “used oil importers” means any person or entity who imports used oil.

26. Registration. - (1) The following entities shall get them registered by the Central Pollution Control Board on the portal, namely:- (a) producers; (b) collection agents ; (c) recyclers; (d) used oil importers.

(2) In case any entity falls in more than one categories under sub- rule (1), then the said entity shall register themselves under each of those categories separately.

(3) No entity referred in sub-rule (1) shall carry out business without registration.

(4) The entities registered under sub-rule (1) shall not deal with any entity not registered under sub- rule (1).

(5) Where any registered entity furnishes false information or will fully conceals information for registration or return or report or information required to be provided or furnished under this Chapter or in case of any irregularity, the registration of such entity may be revoked by the Central Pollution Control Board for a period up to five-years after giving an opportunity to be heard and in addition, environmental compensation charges may also be levied as per rule 39.

(6) The Central Pollution Control Board may charge registration fees and annual maintenance charges from the entities seeking registration under this Chapter based on volume of used oil generated, recycled, or handled by them.

27. Modalities of extended producer responsibility and its target. –

(1) The extended producer responsibility covers the following modes for managing the used oil in order of priority, namely: -

- (i) producing re-refined base oil or lubrication oil; and
- (ii) energy recovery.

(3) All producers and used oil importers shall fulfil their extended producer responsibility obligation specified in Table given below and in doing so they may take help of third party organisations, such as integrated used oil management systems, collection centres or dealers:

Provided that the extended producer responsibility shall lie entirely on the producer only.

TABLE

PART - A For producers of base oil or lubrication oil, the target prescribed in the following Table, -

| Sl. No. | Year. | Used oil Recycling Target. |
|---------|--|--|
| (1) | (2) | (3) |
| (i) | Extended Producer Responsibility obligation of the Year 2024-2025 (the year in which this Chapter comes into force) | 5% of the base oil or lubrication oil sold or imported in the Year 2022-2023. |
| (ii) | Extended Producer Responsibility obligation of the Year 2025-2026. | 10% of the base oil or lubrication oil sold or imported in the year 2023-2024. |
| (iii) | Extended Producer Responsibility obligation of the Year 2026-2027. | 20% of the base oil or lubrication oil sold or imported in the year 2024-2025. |
| (iv) | Extended Producer Responsibility obligation of the Year 2027-2028. | 20% of the base oil or lubrication oil sold or imported in the year 2025-2026. |
| (v) | Extended Producer Responsibility obligation of the Year 2028-2029. | 40% of the base oil or lubrication oil sold or imported in the year 2026-2027. |
| (vi) | Extended Producer Responsibility obligation of the Year 2029-2030. | 40% of the base oil or lubrication oil sold or imported in the year 2027-2028. |
| (vii) | Extended Producer Responsibility obligation for the year 2030-2031 (Y) onwards shall be 50% of the base oil or lubrication oil sold or imported in the year (Y-2). | |
| (viii) | For units established after 1 st April, 2024, the extended producer responsibility obligation will start after two years from the end of the financial year in which the unit was established and will be as per the target prescribed above. | |

PART – B

For used oil importers,-

- (i) the extended producer responsibility obligation for used oil importers in year (Y) shall be 100 per cent of the used oil imported in year (Y-1); and
 - (ii) the import of used oil is permitted for the purpose of re-refining only.
- (3) The extended producer responsibility target of the producers shall be reduced by a factor laid down by the Central Pollution Control Board on account of operational loss of base oil.
- (4) (i) The producers may fulfil their extended producer responsibility through online purchase of extended producer responsibility certificates from registered recyclers only;
- (ii) the details provided by producers and registered recyclers shall be cross-checked through the portal;
- (iii) in case of any difference, the lower figure shall be considered towards fulfillment of the extended producer responsibility obligation of the producer; and
- (iv) the certificates shall be subject to audit by the Central Pollution Control Board or any other agencies authorised by them in this regard.

28. Extended producer responsibility certificate generation. –

- (1) The Central Pollution Control Board shall generate extended producer responsibility certificate through the portal in favour of a registered recycler, which shall be calculated as per the Table given here under –

TABLE

| S. No. | End Product of recycling. | Weightage allocated to the end product (W _P). |
|--------|--|---|
| (1) | (2) | (3) |
| 1. | Producing re-refined base oil or lubrication oil | 1.0 |
| 2. | Co-processing/ utilisation/ energy recovery for used oil not suitable for recycling, maximum permissible percentage to be prescribed by the Central Pollution Control Board. | 0.25 |

(2) For the purpose of the Table referred to in sub-rule (1),-

(i) the quantity eligible for generation of extended producer responsibility certificate shall be calculated as per the following formula, namely: -

$$\text{QEPR} = QP \times CF \times WP ;$$

*the QEPR is the quantity eligible for generation of the extended producer responsibility certificate, Qp is the quantity of the end product and Cf is the conversion factor (quantity of inputs required for production of one unit of output) and Wp is the weightage for particular end product

Example: If a recycler finally produces 100 Tonnes of re-refined oil, and conversion factor is 1.5 then, the eligible EPR certificate for that recycler in that year shall be as follows:

$$\text{QEPR} = 100 \times 1.5 \times 1 \text{ (weightage)} = 150.0 \text{ Tonnes};$$

(ii) Conversion factor CF for each end product shall be determined by the Central Pollution Control Board based on the technologies used by recyclers and quality of re-refined base oil produced;

(iii) The weightage WP shall be reviewed by the Central Pollution Control Board from time to time in view of the technological advancements, availability of material and other factors;

(3) The validity of the extended producer responsibility certificate shall be two years from the end of the financial year in which it was generated and the expired certificate shall automatically extinguish after the period unless extinguished earlier as per these rules.

(4) Each extended producer responsibility certificate shall have a unique number containing year of generation, code of end product, recycler code and a unique code and shall be in the denominations of 100, 200, 500, 1000 and 10,000 kilograms or as may be laid down by the Central Pollution Control Board with the approval of the Steering Committee constituted under rule 42.

29. Transaction of extended producer responsibility certificate. -

(1) A producer may purchase extended producer responsibility certificates limited to its extended producer responsibility liability of current year (Year Y) plus any leftover liability of preceding years plus 10 per cent of the current year liability.

(2) The extended producer responsibility obligation shall have to be fulfilled by the producers and used oil importers by proportionately purchasing extended producer responsibility certificates on a quarterly basis.

(3) As soon as the producer and used oil importer purchases the extended producer responsibility certificate, it will be automatically adjusted against its liability, priority in adjustment shall be given to earlier liability and the extended producer responsibility certificate so adjusted shall be automatically extinguished and cancelled.

(4) The availability, requirement and other details of the extended producer responsibility certificate for every producer or used oil importer or recycler shall be made available on the portal.

(5) All the transactions under this Chapter shall be recorded and submitted by the producers or used oil importers or recyclers on the portal.

(6) One or more trading platform for sale and purchase of extended producer responsibility certificates may be established through agency accredited by the Central Pollution Control Board in accordance with the guidelines issued by Central Pollution Control Board with the approval of the Central Government.

(7) The operation of the platform established under sub-paragraphs (6) shall be operated and regulated in accordance with the guidelines made by the Central Government on the recommendation of the Central Pollution Control Board.

(8) The Central Pollution Control Board shall fix the highest and lowest price for exchange of extended producer responsibility certificates which shall be equal to hundred per cent and thirty per cent, respectively of the environmental compensation for non-fulfilment of extended producer responsibility under rule 39.

(9) The exchange price of extended producer responsibility certificates between registered entities through the portal shall be between the highest and lowest prices referred to in sub-rule (80).^(w.e.f. 1.04. 2024)

30. Portal for registration, filing of annual returns, Extended Producer Responsibility certificate and tracing of materials. –

(1) The Central Pollution Control Board shall establish an online system for the registration and as for filing of quarterly and annual returns, extended producer responsibility certificate and tracing of oil produced or generated by any entity or person, which shall ensure a mechanism wherein the material balance of the lubrication oil introduced in the market by any producer in a financial year is reflected.

(2) The portal shall act as the single point data repository with respect to management and implementation of extended producer responsibility for used oil.

(3) The online portal shall be functional by the Central Pollution Control Board within six months from the date of commencement of the Hazardous and Other Wastes (Management and Transboundary

Movement) Second Amendment Rules, 2023 and all activities related to the implementation of the extended producer responsibility shall be done in online manner.

(4) The manifest system for transport of used oil shall be applicable to those entities under this Chapter who are required to take authorisation under the said rules.

(5) Relaxation of timelines for filing of returns. – The Central Government may, if it is satisfied that it is necessary so to do in the public interest or for effective implementation of these rules, by order, relax any period within which any return or report is to be filed under these rules by a producer, collection agents, recycler and used oil importer thereof, for a further period not exceeding nine months.).(1st Day of April, 2024)

31. Responsibility of producers. –

The producers of base oil or lubrication oil shall be responsible for, -

- (a) registration on the portal;
- (b) fulfilling extended producer responsibility targets as per sub- rule (2) of rule 27;
- (c) provide the contact details such as address, email address, toll free telephone numbers or helpline numbers to consumers through their website or through advertisements or documentation so as to facilitate the process;
- (d) filing annual returns in the form provided on the portal on or before 30th June following the financial year to which that return relates;
- (e) creating awareness through media, publications, advertisements, posters, or by any other means of communication.

32. Responsibility of used oil importer. - The used oil importers shall be responsible for, -

- (a) registration on the portal;
- (b) fulfilling extended producer responsibility targets as per sub- rule (2) of rule 27 through the portal;
- (c) filing annual returns in the form provided on the portal on or before 30th June following the financial year to which that return relates.

33. Responsibility of collection agent. – All used oil collection agents shall have to, -

- (a) register on the portal;
- (b) collect used oil from the generators and supply to the registered recycler or producer in accordance with these rules and upload information on the portal;
- (c) filing quarterly returns in the laid down form on the portal on or before the end of the month succeeding the quarter to which the returns relate;
- (d) filing annual returns in the form provided on the portal on or before 30th June following the financial year to which that return relates.

34. Responsibilities of the recycler. - All used oil recycler shall have to, -

- (a) register on the portal;
 - (b) ensure that the facility and recycling processes are in accordance with these rules;
 - (c) ensure that no damage is caused to the environment during storage, transportation and recycling of used oil;
 - (d) ensure that the residue generated during the recycling process is disposed of in accordance the said rules;
 - (e) filing quarterly returns in the prescribed form on the portal on or before the end of the month succeeding the quarter to which the returns relate;
-
- (f) filing annual returns in the prescribed form provided on the portal on or before 30th June following the financial year to which that return relates.

35. Responsibilities of the bulk generators. - Bulk generators shall,-

- (a) set up collection points to facilitate collection agents for collection and transportation of used oil from their premises; and
- (b) ensure that used oil generated by them be handed over only to the registered recyclers or producer or collection agents.

36. Responsibilities of the Central Pollution Control Board. -

- (1) The Central Pollution Control Board shall be responsible for
 - (a) operation and maintenance of the portal and monitoring of extended producer responsibility compliance;
 - (b) coordination with the State Pollution Control Boards;
 - (c) prepare and issue Guidelines and Standard Operating Procedures for registration on the portal, extended producer responsibility certificate generation, fulfillment of obligation, returns, and for collection, storage, transportation, recycling and disposal of used oil under this Chapter and also on any other issue for smooth implementation of these rules from time to time;
 - (d) prepare and issue necessary forms or returns on portal for implementation of this Chapter;
 - (e) conduct of random checks for ascertaining compliance of the extended producer responsibility and for that purpose the Board may take help of Customs or the State Government or any other agency;
 - (f) documentation, compilation of data on used oil and uploading on the portal; (g) taking action against violation of this Chapter;
 - (h) conducting training programmes to develop capacity building including the State Pollution Control Board and Urban Local Bodies officials of State Governments;

- (i) conducting awareness programmes;
- (j) integration of all stakeholders with the centralised digital system;
- (k) prepare and submit an annual report to the Central Government; and
- (l) any other function delegated by the Central Government under this Chapter from time to time.

37. Responsibilities of the State Governments or Union territories or Municipalities or local bodies or the State Pollution Control Board. –

(1)The Department of Industry in the State and Union territory or any other Government agency authorised in this regard by the State Government or the Union territory Administration, as the case may be, shall –

- (a) ensure earmarking or allocation of industrial space or shed for collection of used oil and for rerefining units in the existing and upcoming industrial parks, estates and industrial clusters;
- (b) ensure recognition and registration of workers involved in re-refining and recycling;
- (c) undertake industrial skill development activities for the workers involved in re-cycling of used oil; and
- (d) undertake annual monitoring and to ensure safety and health of workers involved in recycling of used oil.

(1) Municipalities and Local Bodies shall facilitate producers and bulk generators or collection agents to set up large number of collection points for collection of used oils in their jurisdictional areas and the used oils so collected can be auctioned or sold to the authorised recyclers.

(2) The State Pollution Control Boards or Pollution Control Committees of Union territories, shall, -

- (i) ensure proper implementation of this Chapter in coordination with the Central Pollution Control Board;
- (ii) facilitate setting up of collection points by the collection agents;
- (iii) monitor the compliance of extended producer responsibility as directed by the Central Pollution Control Board;
- (iv) conduct random inspection of producers or collection agents or recycler or used oil importers; and
- (v) perform any other function as directed by the Central Government under this Chapter.

38. Responsibilities of the Bureau of Indian Standards, -

The Bureau of Indian Standards shall issue necessary standards for re-refined oil, which could be used as base oil for producers of lubrication oil within nine months from the date of commencement of the

Hazardous and Other Wastes (Management and Transboundary Movement) Second Amendment Rules, 2023.

39. Environmental Compensation. -

(1) The Central Pollution Control Board shall lay down guidelines for imposition and collection of environmental compensation on the producers in case of non-fulfilment of obligations set out in this Chapter and transaction or use of false extended producer responsibility certificates or on any entity on violation of any provisions of this Chapter and guidelines issued hereunder.

(2) The environmental compensation shall also be levied on the recyclers for issue of false extended producer responsibility certificates and providing false information.

(3) It shall also be levied on unregistered producers, recyclers and any entity, which aids or abets the violation of this Chapter.

(4) (i) payment of environmental compensation shall not absolve the producer from the extended producer responsibility as specified in this Chapter and the unfulfilled extended producer responsibility for a particular year shall be carried forward to the next year and so on and up to three years;

(ii) in case, the shortfall of extended producer responsibility obligation is addressed after one year, eighty-five per cent. of the environmental compensation levied shall be returned to the producer; and

(iii) in case, the shortfall of extended producer responsibility obligation is addressed after two year, sixty per cent. of the environmental compensation levied shall be returned to the producer, and in case, the shortfall of extended producer responsibility obligation is addressed after three year, thirty per cent. of the environmental compensation levied shall be returned to the producer, thereafter no environmental compensation will be returned to the producer.

(5) False information resulting in over generation of extended producer responsibility certificates by recycler above five per cent. of the actual recycled waste shall result in revocation of registration and imposition of environmental compensation which shall not be returnable and subsequent offence, violation of this Chapter for three times or more shall also result in permanent revocation of registration over and above the environmental compensation charges.

(6)(i) the funds collected under environmental compensation shall be kept in a separate escrow account by the Central Pollution Control Board and the funds collected shall be utilised in collection and recycling or end of life disposal of uncollected and non-recycled or non-end of life disposal of used oil on which the environmental compensation is levied, and on other heads as decided by the committee; and

(ii) modalities and head for utilisation of the funds shall be decided by the Steering Committee with the approval of the Central Government.

40 Action for contravention. - Any person who fails to comply or contravenes the provisions of these rules shall be liable to a penalty in accordance with the provisions of section 15 of the Act^(w.e.f 12.11. 2024)

41. Verification and audit. -

(1) The Central Pollution Control Board by itself or through a designated agency shall verify compliance of this Chapter by the producers, used oil importer, bulk generators, collection agents and recyclers through inspection and periodic audit, as deemed appropriate and take actions against violations under rule 39 of this Chapter .

(2) Any fee for the verification and audit shall be charged by the Central Pollution Control Board from the concerned registered entity.

42. Steering Committee. -

(1) There shall be a Steering Committee headed by the Chairperson, Central Pollution Control Board to oversee the implementation of extended producer responsibility under this Chapter, which shall consists of following other members, namely:-

- (i) one representative of the Ministry of Environment, Forest and Climate Change;
- (ii) one representative of the Ministry of Petroleum and Natural Gas;
- (iii) a maximum of two representative of producers;
- (iv) a maximum of two representative of Automobile Manufacturer Associations.
- (v) a maximum of two representative of recycler associations;
- (vi) one representative of the State Pollution Control Board or Pollution Control Committee as coopted by the Chairman of the Steering Committee;
- (vii) Member Secretary of the Central Pollution Control Board; and
- (viii) Head of the Division concern of the Central Pollution Control Board as Member Convener.

(2) The Steering Committee may co-opt any other member if it considers necessary.

(3) The Steering Committee shall be responsible for overall monitoring and supervision of implementation this Chapter.

(4) Shall also decide upon the disputes arisen from time to time on the representations received in this regard, and shall refer to the Central Government any substantial issue arisen or pertaining to this Chapter.

(5) The Steering Committee shall review and revise the targets, weightage and permissibility of modes of recycling in view of the technological advancements and other factors and make recommendations to the Central Government.

(6) The Steering Committee shall take all such measures, as it deems necessary for proper implementation of the provisions of this Chapter.

43. Application of other provisions of these rules. - The provisions relating to hazardous wastes under these rules shall also apply to utilisation and management of used oil under this Chapter. (18th September, 2023)

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 Sludge from wet scrubbers 37.2 Ash from incinerator and flue gas cleaning residue 37.3 Concentration or evaporation residues |
| 38. | Chemical processing of Ores containing heavy metals such as Chromium, Manganese, Nickel, Cadmium etc. | 38.1 Process residues 38.2 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 ₂ S) | 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 | Bromodichloromethane | 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 azoxy 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 (*Brachidano 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, mutagenicity, 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 <ul style="list-style-type: none"> - Antimony - Cadmium - Lead - Tellurium |
| A1020 | Waste having as constituents or contaminants, excluding metal wastes in massive form, any or the following: <ul style="list-style-type: none"> - 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 | <p>Metal and metal-alloy wastes in metallic, non-dispersible form:</p> <ul style="list-style-type: none"> - Thorium scrap - Rare earths scrap |
| B1020 | <p>Clean, uncontaminated metal scrap, including alloys, in bulk finished form (sheet, plates, beams, rods, etc.), of:</p> <ul style="list-style-type: none"> - 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: <ul style="list-style-type: none"> - 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 <p>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)</p> <p>High End and High Value Used Medical Equipment other than Used Critical Care Medical Equipment for reuse (note the related entry in Schedule VI, B1110)^(w.e.f23.12.2022)</p> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| B1120 | Spent catalysts excluding liquids used as catalysts, containing any of: <p>Transition metals, excluding waste catalysts (spent catalysts, liquid used catalysts or other catalysts) in Part A and Schedule VI:</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 5%;">-</td> <td style="width: 35%;">Scandium</td> <td style="width: 5%;">-</td> <td style="width: 35%;">Titanium</td> </tr> <tr> <td>-</td> <td>Vanadium</td> <td>-</td> <td>Chromium</td> </tr> <tr> <td>-</td> <td>Manganese</td> <td>-</td> <td>Iron</td> </tr> <tr> <td>-</td> <td>Cobalt</td> <td>-</td> <td>Nickel</td> </tr> <tr> <td>-</td> <td>Copper</td> <td>-</td> <td>Zinc</td> </tr> <tr> <td>-</td> <td>Yttrium</td> <td>-</td> <td>Zirconium</td> </tr> <tr> <td>-</td> <td>Niobium</td> <td>-</td> <td>Molybdenum</td> </tr> <tr> <td>-</td> <td>Hafnium</td> <td>-</td> <td>Tantalum</td> </tr> <tr> <td>-</td> <td>Tungsten</td> <td>-</td> <td>Rhenium Lanthanides (rare earth metals):</td> </tr> <tr> <td>-</td> <td>Lanthanum</td> <td>-</td> <td>Cerium</td> </tr> </table> | - | Scandium | - | Titanium | - | Vanadium | - | Chromium | - | Manganese | - | Iron | - | Cobalt | - | Nickel | - | Copper | - | Zinc | - | Yttrium | - | Zirconium | - | Niobium | - | Molybdenum | - | Hafnium | - | Tantalum | - | Tungsten | - | Rhenium Lanthanides (rare earth metals): | - | Lanthanum | - | Cerium |
| - | Scandium | - | Titanium | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| - | Vanadium | - | Chromium | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| - | Manganese | - | Iron | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| - | Cobalt | - | Nickel | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| - | Copper | - | Zinc | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| - | Yttrium | - | Zirconium | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| - | Niobium | - | Molybdenum | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| - | Hafnium | - | Tantalum | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| - | Tungsten | - | Rhenium Lanthanides (rare earth metals): | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| - | Lanthanum | - | Cerium | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | <ul style="list-style-type: none"> - Praseodymium - Neodymium - Samarium - Gadolinium - Dysprosium - Erbium - Ytterbium - Europium - Terbium - Holmium - Thulium - 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 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

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|--------------|--|
| 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 | <p>Wastes from mining operations in non-dispersible form:</p> <ul style="list-style-type: none"> - 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 | *Omitted* (w.e.f.15.11.2021) |
| B2030 | <p>Ceramic wastes in non-dispersible form:</p> <ul style="list-style-type: none"> - Cermet wastes and scrap (metal ceramic composites) - Ceramic based fibres |
| B2040 | <p>Other wastes containing principally inorganic constituents:</p> <ul style="list-style-type: none"> - 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 |
| | <p>20%) and processed according to industrial specifications mainly for construction and abrasive applications</p> <ul style="list-style-type: none"> - 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 |
| B3011 | Solid plastic waste |

| | |
|--------------|--|
| | <ul style="list-style-type: none"> - Polymethyl methacrylate - Polyethylene terephthalate (w.e.f.15.11.2021) <p style="color: red;">Polysiloxanes- only post-industrial or pre-consumer (w.e.f.12.03.2024)</p> |
| B3027 | Self-adhesive label laminate waste containing raw materials used in label material production |
| B3030 | *Omitted* (w.e.f.27.1.2021) |
| B3035 | *Omitted* (w.e.f.27.1.2021) |
| B3040 | Rubber Wastes |
| | <p>The following materials, provided they are not mixed with other wastes:</p> <ul style="list-style-type: none"> - Waste and scrap of hard rubber (e.g., ebonite) - Other rubber wastes (excluding such wastes specified elsewhere) |
| B3050 | <p>Untreated cork and wood waste:</p> <ul style="list-style-type: none"> - 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: <ul style="list-style-type: none"> - 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 - Degas: 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: <ul style="list-style-type: none"> - 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.**

Import permitted in the country by actual user or by Original Equipment Manufacturers (OEM) or Indian Subsidiary of OEM or Trader on behalf of actual user; High End and High Value Medical Equipment is such medical equipment as specified by the Ministry of Health and Family Welfare from time to time.

(w.e.f.23.12.2022)

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**

| <u>Code</u> | <u>Characteristic</u> |
|---|---|
| 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 60.5°C, closed-cup test, or not more than 65.6°C, 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 of 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 | <p>Metal and metal-alloy wastes in metallic, non-dispersible form :</p> <ul style="list-style-type: none"> - 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 | <p>Metal bearing wastes arising from melting, smelting and refining of metals:</p> <ul style="list-style-type: none"> - Hard Zinc spelter * * |

| | |
|-------|--|
| | <ul style="list-style-type: none"> - Zinc-containing drosses * *: <ul style="list-style-type: none"> ~ 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 | <p>Electrical and electronic assemblies (including printed circuit boards, electronic components and wires) destined for direct reuse and not for recycling or final disposal</p> <p>-Used electrical and electronic assemblies imported for repair or refurbishment and to be re-exported after repair or refurbishment to OEMs or any other company in the country of origin or any other company in any other country within one year of import ***;</p> <p>Provided that 5% of unrepairable used electrical and electronic assemblies, by weight, may be retained in the country and the same shall be sent to authorised recyclers only in accordance with these rules and the E-Waste (Management) Rules, 2022^(w.e.f.12.07. 2023)</p> <p>- Used electrical and electronic assemblies imported for rental purpose and re-exported back within one year of import * * *</p> <p>- Used electrical and electronic assemblies exported for repair and to be re-import after repair</p> <p>- 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 * * *</p> |
| | <p>- Used electrical and electronic assemblies imported for testing, research and development, project work purposes by the Department of Scientific and Industrial Research (DSIR) approved research and development units or units in Software Technology Parks of India (STPI), Electronic Hardware Technology Park (EHTP), Export Oriented Units (EOU) and Biotechnology Parks (BTP) with investment of Rs. 50 Crore in a Research and Development (R&D) facility***</p> <p>- Used plant and machinery having a residual life of at least 5 years for manufacturing of electrical and electronic items by the electronic industry*** (w.e.f.12.06.2018)</p> <p>- Electrical and electronic assemblies and components manufactured in and exported from India if found defective or non-functional can be imported back by Original Equipment Manufacturers (OEMs) within twelve months from the date of export. (w.e.f.5.3.2019)</p> |
| B2 | Wastes containing principally inorganic constituents, which may contain metals and organic materials. |
| 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. |
| B3 | Wastes containing principally organic constituents, which may contain metals and inorganic materials |

| | |
|-------|--|
| B3020 | <p>Paper, paperboard and paper product wastes <small>(w.e.f.15.11.2021)</small></p> <p>The following materials, provided they are not mixed with hazardous wastes:</p> <p>Waste and scrap of paper or paperboard of:</p> <ul style="list-style-type: none"> - 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 <ul style="list-style-type: none"> (1) laminated paperboard (2) unsorted scrap |
| B3030 | <p>Textile wastes <small>(w.e.f.27.01.2021)</small></p> <p>The following materials which are textile wastes, provided they are not mixed with other wastes and are prepared to a specification: -</p> <p>Silk wastes (including cocoons unsuitable for reeling, yarn waste and garnetted stock)</p> <ul style="list-style-type: none"> • not carded or combed • other <p>- Wastes of wool or of fine or coarse animal hair, including yarn waste but excluding garnetted stock</p> <ul style="list-style-type: none"> • noils of wool or of fine animal hair • other wastes of wool or of fine animal hair • waste of coarse animal hair <p>- Cotton wastes (including yarn waste and garnetted stock)</p> <ul style="list-style-type: none"> • yarn wastes (including thread waste) • garnetted stock • other <p>- Flax tow and wastes - Tow and waste (including yarn waste and garnetted stock) of true hemp (<i>Cannabis sativa L.</i>)</p> <p>- Tow and wastes (including yarn wastes and garnetted stock) of jute and other textile bast fibres (excluding flax, true hemp and ramie)</p> <p>- Tow and wastes (including yarn wastes and garnetted stock) of sisal and other textile fibres of the genus <i>Agave</i></p> <ul style="list-style-type: none"> - Tow, noils and wastes (including yarn wastes and garneted stock) of coconut - Tow, noils and wastes (including yarn wastes and garneted stock) of abaca (Manila hemp or <i>Musa textilis Nee</i>) - Tow, noils and wastes (including yarn wastes and garneted stock) of ramie and other vegetable textile fibres, not elsewhere specified or included - Wastes (including noils, yarn wastes and garnetted stock) of manmade fibres <ul style="list-style-type: none"> • of synthetic fibres • of artificial fibres <p>- 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</p> |

| | |
|-------|---|
| | materials <ul style="list-style-type: none"> • sorted • other |
| B3035 | Wastes textile floor coverings and carpets ^(w.e.f.27.01.2021) |
| 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 for use of the actual users authorised by State Pollution Control Board 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 to the actual user or to the trader on behalf of the actual user authorised by State Pollution Control Board on one-time basis and subject to verification of documents specified in Schedule VIII of these rules by the Custom Authority.^(w.e.f.15.11.2021)

*** * Import permitted in the country to the actual users or trader 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.^(w.e.f.6.7.2016)

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 form |
| 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 form |
| 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 assemblies 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 halogens | 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 assemblies 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. |

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| 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: <ul style="list-style-type: none"> - 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: <ul style="list-style-type: none"> - Any congener of polychlorinated dibenzo-furan. - Any congener 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 |
| B3011 <small>(w.e.f.15.11.2021)</small> | <p>Solid plastic waste</p> <p>The following plastic or mixed plastic waste, prepared to a specification:</p> <ul style="list-style-type: none"> - Scrap plastic of non-halogenated polymers and co-polymers, including but not limited to the following: <ul style="list-style-type: none"> Ethylene, Styrene, Polypropylene, polyethylene terephthalate^(w.e.f.15.11.2021), Acrylonitrile, Butadiene, Polyacetals, Polyamides, polybutylene tere-phthalate, Polycarbonates, Polyethers, polyphenylene sulphides, acrylic polymers, alkanes C10-C13 (plasticiser), polyurethane (not containing CFC's), Polysiloxanes^(w.e.f.12.03.2024), polymethyl methacrylate^(w.e.f.28.07.2017) Polymethyl methacrylate^{(1st March, 2019) (27th January, 2021)}, polyvinyl alcohol, polyvinyl butyral, Polyvinyl acetate - Cured waste resins or condensation products including the following: <ul style="list-style-type: none"> urea formaldehyde resins, phenol formaldehyde resins, melamine formaldehyde resins, epoxy resins, alkyd resins, polyamides - The following fluorinated polymer wastes (excluding post-consumer wastes): <ul style="list-style-type: none"> perfluoroethylene/ propylene, perfluoro alkoxy alkane, tetrafluoroethylene/per fluoro vinyl ether (PFA), tetrafluoroethylene/per fluoro methylvinyl ether (MFA), polyvinylfluoride , |

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| | <p>polyvinylidenefluoride</p> <p>Note:- Import is permitted to the units in special economic zones and export oriented units (^{28th February, 2017}) ^(6th July, 2016) (^{1st March, 2019}) notified by the Central Government.</p> |
| B3026 | <p>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:</p> <ul style="list-style-type: none"> - 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 | <ul style="list-style-type: none"> (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. |

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| 2. | Central Pollution Control Board constituted under the Water (Prevention and Control of Pollution) Act, 1974 | <ul style="list-style-type: none"> (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. |
| | | <ul style="list-style-type: none"> (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, preprocessing, 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 | <ul style="list-style-type: none"> (i) Identification of site(s) for common Hazardous and Other Waste Treatment Storage and Disposal Facility (TSDF) (ii) Assess 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 | <ul style="list-style-type: none"> (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 | <ul style="list-style-type: none"> (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 |

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| 6. | Port authority under Indian Ports Act, 1908 (15 of 1908) and Customs Authority under the Customs Act, 1962 (52 of 1962) | <ul style="list-style-type: none"> (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 |
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SCHEDEULE 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 | <ul style="list-style-type: none"> (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 wastes being imported other than wastes covered under the Institute of Scrap Recycling Industries (ISRI) code or equivalent code prevalent in international trade. <small>(w.e.f.15.11.2021)</small> (f) An acknowledged copy of the annual return filed with concerned SPCB for import in the last financial year. |

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| | | - Chromium scrap | |
| 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* * | <ul style="list-style-type: none"> (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 wastes being imported other than wastes covered under the Institute of Scrap Recycling Industries (ISRI) code or equivalent code prevalent in international trade. (w.e.f.15.11.2021) (f) An acknowledged copy of the annual return filed with concerned SPCB for import in the last financial year. |
| 3 | B1100 | <p>Metal bearing wastes arising from melting, smelting and refining of metals:</p> <ul style="list-style-type: none"> - Hard Zinc spelter - Zinc-containing drosses: <ul style="list-style-type: none"> ~ 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) | <ul style="list-style-type: none"> (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 |

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| | | <p>~ Zinc skimmings – Aluminium skimmings (or skims) excluding salt slag</p> | <p>required;</p> <p>(e)The Chemical analysis report of the wastes being imported other than wastes covered under the Institute of Scrap Recycling Industries (ISRI) code or equivalent code prevalent in international trade.^(w.e.f.15.11.2021)</p> <p>(f)An acknowledged copy of the annual return filed with concerned SPCB for import in the last financial year.</p> |
| 4 | B1110 | <p>Electrical and electronic assemblies (including printed circuit boards, electronic components and wires) destined for direct reuse and not for recycling or final disposal</p> <p>Used electrical and electronic assemblies imported for repair or refurbishment and to be re-exported after repair or refurbishment to OEMs or any other company in the country of origin or any other company in any other country within one year of import.^(w.e.f. 12.7. 2023)</p> | <p>(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;</p> <p>(d) An acknowledged copy of the annual return filed with concerned SPCB for import in the last financial year</p> <p>(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 or certificate from any other company in the country of origin or any other company in any other country for accepting the repaired and unrepairable electrical and electronic assemblies and the spares or part or component or consumables being re-exported. ^(w.e.f.12.7. 2023)</p> |
| | | <p>Used electrical and electronic assemblies imported for rental purpose and re-exported back within one year of import</p> | <p>(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;</p> |
| (b) | | | |

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| | | (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) (b) | Duly filled up Form 6 - Movement document; 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) (b) (c) (d) (e) (f) | Duly filled up Form 6 - Movement document; Undertaking for re-export; Details of previous import, if there has been any and confirmation regarding their re-export; Chartered Engineer Certificate or certificate from accredited agency of exporting country indicating the functionality, manufacturing date, residual life and serial number; an acknowledged copy of the annual return filed with concerned SPCB for import in the last financial year; 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. |
| d(i) | B1110 Used electrical and electronic assemblies imported for testing, research and development, project work purposes by the Department of Scientific and Industrial Research (DSIR) approved research and development units or units in Software Technology Parks of India (STPI), Electronic Hardware Technology Park (EHTP), Export Oriented Units (EOU) and Biotechnology Parks (BTP) with investment of Rs. 50 Crore in a Research and Development (R&D) facility. | (a) (b) (c) (d) | Duly filled up Form 6 - Movement document; Details of previous import, if any. Chartered Engineer Certificate or certificate from accredited agency of exporting country indicating the functionality, manufacturing date, residual life and serial number; An |

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| | | acknowledged copy of the annual return filed with concerned State Pollution Control Board for import in the last financial year. (e) A certificate of investment of Rs. 50 crores or above in Research and Development (R&D) facility |
| d(ii) | Used plant and machinery having a residual life of at least 5 years for manufacturing of electrical and electronic items by the electronic industry. | (a) Duly filled up Form 6 – Movement document; (b) Details of previous import, if any. (c) Chartered Engineer Certificate or certificate from accredited agency of exporting country indicating the functionality, manufacturing date, residual life and serial number; (d) An acknowledged |

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| | | copy of the annual return filed with concerned State Pollution Control Board for import in the last financial year (w.e.f.12.06.2018) |
| (e) | Spares imported for warranty replacements provided equal number of defective / nonfunctional parts are exported back within one year of the import. | <p>(a) Duly filled up Form 6 - Movement document; if refurbished components being imported as replacement to defective component then undertaking for export of equivalent numbers of defective components;</p> <p>(b) Details of previous import, if there has been any and confirmation regarding their re-export;</p> <p>(d) Certificate from exporting company for accepting the re-export of defective or nonfunctional spares or part or component or consumables being re-exported;</p> <p>(e) Documents of the declared policy regarding the use of second hand or refurbished spare parts for repair of electrical and electronic assemblies during warranty period.</p> |
| | | 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 |

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| (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)* | <ul style="list-style-type: none"> (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 | <p>Paper, paperboard and paper product wastes The following materials, provided they are not mixed with hazardous wastes:</p> <p>Waste and scrap of paper or paperboard of:</p> <ul style="list-style-type: none"> - 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 <ul style="list-style-type: none"> (1) laminated paperboard (2) unsorted scrap | <ul style="list-style-type: none"> (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. |

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| 5 (A) | B3030 | <p>Textile wastes (^{27th January, 2021})</p> <p>The following materials which are textile wastes, provided they are not mixed with other wastes and are prepared to a specification:</p> <ul style="list-style-type: none"> - Silk wastes (including cocoons unsuitable for reeling, yarn wastes and garnetted stock) <ul style="list-style-type: none"> • not carded or combed • other - Wastes of wool or of fine or coarse animal hair, including yarn wastes but excluding garnetted stock <ul style="list-style-type: none"> • noils of wool or of fine animal hair • other wastes of wool or of fine animal hair • waste of coarse animal hair - Cotton wastes (including yarn wastes and garnetted stock) • yarn waste (including thread wastes) • garnetted stock • other - Flax tow and wastes - Tow and wastes (including yarn wastes and garnetted stock) of true hemp (<i>Cannabis sativa L.</i>) - Tow and wastes (including yarn wastes and garnetted stock) of jute and other textile bast fibres (excluding flax, true hemp and ramie) - Tow and wastes (including yarn wastes and garnetted stock) of sisal and other textile fibres of the genus <i>Agave</i> - Tow, noils and wastes (including yarn wastes and garneted stock) of coconut Tow, noils and wastes (including yarn wastes and garneted stock) of abaca (Manila hemp or <i>Musa textilis Nee</i>) - Tow, noils and wastes (including yarn wastes and garneted stock) of ramie and other vegetable textile | <p>(a) Duly filled up Form 6 - Movement document.</p> <p>(b) The import license from Directorate General of Foreign Trade, wherever applicable.</p> <p>(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.</p> <p>(d) The valid consents to operate under the Air (Prevention and Control of Pollution) Act, 1981 and the Water (Prevention and Control of Pollution) Act, 1974 and the authorisation under these rules, for actual users. For traders, only valid one-time authorisation from concerned State Pollution Control Board is required.</p> <p>(e) an acknowledged copy of the annual return filed with concerned State Pollution Control Board for import in the last financial year.</p> |
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| | | <p>fibres, not elsewhere specified or included</p> <ul style="list-style-type: none"> - Waste (including noils, yarn waste and garnetted stock) of manmade fibres <ul style="list-style-type: none"> • 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^(27th January, 2021) | |
| 5 (B) | B3035 | Waste textile floor coverings and carpets | <ul style="list-style-type: none"> (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 the Directorate General of Foreign Trade. (d) The valid consents to operate under the Air (Prevention and Control of Pollution) Act, 1981 and the Water (Prevention and Control of Pollution) Act, 1974 and authorisation under these rules, for actual users. For traders, only valid one-time authorisation from concerned State Pollution Control Board is required. (e) an acknowledged copy of the annual return filed with concerned State Pollution Control Board for import in the last financial year.^(w.e.f. 27.01.2021) |
| 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.

SCHEDULE IX (w.e.f.21.7.2022)

See rule 9 (4)]

Extended Producer Responsibility (EPR) for Waste Tyre

1. Definitions. -

For the purposes of this Schedule, -

- (a) "business" means any activity of production or manufacturing or sale of new tyre, import of new or waste tyre, import of vehicle fitted with new tyre, import of new tyre by automobile manufacturer for use in vehicle sold domestically and recycling of waste tyre;
- (b) "conversion factor" means units of waste tyre needed to produce one unit of each end product of recycling;
- (c) "environmentally sound management of waste tyre" means taking all steps required to ensure that waste tyre is managed in a manner so as to protect health and environment against any adverse effects which may result from such waste tyre;
- (d) "extended producer responsibility" means responsibility of producer of tyre to ensure environmentally sound management of waste tyre in accordance with the provisions of this Schedule;
- (e) "producer" means any person or entity who,-
 - (i) manufactures and sells new tyre domestically; or
 - (ii) sells domestically under its own brand, new tyre manufactured by other manufacturers or suppliers; or
 - (iii) sells imported new tyre; or
 - (iv) imports vehicles fitted with new tyres; or
 - (v) automobile manufacturers importing new tyre for use in new vehicles sold domestically; or
 - (vi) imports waste tyre;
- (f) "recycling" means any process or action of converting waste tyre into following end products, in an environmentally sound manner and having facilities as elaborated in the standard operating procedure or guidelines as specified by the Central Pollution Control Board, namely;-
 - (i) reclaimed rubber;
 - (ii) crumb rubber;
 - (iv) crumb rubber modified bitumen (CRMB);
 - (iv) recovered carbon black, which is usable as raw material for manufacture of new tyre; and
- (v) pyrolysis oil or Char, which is used only as a fuel and not as raw material for manufacture of new tyre;
- (g) "recycler" means any person or entity engaged in the process of recycling;
- (h) "recycling target" means quantity of waste tyre to be recycled as per the provisions of paragraph 6 of this Schedule;
- (i) "standard operating procedure" means the document specified by the Central Pollution Control Board elaborating minimum requirement of equipment and processes;
- (j) "guidelines" means the document specified by the Central Pollution Control Board elaborating minimum requirement for achieving environmentally sound management of waste tyres including handling, collection, transportation and storage and recycling of waste tyre;

- (k) "portal" means the online system developed by the Central Pollution Control Board under paragraph 9;
- (l) "retreading" means process of renewal of tread and side wall rubber of a worn out tyre having a good structural quality; and
- (m) "waste tyre" means any tyre, including tubes and flaps that is no longer mounted on a vehicle and is no longer used for its intended purpose.

2. Application. - The provisions of this Schedule shall be applicable to the following entities, namely: -
 (i) producer; (ii) recycler of waste tyre; and (iii) retreader.

3. Registration. –

- (1) The entities referred in paragraph 2 shall register on the portal.
- (2) No entity shall carry out any business without registration.
- (3) The entities registered under sub-paragraph (1) shall not deal with any unregistered producer or recycler.
- (4) In case, any registered entity furnishes false information or willfully conceals information for getting registration or return or report or information required to be provided or furnished under this Schedule or in case of any irregularity, the registration of such entity may be revoked by the Central Pollution Control Board for a period up to three years after giving an opportunity of being heard and in addition, environmental compensation charges may also be levied in such cases as per paragraph 10.
- (5) In case any entity is covered in more than one category under paragraph 3, then the said entity shall register under those categories separately.
- (6) The Central Pollution Control Board may charge such registration fees from the applicants as may be specified from time to time with the approval of the steering committee constituted under paragraph 13.

4. Modalities of extended producer responsibility regime. –

- (1) All producers shall have the following extended producer responsibility obligations, namely: -
 (a) For manufacturers or importers of new tyres: -

| Sl. No. | Year | Waste Tyre Recycling Target in Weight (Kilogram or Tons) |
|---------|---|---|
| (1) | (2) | (3) |
| (i) | EPR obligation of the year 2022-2023 (the year in which this Schedule comes into force) | 35% of the quantity of new manufactured or tyres imported in year 2020-2021 |
| (ii) | EPR obligation of the year 2023-2024 | 70% of the quantity of new manufactured or tyres imported in year 2021-2022 |
| (iii) | EPR obligation of the year 2024- 2025 | 100% of the quantity of new manufactured or tyres imported in year 2022-2023. |
| (iv) | After the year 2024-2025 (year Y), the extended producer responsibility obligation shall be 100% of the quantity of new tyres manufactured or imported in the year (Y-2). | |
| (v) | Units established after the 1st April, 2022, the extended producer responsibility obligation shall start after two years (Y) and shall be 100% of the new tyres manufactured or imported in the year (Y-2). | |

- (b) For waste tyre importer: -

- (i) The extended producer responsibility obligation for waste tyre importer in year (Y) shall be 100% of the tyre imported in year (Y-1)
- (ii) The import of waste tyre for the purpose of producing pyrolysis oil or char is prohibited.

(2) Retreading: -

- (i) The waste tyre shall be allowed for retreading and a retreader shall have to get registered on the portal for issuance of retreading certificates.
- (ii) On production of retreading certificates, the extended producer responsibility obligation shall be deferred by one year for the corresponding quantity of waste tyre: Provided that the obligation shall be extinguished only after end of life disposal through a registered recycler.

(3) The extended producer responsibility target of producer shall be reduced by a factor laid down by the Central Pollution Control Board on account of wear and tear of tyres.

- (4) (i) The producer shall fulfill their extended producer responsibility obligation through online purchase of extended producer responsibility certificate from registered recyclers only and submit it online on the portal by filing quarterly return.
- (ii) The quarterly return shall be filed by the end of the month succeeding the end of the quarter.
- (iii) The details provided by producers and registered recyclers shall be cross-checked on the portal.
- (iv) In case of difference, the lower figure shall be considered towards fulfilment of extended producer responsibility obligation of producer.
- (v) The certificates referred to in this paragraph shall be subject to environmental audit by the agencies authorised by the Central Government in this regard.

(5) The Central Pollution Control Board shall specify the standard operating procedure strictly in accordance with the provisions of this Schedule. 5.

Extended producer responsibility certificate generation. - (1) The Central Pollution Control Board shall generate extended producer responsibility certificate through the portal in favor of a registered recycler and the eligible quantity for generating extended producer responsibility certificates shall be calculated as per the following table, namely: -

TABLE

| Sl. No. | End Product of recycling | Quantity of End Product (Q _P) | Conversion factor determined by CPCB (C _F) | Weightage allocated to the end product (W _P) | Quantity eligible for generation of extended producer responsibility certificate (Q _{EPR} = Q _P x C _F x W _P) |
|------------|--|---|--|--|---|
| (1) | (2) | (3) | (4) | (5) | (6) |
| 1. | Reclaimed Rubber | | | 1.30 | |
| 2. | Recovered Carbon Black usable as raw material for manufacture of new tyre. | | | 1.25 | |
| 3. | Crumb rubber Modified Bitumen (CRMB) | | | 1.10 | |
| 4. | Crumb rubber | | | 1.00 | |
| 5. | Pyrolysis oil and char (usable as fuel only and not as raw material for manufacture of new tyre) (i) extracted from continuous pyrolysis method (ii) extracted from batch pyrolysis method | | | 0.80 0.50 | |

(2) Term of Reference. -

For the purpose of the Table referred to in sub-paragraph (1), -

- (i) the quantity eligible for generation of extended producer responsibility certificate shall be calculated as per the following formula, namely: - Q_{EPR} = Q_P x C_F x W_P ;
- (ii) conversion factor C_F for each end product shall be determined by the Central Pollution Control Board;
- (iii) the weightage W_P shall be reviewed by the Steering Committee from time to time in view of the technological advancements, availability of material and other factors;
- (iv) the weightage W_P for imported waste tyres shall be 1 for all categories and the value of waste tyre certificate shall be reduced by dividing it by W_P of respective certificates when the extended producer responsibility certificates purchased by waste tyre importer are adjusted against their EPR obligation.

(3) (a) The validity of the extended producer responsibility certificate shall be two years from the end of the financial year in which it was generated.

(b) The expired certificate automatically extinguished after the period unless extinguished earlier as per sub-paragraph (2) of paragraph 7.

(4) (a) Each extended producer responsibility certificate shall have a unique number containing year of generation, code of end product, recycler code and a unique code.

(b) The extended producer responsibility certificates shall be in the denominations of 100, 200, 500 and 1000 Metric Tonnes or as may be decided by the Central Pollution Control Board with the approval of the Steering Committee constituted under paragraph 13.

6. Transaction of extended producer responsibility certificates. –

(1) A producer can purchase extended producer responsibility certificates limited to its extended producer responsibility liability of current year (Year Y) plus any leftover liability of preceding years plus 10% of the current year liability.

(2) The extended producer responsibility obligation shall have to be fulfilled by the producers by proportionately purchasing extended producer responsibility certificate on quarterly basis.

(3) As soon as the producer purchases extended producer responsibility certificate, it shall be automatically adjusted against its liability, priority in adjustment shall be given to earlier liability and the extended producer responsibility certificate so adjusted shall be automatically extinguished and cancelled.

(4) The availability, requirement and other details of the extended producer responsibility certificate for every producer or recycler shall be made available on the portal.

(5) All such transactions shall be recorded and submitted by the producers or recyclers on the portal at the time of filing quarterly returns.

(6) The Central Government may by, order establish one or more platform for exchange or transfer of extended producer responsibility certificates in accordance with the guidelines issued by the Central Pollution Control Board with the approval of the Central Government.

(7) The operation of the platform established under sub-paragraphs (6) shall be operated and regulated in accordance with guidelines made by the Central Government on the recommendation of the Central Pollution Control Board.

(8) The Central Pollution Control Board shall fix the highest and lowest price for exchange of extended producer responsibility certificates which shall be equal to hundred per cent and thirty per cent, respectively of the environmental compensation for non-fulfilment of extended producer responsibility obligation under paragraph 10 of this Schedule.

(9) The exchange price of extended producer responsibility certificate between registered entities through the portal shall be between the highest and lowest prices referred to in sub-paragraph (8).
(w.e.f.12.3.2024)

7. Responsibilities of the producer. –

(1) The producer shall be responsible for fulfillment of extended producer responsibility by purchasing extended producer responsibility certificates from registered recyclers only.

(2) The producer shall be responsible to file annual and quarterly returns in the forms as specified by the Central Pollution Control Board on the portal on or before the end of the month succeeding the quarter to which the return relates and each registered entity shall have to file the quarterly return

. 8. Responsibilities of the recycler. –

(1) All the recycler shall submit on monthly basis the information regarding quantity of waste tyres used and end product produced, extended producer responsibility certificate sold and such other relevant information on the portal.

(2) All the recycler shall file annual and quarterly returns in the Form as specified on the portal on or before the end of the month succeeding the quarter to which the return relates.

8. (A) Responsibilities of the retreader. –

(1) All the retreader shall submit on monthly basis the information regarding quantity of waste tyres re-treaded, retreading certificate generated therefore and such other relevant information on the portal.

(2) All the retreader shall file annual and quarterly returns in the Form as specified on the portal on or before the end of the month succeeding the quarter to which the return relates.^(w.e.f.12.3.2024)

9. Portal for registration, filing of annual returns, extended producer responsibility certificate and tracing of materials. –

(1) The Central Pollution Control Board shall develop the portal to establish an online system for the registration and filing of quarterly returns, generation and adjustment of extended producer responsibility certificate and submission of monthly information by recyclers.

(2) The portal shall act as the single point data repository with respect to the provisions of this Schedule for implementation of extended producer responsibility for waste tyre and contain the following information, namely: -

(i) For producer. - import or production of new tyres of different years, quantity of waste or new tyres, quarterly return in respect of extended producer responsibility certificate purchase, adjustment of extended producer responsibility obligation for each year, the current year extended producer responsibility obligation and brought forward obligation of preceding years.

(ii) For recyclers. - facility for submitting information and quantity of recycled material and end product, extended producer responsibility Certificate generated and sold and ensure that value of extended producer responsibility is reduced by diving it by WP in case of waste tyre importer.

(iii) The portal shall provide information with respects to current unfulfilled extended producer responsibility obligations of different producers, the quantity of extended producer responsibility certificate with recyclers and surplus extended producer responsibility certificate with producers.

(iv) Any other facility which is required to streamline the implementation of the provisions of this Schedule with the approval of the Steering Committee constituted under paragraph 13. (3) Till the time the portal is developed, all activities related to implementation of extended producer responsibility shall be done in off-line manner.

(4) The Central Pollution Control Board shall specify the formats of all the relevant forms or returns for the extended producer responsibility in accordance with the provisions of this Schedule.

(5) The Central Pollution Control Board may charge such processing or registration fee from the producer and recyclers through portal as may be specified from time to time by the Central Pollution Control Board with the approval of the Steering Committee constituted under paragraph 13.

10. Environmental Compensation. –

(1) The Central Pollution Control Board shall lay down guidelines for imposition and collection of environmental compensation on the producers in case of non-fulfilment of obligations set out in this Schedule and use of false extended producer responsibility certificate and the said guidelines shall be in accordance with the provisions of this Schedule and shall require to be approved by the Steering Committee constituted under paragraph 13 and Central Government before implementation.

2) The environmental compensation shall also be levied on the recyclers for issue of false extended producer responsibility certificate and providing false information.

(3) The environmental compensation shall also be levied on unregistered producers, recyclers and any entity which aids or abets the violation of the provisions of this Schedule.

(4) (a) The payment of environmental compensation shall not absolve the producers from the obligation set out in this Schedule and the unfulfilled extended producer responsibility obligation for a particular year shall be carried forward to the next year and so on and up to three years.

(b) In case, the shortfall of extended producer responsibility obligation is addressed after first year, 85% of the environmental compensation levied shall be returned to the producers, and in case, the shortfall of extended producer responsibility obligation is addressed after second year, 60% of the environmental compensation levied shall be returned to the producers, and in case, the shortfall of extended producer responsibility obligation is addressed after third year, 30% of the environmental compensation levied shall be returned to the producers, thereafter no environmental compensation shall be returned to the producer.

(5) Any false information resulting in over generation of extended producer responsibility certificates by recycler above 5% of the actual recycled waste shall result in revocation of registration and imposition of environmental compensation which shall not be returnable.

(6) (a) The funds collected under environmental compensation shall be kept in a separate escrow account by the Central Pollution Control Board and shall be utilised in collection and recycling or end of life disposal of uncollected and non-recycled or non-end of life disposal of waste tyres on which the environmental compensation is levied and on such other heads as decided by the said Steering Committee constituted under paragraph 13.

(b) modalities for utilisation of the funds shall be recommended by the Steering Committee and approved by the Central Government, which may also issue instructions in this regard.

11. Action for contravention. - Any person who fails to comply or contravenes the provisions of these rules shall be liable to a penalty in accordance with the provisions of section 15 of the Act. (w.e.f.12.11.2024)

The Central Pollution Control Board by itself or through a designated agency shall verify compliance of producers or recyclers through inspection and periodic audit, as deemed appropriate and the actions against violations and for non-fulfillment of extended producer responsibility target, obligations and responsibilities shall be in accordance with the provisions of paragraph 10.

13. Steering Committee for implementation of extended producer responsibility regime for waste tyre. –

(1) There shall be a Steering Committee under the Chairmanship of the Chairman, Central Pollution Control Board or his nominee to oversee the overall implementation of the extended producer responsibility regime for waste tyre and shall comprise of the following other members in addition to the Chairman, namely:

- (a) one representative of the Ministry of Environment, Forest and Climate Change;
- (b) one representative of the Department of Promotion of Industry and Internal Trade;
- (c) one representatives of the Automobile Tyre Manufacturers Associations;
- (d) one representatives of the Recycler Associations (viz. manufacturer of reclaimed rubber, crumb rubber, crumb rubber modified bitumen, recovered carbon black and tyre pyrolysis oilmanufacturers);
- (e) one representatives of the State Pollution Control Board or Pollution Control committee as coopted by the Chairman of the Steering Committee;
- (f) Head of the Concerned Division of the Central Pollution Control Board – Member- Convener.

(2) The Steering Committee shall monitor and supervise implementation of the provisions of this Schedule and shall decide the disputes arisen from time to time on the representations received in this regard.

(3) The Steering Committee shall review and revise the targets, weightage and permissibility of modes of recycling in view of the technological advancements and other factors with the approval of the Central Government.

(4) The Steering Committee shall take all such measures as it deems necessary for proper implementation of the provisions of this Schedule. (21st July, 2022)

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 WASTE COLLECTORS OR USERS OF HAZARDOUS AND OTHER WASTES^(w.e.f.5.3.2019)**

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.ofis hereby granted an authorisation based on the enclosed signed inspection report for generation, collection, reception, storage, transport, reuse, recycling, recovery, preprocessing, 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 coprocessing, 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.

15.(i) Any hazardous waste generated sporadically due to unforeseen conditions such as fire, natural calamity, chemical spill, etc, the occupier shall send such waste to the operator of disposal facility or actual user for the purpose of these rules.

(ii) The hazardous waste which is routinely generated in the consented manufacturing process in the authorised premises shall be included in the authorisation within one month from identification of any such waste: Provided that it shall not apply in the case when production is beyond the consented capacity. (w.e.f.12.03.2024)

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
- 4a. Import of wastes during the year (waste-wise), wherever applicable.** (w.e.f.15.11.2021)

Part A. TO BE FILLED BY HAZARDOUS WASTE GENERATORS OR IMPORTERS. (w.e.f.15.11.2021)

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 7A^(w.e.f.15.11.2021)

"FORM 7A
[See rule 13 (2) (c)]

**FORM FOR GRANT OF ONE-TIME AUTHORISATION BY STATE POLLUTION CONTROL
 BOARD TO THE TRADERS WHO ARE IMPORTING THE WASTE MENTIONED IN PART D
 OF SCHEDULE III**

1. **Number of Authorisation:** ---
2. **Reference:** Application form for authorisation of traders for import of waste as per Part D of SCHEDULE III, of Hazardous and Other Waste (Management and Transboundary Movement) Rules, 2016 (**Unique application number**) dated -----.
3. **[Trader Name and Address], having storage locations at [.....],** is hereby granted an authorisation for import, storage and trading of other wastes contained in Part D of SCHEDULE III as follows:

| Sr.No. | Name and Basel No. of Other Waste as per the SCHEDULE III, Part D of Hazardous and Other Waste (Management and Transboundary Movement) Rules, 2016 | List and detailed address of actual or prospective users * | Quantity (ton/annum) |
|--------|--|--|----------------------|
| | | | |
| | | | |

(Add additional rows as necessary)

* - Detailed list may be attached for each other waste.

4. This authorisation is granted as per the provisions of clause (c) of sub-rule (2) of rule 13, of Hazardous and Other Waste (Management and Transboundary Movement) Rules, 2016.
 5. This authorisation is subject to the following general and specific conditions:-
- A. General conditions:**
- (i) The authorised person shall comply with the provisions of the Environment (Protection) Act, 1986 (29 of 1986), and the rules made thereunder.
 - (ii) This authorisation shall be produced for inspection at the request of an officer authorised by the State Pollution Control Board.
 - (iii) The person authorised shall not import, store and trade in the imported other wastes other than those wastes permitted through this authorisation.
 - (iv) Authorised person shall intimate the State Pollution Control Board regarding change in the storage location or closure of storage facility.
 - (v) The waste which gets generated during storage and trading of imported other wastes shall be treated and disposed of as per prevailing regulations.
 - (vi) The importer shall bear the cost of import and mitigation of damages if any caused during the process of import, storage and trading.

(vii) Any other conditions for compliance as per the Guidelines issued by the Ministry of Environment, Forest and Climate Change or the Central Pollution Control Board, as the case may be, from time to time.
 (viii) Annual return as per FORM 4 shall be filed by June 30th for the period ensuring 31st March of the year.

(ix) The Authorised Trader shall be responsible to obtain other statutory permissions as may be required.

B. Specific conditions with respect to storage and handling of Other Waste: (As may be specified by the Issuing Authority) (w.e.f.15.11.2021)

Date:

Signature of Issuing Authority

Designation and Seal¹⁷

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 label - 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

| | | | | | | | | | | | |
|-----|---|------------|----------------------|----------------------|----------------------|----------------------|----------------------|----------------------|----------------------|----------------------|----------------------|
| 16. | Receiver's certification for receipt of hazardous and other waste | | | | | | | | | | |
| | Name and stamp: | Signature: | Month | Day | Year | | | | | | |
| | | | <input type="text"/> |

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 (I)]

**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 : (certified copy of which passed the order, against which appeal is being the order be attached) made
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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THE PLASTIC WASTE (MANAGEMENT AND HANDLING) RULES, AS AMENDED UPTO 2025

In exercise of the powers conferred by sections 3, 6 and 25 of the Environment (Protection) Act, 1986 (29 of 1986), and in supersession of the Plastic Waste (Management and Handling)

Rules, 2011, except as respects things done or omitted to be done before such supersession, the Central Government hereby makes the following rules, namely:-

1. Short title and commencement.- (1) These rules shall be called the Plastic Waste Management Rules, 2016.

(1) Save as otherwise provided in these rules, they shall come into force on the date of their publication in the Official Gazette.

2. Application.-(1) These rules shall apply to every waste generator, local body, Gram Panchayat, manufacturer, Importers , **brand-owner, plastic waste processor (recycler, co-processor, etc.)** ⁽²⁰¹⁸⁾ and producer.

(2) The rule 4 shall not apply to the export oriented units or units in special economic zones, notified by the Central Government, manufacturing their products against an order for export: Provide this exemption shall not apply to units engaged in packaging of gutkha, tobacco and pan masala and also to any surplus or rejects, left over products and the like.

(3) Sub-rule (1) of rule 9 shall not apply to the export oriented units or units in special economic zones, notified by the Central Government under the Special Economic Zones Act, 2005 (28 of 2005), and to other units manufacturing plastic packaging or on plastic packaging used for packaging products for export against an order for export:

Provided that this sub-rule shall not apply to pre-consumer plastic packaging waste generated by such units. ^(w.e.f.30.10.2023)

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

(a) “**Act**” means the Environment (Protection) Act, 1986 (29 of 1986);

(ab) ‘**alternate use**’ means use of a material for a purpose other than for which it was conceived, which is beneficial because it promotes resource efficiency; ^(w.e.f.27.03.2018)

(ac) Biodegradable plastics, means plastics, other than compostable plastics, which undergoes degradation by biological processes in specific environment such as soil, landfill, sewage sludge, fresh water, marine, without leaving any micro plastics or visible or distinguishable or toxic residue, which has adverse environment impact; ^(w.e.f 14.03.2024)

(b) “**brand owner**” means a person or company who sells any commodity under a registered brand label or trademark; ^(w.e.f.14.03.2024)

(c) carry bags mean bags made from plastic material or compostable plastic or biodegradable plastic, used for the purpose of carrying or dispensing, commodities, which have a self-carrying feature but do not include bags that constitute or form an integral part of the packaging in which goods are sealed prior to use. ^(w.e.f..30.10.2023)

(d) “**commodity**” means tangible item that may be bought or sold and includes all marketable goods or wares;

(e) “**compostable plastics**” mean plastic that undergoes degradation by biological processes during composting to yield CO₂, water, inorganic compounds and biomass at a rate consistent with other known compostable materials, excluding conventional petro-based plastics, and does not leave visible, distinguishable or toxic residue;

- (f) “**consent**” means the consent to establish and operate from the concerned State Pollution Control Board or Pollution Control Committee granted under 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);
- (g) “**disintegration**” means the physical breakdown of a material into very small fragments;
- (ga) —End of Life disposal|| means using plastic waste for generation of energy subject to relevant guidelines in force, which includes co-processing (e.g. in cement, steel or any other such industry) or waste to oil, except in cases where feedstock chemicals are produced for further use in the production of plastic which may then be considered under recycling or for road construction as per Indian Road Congress guidelines etc. ^(w.e.f 07.07.2022)
- (gb) ^(w.e.f.7.7.2022) (ga) 'energy recovery' means energy recovery from waste that is conversion of waste material into usable heat, electricity or fuel through a variety of processes including combustion, gasification, pyrolysis, anaerobic digestion and land fill gas recovery; ^(w.e.f.27.03.2018)
- (h) “**extended producer’s responsibility** ” means the responsibility of a producer for the environmentally sound management of the product until the end of its life;
- (i) “**food-stuffs**” mean ready to eat food products, fast food, processed or cooked food in liquid, powder, solid or semi-solid form;
- (j) “**facility**” means the premises used for collection, Storage, recycling, processing and disposal of plastic waste;
- (k) Importer means a person who imports for commercial use, any plastic packaging or any commodity with plastic packaging or carry bags or plastic sheets or like material, or plastic raw material including in the form of resin or pellets, or intermediate material to be used for manufacturing plastic packaging such as films or preforms; ^(w.e.f.14.03.2024)
- (l) “**institutional waste generator**” means and includes occupier of the institutional buildings such as building occupied by Central Government Departments, State Government Departments, public or private sector companies, hospitals, schools, colleges, universities or other places of education, organisation, academy, hotels, restaurants, malls and shopping complexes;
- (m) manufacturer means and includes a person engaged in production of plastic raw material, including compostable plastics and biodegradable plastics; ^(w.e.f.14.03.2024)
- (n) “**multilayered packaging**” means any material used or to be used for packaging and having at least one layer of plastic as the main ingredients in combination with one or more layers of materials such as paper, paper board, polymeric materials, ~~metallised layers or~~ ^(w.e.f.14.03.2024) aluminium foil, either in the form of a laminate or co-extruded structure;
- (na) “**Non-woven plastic bag**” means Non-woven plastic bag made up of plastic sheet or web structured fabric of entangled plastic fibers or filaments (and by perforating films) bonded together by mechanical or thermal or chemical means, and the “non-woven fabric” means a flat or tufted porous sheet that is made directly from plastic fibres, molten plastic or plastic films; ^(w.e.f.12.08.2021)
- (o) “**plastic**” means material which contains as an essential ingredient a high polymer such as polyethylene terephthalate, high density polyethylene, Vinyl, low density polyethylene, polypropylene, polystyrene resins, multi-materials like acrylonitrile butadiene styrene, polyphenylene oxide, polycarbonate, Polybutylene terephthalate;
- (oa) Plastic Packaging|| means packaging material made by using plastics for protecting, preserving, storing, and transporting of products in a variety of ways. ^(w.e.f.7.7.2022)
- (p) “**plastic sheet**” means Plastic sheet is the sheet made of plastic;

(oa) Plastic Packaging|| means packaging material made by using plastics for protecting, preserving, storing, and transporting of products in a variety of ways; ^(w.e.f.7.7.2022)

- (q) “plastic waste” means any plastic discarded after use or after their intended use is over;
- (qa) “Plastic waste processing” means any process by which plastic waste is handled for the purpose of reuse, recycling, co-processing or transformation into new products; ^(w.e.f.12.08.2021)
- (qb) – Plastic Waste Processors means recyclers of plastic waste as well as entities engaged in using plastic waste for energy (waste to energy) including in co processing or converting plastic waste to oil (waste to oil) except in cases where feedstock chemicals are produced for further use in the production of plastic which may then be considered under recycling, industrial composting; ^(w.e.f.7.7.2022)
- (qc) – Post-consumer plastic packaging waste means plastic packaging waste generated by the end use consumer after the intended use of packaging is completed and is no longer being used for its intended purpose; ^(w.e.f.7.7.2022)
- (r) “prescribed authority” means the authorities specified in rule 12;
- (ra) – Pre-consumer plastic packaging waste means plastic packaging waste generated in the form of reject or discard at the stage of manufacturing of plastic packaging and plastic packaging waste generated during the packaging of product including reject, discard, before the plastic packaging reaches the end-use consumer of the product; ^(w.e.f.7.7.2022)
- (s) producer means a person engaged in manufacturing of plastic packaging; and, includes a person engaged in manufacture of intermediate material to be used for manufacturing plastic packaging, and also the person engaged in contract manufacturing of products using plastic packaging or through other similar arrangements for a brand owners; ^(w.e.f.14.03.2024)
- (sa) Recyclers are entities who are engaged in the process of recycling of plastic waste; ^(w.e.f.7.7.2022)
- (t) “recycling” means the process of transforming segregated plastic waste into a new product or raw material for producing new products;
- (u) “registration” means registration with the State Pollution Control Board or Pollution Control Committee concerned, as the case may be;
- (ua) Reuse means using an object or resource material again for either the same purpose or another purpose without changing the object’s structure; ^(w.e.f.7.7.2022)
- (ua) seller means a person who sells plastic raw material such as resins or pellets or intermediate material used for producing plastic packaging; ^(w.e.f.14.03.2024)
- (v) “street vendor” shall have the same meaning as assigned to it in clause (l) of sub-section (1) of Section 2 of the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014 (7 of 2014);
- (va) “Single-use plastic commodity” mean a plastic item intended to be used once for the same purpose before being disposed of or recycled; “,,
- (vb) “Thermoset plastic” means a plastic which becomes irreversibly rigid when heated and hence cannot be remoulded into desired shape; “,,
- (vc) “Thermoplastic” means a plastic which softens on heating and can be moulded into desired shape; ^(w.e.f.12.08.2021)
- (w) “local body” means urban local body with different nomenclature such as municipal corporation, municipality, nagarpalika, nagarnigam, nagarpanchayat, municipal council including notified area committee (NAC) and not limited to or any other local body constituted under the relevant statutes such as gram panchayat, where the management of plastic waste is entrusted to such agency;

(wa) —Use of recycled plastic means recycled plastic used as raw material, instead of virgin plastic, in the manufacturing process; (w.e.f 7.7.2022)

- (x) “virgin plastic” means plastic material which has not been subjected to use earlier and has also not been blended with scrap or waste;
- (y) “waste generator” means and includes every person or group of persons or institution, residential and commercial establishments including Indian Railways, Airport, Port and Harbour and Defense establishments which generate plastic waste;
- (z) “waste management” means the collection, storage, transportation reduction, re-use, recovery, recycling, composting or disposal of plastic waste in an environmentally safe manner;
- (aa) “waste pickers” mean individuals or agencies, groups of individuals voluntarily engaged or authorised for picking of recyclable plastic waste.

(aab) —Waste to Energy means using plastic waste for generation of energy and include coprocessing (e.g. in cement, steel or any other such industry); (w.e.f.7.7.2022)

4. Conditions.- (1) The manufacture, import, stocking (w.e.f.12.08.2021), distribution, sale and use of carry bags, plastic sheets or like, or cover made of plastic sheet and plastic packaging (w.e.f.30.10.2023), shall be subject to the following conditions, namely:-

- a) carry bags and plastic packaging shall either be in natural shade which is without any added pigments or made using only those pigments and colourants which are in conformity with Indian Standard : IS 9833:1981 titled as “List of pigments and colourants for use in plastics in contact with foodstuffs, pharmaceuticals and drinking water”, as amended from time to time;
- b) carry bags made of recycled plastic or products made of recycled plastic can be used for storing, carrying, dispensing, or packaging ready to eat or drink food stuff subject to the notification of appropriate standards and regulation under the Food Safety and Standards Act, 2006 (34 of 2006) by the Food Safety and Standards Authority of India. (w.e.f.22.9.2021)
- c) carry bag made of virgin or recycled plastic, shall not be less than seventy five microns in thickness with effect from the 30th September, 2021and one hundred and twenty (120) microns in thickness with effect from the 31st December, 2022; (w.e.f.14.03.2024)
- d) plastic sheet or like, which is not an integral part of multilayered packaging and cover made of plastic sheet used for packaging, wrapping the commodity shall not be less than fifty microns in thickness except as specified by the Central Government (w.e.f 12.08.2021) – where the thickness of such plastic sheets impair the functionality of the product;
- e) the manufacturer shall not sell or provide or arrange plastic to be used as raw material to a producer or to a seller not registered under these rules; (w.e.f.14.03.2024)
- f) sachets using plastic material shall not be used for storing, packing or selling gutkha, tobacco and pan masala;
- g) recycling of plastic waste shall conform to the Indian Standard: IS 14534:1998 titled as Guidelines for Recycling of Plastics, as amended from time to time;
- h) the provision of thickness under clause (c) shall not apply to carry bags or commodities made from compostable plastic or biodegradable plastics. Carry bags and commodities made from compostable plastics shall conform to the Indian Standard: IS/ISO 17088:2021 titled as Specifications for Compostable Plastics.; (w.e.f.14.03.2024)
- (ha) the manufacture of carry bags and commodities covered under sub rule (3) shall be permitted to be made from compostable plastics or biodegradable plastics subject to mandatory marking and

labelling laid down under these rules and the regulations of the Food Safety and Standards Authority of India for food contact applications. The manufacturers of compostable plastic or biodegradable plastic carry bags or commodities permitted under the rules, shall obtain a certificate from the Central Pollution Control Board before marketing or selling; (w.e.f.14.03.2024)

i) plastic material, in any form including Vinyl Acetate - Maleic Acid - Vinyl Chloride Copolymer, shall not be used in any package for packaging gutkha, pan masala and tobacco in all forms.

(j) non-woven plastic carry bag shall not be less than 60 Gram Per Square Meter (GSM) with effect from the 30th September, 2021. (w.e.f.12.08.2021)

(2) The manufacture, import, stocking, distribution, sale and use of following singleuse plastic, including polystyrene and expanded polystyrene, commodities shall be prohibited with effect from the 1st July, 2022:-

(a) ear buds with plastic sticks, plastic sticks for balloons, plastic flags, candy sticks, ice-cream sticks, polystyrene [Thermocol] for decoration;

(b) plates, cups, glasses, cutlery such as forks, spoons, knives, straw, trays, wrapping or packing films around sweet boxes, invitation cards, and cigarette packets, plastic or PVC banners less than 100 micron, stirrers.

(3) The provisions of sub-rule (2) (b) shall not apply to commodities made of compostable plastic and biodegradable plastics. (w.e.f.7.7.2022)

(3A) The manufacturer of commodities made from compostable plastics or biodegradable plastics shall report the quantity of such commodities introduced in the market and pre-consumer waste generated to the Central Pollution Control Board. (w.e.f.14.03.2024)

(4) Any notification prohibiting the manufacture, import, stocking, distribution, sale and use of carry bags, plastic sheets or like, or cover made of plastic sheets and multilayered packaging and single-use plastic, including polystyrene and expanded polystyrene, commodities, issued after this notification, shall come into force after the expiry of ten years, from the date of its publication. (w.e.f.12.08.2021)

(5) Every manufacturer of commodities made from plastic or part thereof shall ensure processing of the preconsumer plastic waste generated in the form of reject or discard material at the stage of manufacturing and such manufacturer shall report to the State Pollution Control Board or Pollution Control Committee concerned. (w.e.f.14.03.2024)

5. Plastic waste management.- (1) The plastic waste management by the urban local bodies in their respective jurisdiction shall be as under:-

(a) plastic waste, which can be recycled, shall be channelized to registered plastic waste recycler and recycling of plastic shall conform to the Indian Standard: IS 14534:1998 titled as Guidelines for Recycling of Plastics, as amended from time to time.

(b) local bodies shall encourage the use of plastic waste (preferably the plastic waste which cannot be further recycled) for road construction as per Indian Road Congress guidelines or energy recovery or waste to oil etc. The standards and pollution control norms specified by the prescribed authority for these technologies shall be complied with.

(c) Thermo set plastic waste shall be processed and disposed off as per the guidelines issued from time to time by the Central Pollution Control Board.

(d) The inert from recycling or processing facilities of plastic waste shall be disposed of in compliance with the Solid Waste Management Rules, 2016 (w.e.f.12.08.2021) or as amended from time to time.

6. Responsibility of local body.- (1) Every local body shall be responsible for development and setting up of infrastructure for segregation, collection, storage, transportation, processing and disposal of the plastic waste either on its own or by engaging agencies or producers. (w.e.f.14.03.2024)

(1A) Every manufacturer, producer, importer, brand owner, manufacturer of commodities made from compostable plastics or biodegradable plastics may engage with local body on voluntary basis, as per mutually agreed terms and conditions entered into by them and the local body. (w.e.f.14.03.2024)

(2) The local body shall be responsible for setting up, operationalisation and co-ordination of the waste management system and for performing the associated functions, namely:-

(a) Ensuring segregation, collection, storage, transportation, processing and disposal of plastic waste;

(aa) ensuring that the provisions of these rules, as amended, are adhered to; (w.e.f.12.08.2021)

(b) ensuring that no damage is caused to the environment during this process;

(c) ensuring channelization of recyclable plastic waste fraction to recyclers;

(d) ensuring processing and disposal on non-recyclable fraction of plastic waste in accordance with the guidelines issued by the Central Pollution Control Board;

(e) creating awareness among all stakeholders about their responsibilities;

(f) engaging civil societies or groups working with waste pickers; and

(g) ensuring that open burning of plastic waste does not take place.

(3) The local body for setting up of system for plastic waste management shall seek assistance of producers and such system shall be set up within one year from the date of final publication of these rules in the Official Gazette of India.

(4) The local body to frame bye-laws incorporating the provisions of these rules.

(5) The local body shall undertake assessment of plastic waste generated, including plastic waste existing in dump sites, by the 30th June of every year and also estimate the quantity of plastic waste to be generated in following five year period. (w.e.f.14.03.2024)

(6) The local body shall assess the plastic waste management infrastructure available for collection, segregation and processing and send a report to the State Pollution Control Board or Pollution Control Committee concerned by 30th June of each year.

(7) The local body shall take necessary measures to prevent stocking, distribution, sale and usage of prohibited single use plastic items in their jurisdiction.

(8) The local body shall include in the annual report the following details on plastic waste management, namely:-

(i) plastic waste generated, including plastic waste existing in dump sites, in a year;

(ii) plastic waste management infrastructure available for collection, segregation, processing;

(iii) projection of plastic waste to be generated;

(iv) status on framing and implementation on byelaws;

(v) actions taken action to prevent stocking, distribution, sale and usage of prohibited Single Use Plastic items. (w.e.f.14.03.2024)

7. **Responsibility of Gram Panchayat.**-(1) Every gram panchayat or panchayat at district level (w.e.f.14.03.2024) either on its own or by engaging an agency shall set up, operationalise and co-ordinate for waste management in the rural area under their control and for performing the associated functions, namely,-

(a) ensuring segregation, collection, storage, transportation, plastic waste and channelization of recyclable plastic waste fraction to recyclers having valid registration; ensuring that no damage is caused to the environment during this process;

- (aa) ensuring that the provisions of these rules, as amended, are adhered to; ^(w.e.f.16.02.2021)
- (b) creating awareness among all stakeholders about their responsibilities; and
 - (c) ensuring that open burning of plastic waste does not take place
 - (d) engaging civil societies or groups working with waste pickers;
 - (e) ensuring that open burning of plastic waste does not take place;
 - (f) taking necessary measures to prevent stocking, distribution, sale and usage of prohibited Single Use Plastic items in their jurisdiction. ^(w.e.f.14.03.2024)

(2) Every Producer, Importer and Brand owner, manufacturer and manufacturer of commodities made from compostable plastics or biodegradable plastics may engage with Panchayat at District and Village levels, on a voluntary basis, as per mutually agreed, terms and conditions entered into by them and the Panchayat at District and Village levels. ^(w.e.f.14.03.2024)

7A. Responsibility of Panchayat at District level.-

- (1) The Panchayat at District level shall undertake assessment of plastic waste generated, including plastic waste existing at dump sites, by the 30th June of every year for rural areas of the district and also estimate the quantity of plastic waste to be generated in following five year period.
- (2) The Panchayat at District level shall assess the plastic waste management infrastructure available for collection, segregation and processing and report to the State Pollution Control Board or Pollution Control Committee concerned by 30th June each year.
- (3) The Panchayat at District Level shall include in the annual report the following details on plastic waste management, namely:-

 - (i) plastic waste generated, including plastic waste existing at dump sites, in a year;
 - (ii) plastic waste management infrastructure available for collection, segregation, processing;
 - (iii) projection of plastic waste to be generated;
 - (iv) status on framing and implementation on byelaws;
 - (v) actions taken action to prevent stocking, distribution, sale and usage of banned Single Use Plastic items. ^(w.e.f.14.03.2024)

8. Responsibility of waste generator.- (1) The waste generator shall.-

- (a) take steps to minimize generation of plastic waste and segregate plastic waste at source in accordance with the Solid Waste Management Rules, 2000 or as amended from time to time.
- (b) not litter the plastic waste and ensure segregated storage of waste at source and handover segregated waste to urban local body or gram panchayat or agencies appointed by them or registered waste pickers', registered recyclers or waste collection agencies;
- (2) All institutional generators of plastic waste, shall segregate and store the waste generated by them in accordance with the Municipal Solid Waste (Management and Handling) Rules, 2000 notified vide S.O. 908(E) dated the 25th September, 2000 under the Act or amendment from time to time and handover segregated wastes to authorized waste processing or disposal facilities or deposition centers either on its own or through the authorized waste collection agency.
- (3) All waste generators shall pay such user fee or charge as may be specified in the bye-laws of the local bodies for plastic waste management such as waste collection or operation of the facility thereof, etc.;
- (4) Every person responsible for organising an event in open space, which involves service of food stuff in plastic or multilayered packaging shall segregate and manage the waste generated during such

events in accordance with the Municipal Solid Waste (Management and Handling) Rules, 2000 notified vide

S.O. 908(E) dated the 25th September, 2000 under the Act or amendment from time to time.

9. Responsibility of producers, Importers and Brand Owners.-

(1) The Producers, Importers and Brand Owners who introduce any plastic packaging in the market shall be responsible for collection of such plastic packaging.

(2) Where any Producer, Importer or Brand owner fulfils his extended producer responsibility, he is deemed to have complied with his responsibility under sub-rule (1).

(2A) The Producers, Importers, Brand Owners, manufacturers, and manufacturers of commodities made from compostable plastics or biodegradable plastics, shall fulfil Extended Producer Responsibility as per guidelines specified in Schedule- II. (w.e.f.14.03.2024)

(2) The producer, within a period of three months from the date of final publication of these rules in the Official Gazette shall apply to the Pollution Control Board or the Pollution Control Committee, as the case may be, of the States or the Union Territories administration concerned, for grant of registration.

(3) No producer shall on and after the expiry of a period of Six Months from the date of final publication of these rules in the Official Gazette manufacture or use any plastic or multilayered packaging for packaging of commodities without registration from the concerned **Central Pollution Control Board and State** (w.e.f.6.7.2022) Pollution Control Board or the Pollution Control Committees.

(4) The producer, within a period of three months from the date of final publication of these rules in the official gazette shall apply to the **Central Pollution Control Board and State** (w.e.f.7.7.2022) Pollution Control Board or the Pollution Control Committee, as the case may be, of the states or the union territories administration concerned, for the grant of registration.

(5) No producer shall on and after the expiry of a period of Six Months from the date of final publication of these rules in the Official Gazette manufacture or use any plastic or multi-layered packaging for packaging of commodities without registration from **Central Pollution Control Board if operating in more than two states or Union Territories** (w.e.f.7.7.2022) the concerned State Pollution Control Board or the Pollution Control Committees as per sub-rule (2) of rule-13. (w.e.f.7.7.2022)

(6) Every producer shall maintain a record of details of the person engaged in supply of plastic used as raw material to manufacture carry bags or plastic sheet or like or cover made of plastic sheet or **plastic packaging**. (w.e.f.30.10.2023)

10. Protocols for compostable and biodegradable plastic materials.-

(1) Determination of the degree of degradability and degree of disintegration of plastic material shall be as per the protocols of the Indian Standards listed in Schedule I.

(2) The compostable plastic materials shall conform to the IS / ISO 17088:2021, as amended from time to time.

(3) The biodegradable plastics shall conform to the standard notified by the Bureau of Indian Standards and certified by the Central Pollution Control Board.

(4) Until a standard referred to in sub-rule (3) is notified by the Bureau of Indian Standards, biodegradable plastics shall conform to tentative Indian Standard IS 17899 T:2022 as notified by the Bureau of Indian Standards.

(5) As a transitory measure, provisional certificate for biodegradable plastics, shall be issued by the Central Pollution Control Board, in cases, where an interim test report is submitted, for an ongoing test, which covers the first component of the IS 17899 T:2022 relating to biodegradability given at Sl. No. (i) or Sl. No. (ii) of Table 1 or Sl. No. (i) of Table 2 of the IS 17899 T:2022:

Provided that the provisional certificate shall be valid till 30th June 2023–2024 (w.e.f.24.04.2023) with the condition that production or import of biodegradable plastics shall cease after the 31st day of March, 2023–2024 (w.e.f.24.04.2023)

(6)The interim test report shall be obtained from the Central Institute of Petrochemical Engineering and Technology or a laboratory recognised under the Laboratory Recognition Scheme, 2020, of the Bureau of Indian Standards or laboratories accredited for this purpose by the National Accreditation Board for Testing and Calibration Laboratories, and they shall certify the bio-degradation of plastic is in line with IS 17899 T:2022. (w.e.f.7.7.2022)

— Provided that where testing of biodegradable plastic had commenced prior to the registration of a laboratory, and the report is in conformity with IS 17899 T:2022, the Central Pollution Control Board shall ask the applicant for re-testing and permit the production or usage of such biodegradable plastic, till the period the test report is received from duly recognized laboratory subject to furnishing of bank guarantee equal to the amount of Environment Compensation leviable under rule 18:

Provided further that the bank guarantee shall be forfeited if the result of such test does not conform to IS 17899 T: 2022. (w.e.f.14.03.2024)

(7) BIS shall specify separate colour or marking for plastic packaging and commodities made from compostable plastics or biodegradable plastics. (w.e.f.14.03.2024)

11. Marking or labelling.- (1) Each plastic packaging shall contain the following information, printed in English, namely:-

(a) name and registration certificate number for producer or importer or brand owner generated through centralized online portal specified in Schedule II for plastic packaging, in case of, rigid plastic packaging with effect from 1 July,2024, multilayer flexible plastic packaging having more than one layer with different types of plastics, including plastic sachet or pouches, and multi-layered plastic packaging;

(b) name and registration certificate number for producer or importer or brand owner generated through centralized online portal specified in Schedule II for plastic packaging and thickness in case of flexible plastic packaging of single layer including plastic sachet or pouches (if single layer), plastic sheets or like and covers made of plastic sheet, carry bags;

(c) name and registration certificate number for producer or importer or brand owner generated through centralized online portal specified in Schedule II for plastic packaging with effect from 1 January, 2025 and number of certificate issued under clause (h) of sub-rule (4) in case of plastic sheet or like used for packaging and plastic packaging as well as carry bags commodities made of compostable plastic, as applicable;

(d) name and certificate number issued under clause (h) of sub-rule 4 in case of plastic sheet or like used for packaging and plastic packaging as well as carry bags and commodities made of biodegradable plastic:

Provided that the provisions of this sub-rule shall not apply to plastic packaging covered under rule 26 of the Legal Metrology Packaged Commodities Rules, 2011, and in respect of plastic packaging cases where it is technically not feasible to print the requisite information, as per specifications given in the Guidelines for use of Standard Mark and labelling requirements under BIS Compulsory Registration Scheme for Electronic and IT Products;

Provided further that the plastic packaging under the first proviso shall be approved by the Central Pollution Control Board:

Provided also that the relevant information in respect of plastic packaging under the first and second proviso shall be printed on the packaging that holds together individual units of goods or the individual units of packaging. (w.e.f.30.10.2023)

(1 A) A producer, importer or brandowner may, with effect from the 1st July, 2025, provide the information specified under sub-rule (1) as given below,-

- a. in a barcode or Quick Response code printed on the plastic packaging;
- b. in the product information brochure;
- c. print on the plastics packaging the unique number issued under any law for the time being in force, wherein, the provisions of sub-rule (1) are required to be fulfilled before issuance of such a number:

Provided that the producer or importer or brandowner shall inform the details of publishing of a barcode or QR code, brochure or unique number to the Central Pollution Control Board:

Provided further that the Central Pollution Control Board shall publish the list, of such producers, importers or brandowners, who have provided with details and the product information using any one of above option, on its website and update the same every quarter^(w.e.f 23.01.2025)

(2) Each recycled plastic packaging or commodity shall bear a label —recycled having [----specify percentage----] of recycled plastic and a mark as shown below and shall conform to the Indian Standard: IS 14534: 2023 titled as —Plastics — Recovery and Recycling of Plastics Waste — Guidelines, as amended from time to time. ^(w.e.f .14.03.2024)



NOTE: PET-Polyethylene terephthalate, HDPE-High density polyethylene, V-Vinyl (PVC), LDPE- Low density polyethylene, PP-Polypropylene, PS-Polystyrene and Other means all other resins and multi-materials like ABS (Acrylonitrile butadiene styrene), PPO (Polyphenylene oxide), PC (Polycarbonate), PBT (Polybutylene terephthalate) etc. ^(w.e.f .14.03.2024)

(3) Each plastic packaging or commodity made from compostable plastics shall bear a label —compostable only under industrial composting|| and shall conform to the Indian Standard: IS/ISO 17088:2021 titled as Specifications for Compostable Plastics.

(4) Each plastic packaging or commodity made from biodegradable plastic shall bear the label Biodegradable in [--- specify number of days ---] only in the [---specify recipient environment such as soil, landfill, water etc. ^(w.e.f .14.03.2024)

12. Prescribed authority.- (1) The Central Pollution Control Board, State Pollution Control Board and Pollution Control Committee in respect of a Union territory shall be the authority for enforcement of the provisions of these rules.

(2) The concerned Additional Chief Secretary or Principal Secretary or Secretary in charge of the Department of the State Government or a Union territory Administration responsible for municipal administration shall be the authority for enforcement of the provisions of these rules relating to waste management by waste generator, restriction or prohibition on use of plastic carry bags, plastic sheets or like, covers made of plastic sheets and plastic packaging and items prohibited under rule 4 of these rules in the urban areas of the State or a Union territory.

(3) The concerned Additional Chief Secretary or Principal Secretary or Secretary in charge of the Department of the State Government or a Union territory Administration responsible for Panchayati Raj Institutions shall be the authority for enforcement of the provisions of these rules relating to waste management by the waste generator, restriction or prohibition on use of plastic carry bags, plastic sheets or like, covers made of plastic sheets and plastic packaging and items prohibited under rule 4 of these rules in the rural area of the State or a Union territory.

(4) The authorities referred to in sub-rule (1), (2) and (3) shall take the assistance of the District Magistrate or the Deputy Commissioner and executive Head of Municipal Body for urban areas or Chief Executive Officer of the District level Panchayats for rural areas within the territorial limits of the jurisdiction of the concerned district in respect of the enforcement of the provisions of these rules. (w.e.f.30.10.2023)

13. Registration of producer, recyclers and manufacturer,- –(1) No person shall manufacture carry bags or recycle plastic bags or multilayered packaging unless the person has obtained registration from,-

(i) the concerned State Pollution Control Board or Pollution Control Committee of the Union territory, if operating in one or two states or Union territories; or

(ii) the Central Pollution Control Board, if operating in more than two States or Union territories. (w.e.f.2022)

(2) Every producer or importer or brand-owner shall for the purpose of one -time registration make an application in Form I through the centralized online portal specified in Schedule II , to –

(i) the State Pollution Control Board or the Pollution Control Committee of the Union territory concerned, if operating in one or two States or Union territories; or

(ii) the Central Pollution Control Board, if operating in more than two States or Union territories.

(3) Every person recycling or processing waste or proposing to recycle or process plastic waste shall for the purpose of one-time registration make an application to the concerned State Pollution Control Board or the Pollution Control Committee in Form II through Centralized online portal specified in Schedule –II. (w.e.f.30.10.2023)

(4) Every manufacturer and importer of plastic raw material shall make an application to the State Pollution Control Board or the Pollution Control Committee concerned, for registration, in the Form III:

(4A) For the purpose of these rules, the manufacturer and importer of plastic raw material shall,-

(i) sell plastic raw material only to Producer or Seller registered under these rules and the Registration number of such Producer or Seller is mentioned on sale invoice for sale of plastic raw material;

(ii) not sell plastic raw material to any entity or units engaged in manufacturing of prohibited single use plastic items;

(iii) print the following on all packaging bags of plastic raw material: –Not to be used in the manufacture of single use plastic items prohibited under the Plastic Waste Management Rules, 2016 including plastic sheets < 50 micron thickness, non-woven carry bags < 60 GSM, Carry bags < 120 micron thickness

(iv) submit Quarterly Report to the Central Pollution Board and State Pollution Control Board or Pollution Control Committee concerned;

(4B) Every person engaged in sale of plastic raw material or an intermediate material used for manufacture of plastic packaging to producer shall make an application to the State Pollution Control Board or the Pollution Control Committee concerned, for registration.;⁽²⁰²⁴⁾

(5) The State Pollution Control Board or the Pollution Control Committee shall not grant registration to plastic waste recycling or processing units unless the unit possesses a valid consent under 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 a certificate of registration issued by the District Industries Centre or any other Government agency authorised in this regard. (w.e.f.30.10.2023)

(6) ~~The State Pollution Control Board or the Pollution Control Committee shall not renew registration of producer unless the producer possesses an action plan endorsed by the Secretary in charge of Urban Development of the concerned State or Union Territory for setting of plastic waste management system.~~
Omitted(w.e.f.7.7.2022)

(7) On receipt of the application complete in all respects for the registration for recycling or processing of plastic waste under sub-rule (3), the State Pollution Control Board may, after such inquiry as it considers necessary and on being satisfied that the applicant possesses appropriate facilities, technical capabilities and equipment to handle plastic waste safely, may grant registration to the applicant on fulfilment of the conditions as may be laid down in terms of registration ~~and the registration shall be subject to fulfilment of obligations in accordance with the guidelines on Extended Producer Responsibility for Plastic Packaging specified in Schedule -II.~~ (w.e.f.7.7.2022)

(8) **Where the registration is not granted within a period of thirty days after the receipt of application complete in all respect, the applicant shall be deemed to be registered under these rules on the expiry of such period.** (w.e.f.14.03.2024)

(9) ***Omitted***(w.e.f.30.10.2023)

(10) State Pollution Control Board or the Pollution Control Committees shall not revoke, suspend, or cancel registration without providing opportunity of a hearing to the producer or person engaged in recycling or processing of plastic wastes.

(11) ***Omitted*** (w.e.f.30.10.2023)

14. Responsibility of retailers and street vendors- (1) Retailers or street vendors shall not sell or provide commodities to consumer in carry bags or plastic sheet or multilayered packaging, which are not manufactured and labelled or marked, as per prescribed under these rules.

(2) Every retailers or street vendors selling or providing commodities in, plastic carry bags or multilayered packaging or plastic sheets or like or covers made of plastic sheets which are not manufactured or labelled or marked in accordance with these rules shall be liable to pay such fines as specified under the bye-laws of the local bodies.

15. *Omitted*(w.e.f.27.03.2018)

16. State Level Monitoring Committee.- (1) The State government or the union Territory shall, for the purpose of effective monitoring of implementation of these rules, constitute a State Level Advisory Committee consisting of the following persons, namely;

- (a) Additional Chief Secretary or Principal Secretary or Secretary in charge of the Department of the State Government or Union territory Administration responsible for municipal administration Chairman;
- (b) Additional Chief Secretary or Principal Secretary or Secretary in charge of the Department of the State Government or Union territory Administration responsible of Panchayati Raj Institutions Co- Chairman;
- (c) Additional Chief Secretary or Principal Secretary or Secretary in charge of the Department of the State Government or Union territory Administration responsible of Urban Development or his nominee Member;
- (d) Additional Chief Secretary or Principal Secretary or Secretary in charge of the Department of the State Government or Union territory Administration responsible of Rural Development or his nominee Member;
- (e) Additional Chief Secretary or Principal Secretary or Secretary in charge of the Department of the State Government or Union territory Administration responsible of Environment or his nominee Member;
- (f) Member Secretary of the State Pollution Control Board or Pollution Control Committee Member;
- (g) Municipal Commissioners of cities having population of one million or more Member;
- (h) One Municipal Commissioner from cities other than cities having population of one million or more Member;
- (i) One Chief Executive Officer of the District Level Panchayats Member;
- (j) One expert from Non-Governmental Organisation involved in Waste management to be nominated by the State Government or Union territory Administration Member;
- (k) One representative of an industry association to be nominated by the State Government or Union territory Administration Member;
- (l) One expert from the field of Industry to be nominated by the State Government or Union territory Administration Member;
- (m) One expert from academia to be nominated by the State Government or Union territory Administration Member;
- (n) Director in charge, Department of the State Government or a Union territory administration responsible for Panchayati Raj Institutions Member
- (o) Director in charge, Department of the State Government or a Union territory administration responsible for municipal administration Member Secretary.

(2) The State Level Monitoring Committee shall meet at least once in six months and may invite experts, if it considers necessary. (w.e.f.30.10.2023)

17. Annual reports.-

- (1) Every person engaged in recycling or processing of plastic waste shall prepare and submit online an annual report in Form-IV to the local body concerned and also to the State Pollution Control Board or Pollution Control Committee concerned by the 30th April of every year.
- (2) Every manufacturer and importer of plastic raw material shall prepare and submit online a quarterly report in Form VII to the State Pollution Control Board or Pollution Control Committee concerned by the last day of month following the quarter and an annual report by 30th June of every year.

(3) Every person engaged in the sale of plastic raw material or an intermediate material used for manufacture of plastic packaging shall prepare and submit online an annual report mentioning therein the detail of transactions to the State Pollution Control Board or Pollution Control Committee concerned by the 30th June of every year.

(4) Every urban local body and Panchayat at District Level shall prepare and submit online an annual report in Form -V to the Urban Development Department and to Rural Development Department, respectively, and also to the State Pollution Control Board or Pollution Control Committee concerned by the 30th June every year.

(5) The State Pollution Control Board or Pollution Control Committee concerned shall cause the report submitted by the urban local body and Panchayat at District level to be audited by itself or through a designated agency and copy of the report of such audit and the annual report shall be made available on website of State Pollution Control Board or Pollution Control Committee concerned.

(6) The State Pollution Control Board or Pollution Control Committee shall prepare and submit online an annual report in Form VI to the Central Pollution Control Board on the implementation of these rules by the 31st July of every year.

(7) The Central Pollution Control Board shall prepare a consolidated annual report on the implementation of these rules and submit to the Central Government along with its recommendations on or before the 31st August of every year. (w.e.f.14.03.2024)

18. Imposition of Environmental Compensation.- The Environmental Compensation shall be levied based upon polluter pays principle, on persons who are not complying with the provisions of these rules, as per guidelines notified by the Central Pollution Control Board. (w.e.f.7.7.2022)

19. Action for contravention.- Any person who fails to comply or contravenes the provisions of these rules shall be liable to a penalty in accordance with the provisions of section 15 of the Act. (w.e.f.23.01.2025)

SCHEDULE-I (w.e.f.7.7.2022)

[See rule 10]

| (1) | (2) |
|-----|---|
| 1 | IS / ISO 14851: 2019 Determination of the Ultimate Aerobic Biodegradability of Plastic Materials in an Aqueous Medium — method by measuring the Oxygen demand in a closed respirometer (First Revision) |
| 2 | IS / ISO 14852: 1999 Determination of the ultimate aerobic biodegradability of plastic materials in an aqueous medium—method by analysis of evolved Carbon dioxide |
| 3 | IS / ISO 14853: 2016 Plastics — Determination of the ultimate anaerobic biodegradation of plastic materials in an aqueous system —method by measurement of biogas production (First Revision) |
| 4 | IS /ISO 14855-1: 2012 Determination of the ultimate aerobic biodegradability of plastic materials under controlled composting conditions — method by analysis of evolved Carbon dioxide: Part 1 General method (First Revision) |
| 5 | IS / ISO 14855-2: 2018 Determination of the ultimate aerobic biodegradability of plastic materials under controlled composting conditions — method by analysis of evolved carbon dioxide: Part 2 Gravimetric measurement of Carbon dioxide evolved in a laboratory- scale test (First Revision) |
| 6 | IS / ISO 15985: 2014 Plastics — Determination of the ultimate anaerobic biodegradation under high-solids anaerobic-digestion conditions — methods by analysis of released biogas (First Revision) |
| 7 | IS /ISO 16929: 2019 Plastics — Determination of the Degree of Disintegration of Plastic Materials under Defined Composting Conditions in a Pilot-Scale Test (Second Revision) |
| 8 | IS / ISO 17556: 2019 Plastics — Determination of the Ultimate Aerobic Biodegradability of plastic materials in soil by measuring the Oxygen demand in a Respirometer or the amount of Carbon Dioxide Evolved (Second Revision) |
| 9 | IS / ISO 20200 : 2015 Plastics — Determination of degree of disintegration of plastic materials under simulated composting conditions in a laboratory - Scale test (First Revision)" |

SCHEDEULE-II (w.e.f.16.2.2022)

[See Rule 9 (1)]

Guidelines on Extended Producer Responsibility for Plastic Packaging and commodities made from compostable plastics or biodegradable plastics. (2024)

1. Background: (1.1) The Ministry of Environment, Forest and Climate Change (MoEFCC), (hereinafter referred to as The Ministry'), notified the Plastic Waste Management Rules, 2016 on 18th March, 2016.

The Ministry also notified the Solid Waste Management Rules, 2016 on 8th April, 2016. As plastic waste is part of solid waste, therefore, both the rules apply to managing plastic waste in the country.

(1.2) The Plastic Waste Management Rules, 2016, mandate the generators of plastic waste to take steps to minimize generation of plastic waste, not to litter the plastic waste, ensure segregated storage of waste at source and hand over segregated waste in accordance with rules.

The rules also mandate the responsibilities of local bodies, gram panchayats, waste generators, retailers and street vendors to manage plastic waste.

(1.3) The Plastic Waste Management Rules, 2016 cast Extended Producer Responsibility on Producer, Importer, and Brand Owner. Extended Producer Responsibility shall be applicable to both pre-consumer and post-consumer plastic packaging waste.

(1.4) These guidelines provides framework for implementation of Extended Producer Responsibility. The Guidelines provide the roles and responsibilities of Producers, Importers, Brand Owners, Central Pollution Control Board, State Pollution Control Board or Pollution Control Committees, recyclers and waste processors for effective implementation of Extended Producer Responsibility. The definitions given in Plastic Waste Management Rules, 2016, apply until, specifically mentioned in these guidelines;

2. Date of Coming into Effect: These guidelines shall come into force with immediate effect. The on-going processes related to Extended Producer Responsibility obligations will be aligned with these guidelines.

3. *Omitted* (w.e.f.7.7.2022)

4. Obligated Entities: The following entities shall be covered under the Extended Producer Responsibility obligations, namely: -

(a) Producer of plastic packaging, other than micro and small enterprises as defined under the Micro, Small and Medium Enterprises Development Act, 2006 (27 of 2006);

(b) Importer of plastic packaging including intermediate material used for manufacturing plastic packaging such as films and preforms and plastic packaging of imported products;

(c) Brand Owners including online platforms/marketplaces and supermarkets/retail chains other than micro and small enterprises as defined under the Micro, Small and Medium Enterprises Development Act, 2006 (27 of 2006);

(d) Plastic Waste Processors;

(e) Manufacturers and importers of plastic raw material;

(f) Manufacturers of items made from compostable plastics or biodegradable plastics. (w.e.f.14.03.2024)

5. Coverage of Extended Producer Responsibility:

(5.1) The following plastic packaging categories are covers under Extended Producer Responsibility:

(i) **Category I** Rigid plastic packaging;

(ii) **Category II** Flexible plastic packaging of single layer or multilayer (more than one layer with different types of plastic), plastic sheets or like and covers made of plastic sheet, carry bags, plastic sachet or pouches;

(iii) **Category III**

Multilayered plastic packaging (at least one layer of plastic and at least one layer of material other than plastic);

(iv) **Category IV** Plastic sheet or like used for packaging as well as carry bags and commodities (w.e.f.14.03.2024) made of compostable plastics.

(v) **Category V**

Plastic sheet or like used for packaging as well as carry bags and commodities made of biodegradable plastics. (w.e.f.14.03.2024)

(5.2) The Extended Producer Responsibility Guidelines covers the following with respect to plastic packaging namely: -

(i) Reuse;

(ii) Recycling;

- (iii) Use of recycled plastic content;
- (iv) End of life disposal.

6. Registration:

(6.1) –(a) The following entities shall register on the centralized portal developed by Central Pollution Control Board, namely: -

- (i) Producer (P) including micro and small enterprises as defined under the Micro, Small and Medium Enterprises Development Act, 2006 (27 of 2006)
- (ii) Importer (I);
- (iii) Brand owner (BO);
- (iv) Plastic Waste Processor engaged in (a) recycling, (b) waste to energy, (c) waste to oil, and (iv) industrial composting;
- (v) Manufacturers and importers of plastic raw material;
- (vi) Manufacturers of items made from compostable plastics or biodegradable plastics. (w.e.f.14.03.2024)

(b) Registration of Producers, Importers & Brand-Owners (operating in one or two states) and Plastic Waste processors shall be done by State Pollution Control Board or Pollution Control Committee through the centralized Extended Producer Responsibility portal developed by Central Pollution Control Board.

(c) After these guidelines have come into effect, with respect to, entities starting their business in a particular year and placing their products in market in that year, they shall have Extended Producer Responsibility target obligations from the next year.

(6.2) The entities covered under clause 6.1 shall not carry any business without registration obtained through online centralized portal developed by Central Pollution Control Board.

(6.3) **The entities obligated to register under clause (6.1) shall not deal with any un-registered entity having obligation to register under clause (6.1) through on-line centralized portal developed by the Central Pollution Control Board.** (w.e.f.30.10.2023)

(6.4) In case, it is found or determined that any entity registered on the on-line portal has provided false information or has willfully concealed information or there is any irregularity or deviation from the conditions stipulated while obtaining registration under Extended Producer Responsibility guidelines, then the registration of such an entity would be revoked for a one -year period after giving an opportunity to be heard. The entities whose registration has been revoked shall not be able to register afresh for the period of revocation.

(6.5) In case any entity falls in more than one sub-category mentioned in the clause (6.1) then the entity shall register under each of those sub-categories separately. Further, in cases, where the entity has units in different states, in a particular sub-category mentioned in clause 6.1, then these units shall also be registered separately. However, only one registration under a sub category in a state would be needed, even if, more than one unit are located in a state. The registration shall be as per Standard Operating Procedure laid down by Central Pollution Control Board for the purpose, as per these Guidelines.

(6.6) While registering, the entities shall have to provide PAN Number, GST Number, CIN Number in case of company, and the entities may provide Aadhar Number, and shall provide PAN Number of authorized person or representative and any other necessary information as required. (w.e.f.27.04.2023)

7. Targets for Extended Producer Responsibility and obligations of Producers, Importers & Brand-Owners: (7.1) The Extended Producer Responsibility targets for the Producers, Importers & Brand-Owners shall be determined category-wise.

(7.2) Producer (P):

(a) Extended Producer Responsibility target (Refer example 1 to 3 in Annexure):

Eligible Quantity in MT (Q 1) shall be the average weight of plastic packaging material (category-wise) sold in the last two financial years (A) plus average quantity of pre-consumer plastic packaging waste in the last two financial years (B) minus the annual quantity (C) supplied to the entities covered under sub-clause 4 (iii) in the previous financial year as under: -

$$Q_1 \text{ (in MT)} = (A + B) - C$$

and the Extended Producer Responsibility target shall be determined category-wise , as given below

- **Extended Producer Responsibility target**

| | Year | Extended Producer Responsibility target (as a percentage of Q1 - category-wise) |
|-----|-----------|--|
| I | 2021 - 22 | 25 % |
| II | 2022 - 23 | 70 % |
| III | 2023 - 24 | 100 % |

The Extended Producer Responsibility target in MT category-wise, as applicable, shall be provided by Producer, as part of Action Plan on the centralized portal developed by Central Pollution Control Board.

(b) Obligation for recycling (Refer example 1 to 3 in Annexure):

The Producer shall ensure minimum level of recycling (excluding end of life disposal) of plastic packaging waste collected under Extended Producer Responsibility Target, category-wise, as given below namely: -

- **Minimum level of recycling (excluding end of life disposal) of plastic packaging waste (%) of Extended Producer Responsibility Target)**

| Plastic packaging category | 2024-25 | 2025-26 | 2026-27 | 2027-28 and onwards |
|----------------------------|---------|---------|---------|---------------------|
| Category I | 50 | 60 | 70 | 80 |
| Category II | 30 | 40 | 50 | 60 |
| Category III | 30 | 40 | 50 | 60 |
| Category IV | 50 | 60 | 70 | 80 |

In case of Category IV plastic packaging category (plastic sheet or like used for packaging and carry bags made of compostable plastics), the minimum level of recycling means processing plastic packaging waste for composting through industrial composting facilities.

(c) End of life disposal (refer examples 1 to 3 in Annexure):

(i) Only those plastics, which cannot be recycled will be sent for end of life disposal such as road construction, waste to energy, waste to oil, cement kilns (for co processing) etc. as per relevant guidelines issued by Indian Road Congress or Central Pollution Control Board from time to time.

(ii) The producers shall ensure end of life disposal of the plastic packaging waste only through methodologies specified in Rule 5 (1) (b) of Plastic Waste Management Rules, 2016,

(d) Obligation for use of recycled plastic content (Refer example 6 in Annexure) The Producer shall ensure use of recycled plastic in plastic packaging category-wise as given below namely: -

- **Mandatory use of recycled plastic in plastic packaging (% of plastic manufactured for the year)**

| Plastic packaging category | 2025-26 | 2026-27 | 2027-28 | 2028-29 and onwards |
|----------------------------|---------|---------|---------|---------------------|
| Category I | 30 | 40 | 50 | 60 |
| Category II | 10 | 10 | 20 | 20 |
| Category III | 5 | 5 | 10 | 10 |

In cases, where it is not possible to meet the obligation in respect of recycled plastic content on account of statutory requirements, the exemption will be granted by Central Pollution Control Board on case-to-case basis. However, in such cases, the Producers, Importers & Brand-Owners will have to fulfil its obligation of use of recycled content (in quantitative terms) through purchase of certificate of equivalent quantity from such Producers, Importers & Brand Owners who have used recycled content in excess of their obligation. Central Pollution Control Board will develop mechanism for such exchange on the centralized online portal.

7.3 Importer (I):

(a) Extended Producer Responsibility Target (Refer example 1 to 3 in Annexure) Eligible Quantity in MT (Q 2) shall be the average weight of all plastic packaging material and / or plastic packaging of imported products (category-wise) imported and sold in the last two financial years (A) plus average quantity of pre-consumer plastic packaging in the last two financial years (B) waste minus the annual quantity (C) supplied to the entities covered under sub-clause 4 (iii) in the previous financial years as under: -

$$Q\ 2\ (\text{in MT}) = (A + B) - C$$

and the Extended Producer Responsibility target shall be determined, category-wise , as given below namely: -

| | Year | Extended Producer Responsibility target (as a percentage of Q 2 - category-wise) |
|-----|-----------|---|
| I | 2021 - 22 | 25 % |
| II | 2022 - 23 | 70 % |
| III | 2023 - 24 | 100 % |

The Extended Producer Responsibility target in MT category-wise, as applicable, shall be provided by Importer as part of Action Plan on the centralized portal developed by Central Pollution Control Board.

(b) Obligation for recycling (Refer example 1 to 3 in Annexure) The Importer shall ensure minimum level of recycling (excluding end of life disposal) of plastic packaging waste collected under extended producer responsibility Target, category-wise, as given below.

- **Minimum level of recycling (excluding end of life disposal) of plastic packaging waste (% of extended producer responsibility Target)**

| Plastic packaging category | 2024-25 | 2025-26 | 2026-27 | 2027-28 and onwards |
|----------------------------|-----------|-----------|-----------|---------------------|
| Category I | 50 | 60 | 70 | 80 |
| Category II | 30 | 40 | 50 | 60 |
| Category III | 30 | 40 | 50 | 60 |
| Category IV | 50 | 60 | 70 | 80 |

In case of Category IV plastic packaging category (plastic sheet or like used for packaging and carry bags made of compostable plastics), the minimum level of recycling means processing plastic packaging waste for composting through industrial composting facilities.

(c) End of life disposal (refer examples 1 to 3 in Annexure) (i) Only those plastics, which cannot be recycled will be sent for end of life disposal such as road construction, waste to energy, waste to oil as per relevant guidelines issued by Indian Road Congress or Central Pollution Control Board from time to time.

(ii) The importer shall ensure end of life disposal of the plastic packaging waste only through methodologies specified in rule 5 (1) (b) of Plastic Waste Management Rules, 2016, as amended.

(d) Obligation for use of recycled plastic content (Refer example 6 in Annexure) The Importer shall ensure use of recycled plastic in plastic packaging category-wise as given below.

- **Mandatory use of recycled plastic in plastic packaging (% of imported plastic for the year).**

| Plastic packaging category | 2025-26 | 2026-27 | 2027-28 | 2028-29 and onwards |
|----------------------------|---------|---------|---------|---------------------|
| Category I | 30 | 40 | 50 | 60 |
| Category II | 10 | 10 | 20 | 20 |
| Category III | 5 | 5 | 10 | 10 |

Any recycled plastic used in imported material shall not be counted towards fulfilment of obligation. The importer will have to fulfil its obligation of use of recycled content (in quantitative terms) through purchase of certificate of equivalent quantity from such Producers, Importers & Brand-Owners who have used recycled content in excess of their obligation. Central Pollution Control Board will develop mechanism for such exchange on the centralized online portal.

7.4 Brand Owner (BO):

a) Extended Producer Responsibility target (refer examples 1 to 3 in Annexure) Eligible Quantity in MT (Q 3) shall be the average weight of virgin plastic packaging material (category-wise) purchased

and introduced in market in the last two financial years (A) plus average quantity of (B) of pre-consumer plastic packaging in the last two financial years as under: -

$$\text{Q 3 (in MT)} = \text{A} + \text{B}$$

- **The Extended Producer Responsibility target shall be determined, category-wise , as given below namely: -**

| | Year | Extended Producer Responsibility Target (as a percentage of Q3 - category-wise) |
|-----|-----------|--|
| I | 2021 - 22 | 25 % |
| II | 2022 - 23 | 70 % |
| III | 2023 - 24 | 100 % |

The Extended Producer Responsibility target in MT category-wise, as applicable, shall be provided by Brand Owner as part of the Action Plan on the centralized portal developed by Central Pollution Control Board.

(b) Obligation for reuse (refer examples 4 and 5 in Annexure):

I. The Brand Owner using Category I (rigid) plastic packaging for their products shall have minimum obligation to reuse such packaging as given below: -

Provided that the reuse of Category I rigid plastic packaging in food contact applications shall be subject to regulation of Food Safety and Standards Authority of India.

(II) Minimum obligation to reuse for Category I (rigid plastic packaging).

| | Year | Target (as percentage of Category I rigid plastic packaging in products sold annually) |
|--|------|--|
| | | |

| | | |
|-----|--|----|
| A | Category I rigid plastic packaging with volume or weight equal or more than 0.9 liter or kg but less than 4.9 litres or kg, as the case may be | |
| I | 2025 – 26 | 10 |
| II | 2026 – 27 | 15 |
| III | 2027-28 | 20 |
| IV | 2028-29 and onwards | 25 |
| B | Category I rigid plastic packaging with volume of weight equal or more than 4.9 litres or kg. | |
| I | 2025 – 26 | 70 |
| II | 2026 – 27 | 75 |
| III | 2027-28 | 80 |
| IV | 2028-29 and onwards | 85 |

(III) The quantity of rigid packaging reused by brand Owner shall be calculated by reducing virgin plastic packaging manufactured/imported/purchased in that year from the sales of the Brand Owner. The brand owner shall provide this information on the centralized portal developed by Central Pollution Control Board.

(IV) The quantity of Category I rigid plastic packaging reused shall be reduced from the total plastic packaging used under Category I by the obligated entities (Brand Owners).

III. The quantity of Category I rigid plastic packaging reused during the year 2022 – 2023 and 2023–2024, shall be reduced from the total plastic packaging used under Category I.

(c) Obligation for recycling (refer examples 1 to 3 in Annexure): The Brand Owner shall ensure minimum level of recycling (excluding end of life disposal) of plastic packaging waste collected under Extended Producer Responsibility target, category-wise, as given below.

- **Minimum level of recycling (excluding end of life disposal) of plastic packaging waste (% of Extended Producer Responsibility Target)**

| Plastic packaging category | 2024-25 | 2025-26 | 2026-27 | 2027-28 and onwards |
|----------------------------|---------|---------|---------|---------------------|
| Category I | 50 | 60 | 70 | 80 |
| Category II | 30 | 40 | 50 | 60 |
| Category III | 30 | 40 | 50 | 60 |
| Category IV | 50 | 60 | 70 | 80 |

In case of Category IV plastic packaging category (plastic sheet or like used for packaging and carry bags made of compostable plastics), the minimum level of recycling means processing plastic packaging waste for composting through industrial composting facilities.

(d) End of life disposal (refer examples 1 to 3 in Annexure)

(i) Only those plastics, which cannot be recycled will be sent for end of life disposal such as road construction, waste to energy, waste to oil, as per relevant guidelines issued by Indian Road Congress or Central Pollution Control Board from time to time.

(ii) The Brand Owner shall ensure end of life disposal of the plastic packaging waste only through methodologies specified in rule 5 (1) (b) of the Plastic Waste Management Rules, 2016, as amended.

e) Obligation for use of recycled plastic content (refer examples 6 in Annexure)

(i) The Brand Owner shall ensure use of recycled plastic in plastic packaging, category-wise, as given below namely:

- **Mandatory use of recycled plastic in plastic packaging (% of plastic manufactured for the year)**

| Plastic packaging category | 2025-26 | 2026-27 | 2027-28 | 2028-29 and onwards |
|----------------------------|---------|---------|---------|---------------------|
| Category I | 30 | 40 | 50 | 60 |
| Category II | 10 | 10 | 20 | 20 |
| Category III | 5 | 5 | 10 | 10 |

In cases, where it is not possible to meet the obligation in respect of recycled plastic content on account of statutory requirements, the exemption will be granted by Central Pollution Control Board on case-to-case basis. However, in such cases, the Producers, Importers & Brand-Owners will have to fulfil its obligation of use of recycled content (in quantitative terms) through purchase of certificate of equivalent quantity from such Producers, Importers & Brand Owners who have used recycled content in excess of their obligation. Central Pollution Control Board will develop mechanism for such exchange on the centralized online portal.

(7.5) The Extended Producer Responsibility target in MT category-wise, as applicable, shall be provided by all Producers, Importers & Brand-Owners as part of Action Plan on the centralized portal developed by Central Pollution Control Board.

(7.6) The obligations for reuse, recycling of waste and use of recycled plastic content in packaging shall be reviewed every five years based upon available technologies for meeting the Targets specified.

(7.7) Extended Producer Responsibility on plastic packaging will promote sustainable packaging, as per guidelines prepared by Central Pollution Control Board, inter alia based on the following criteria,

- (i) package designing promoting reuse;
- (ii) package designing amenable for recycling;
- (iii) recycled plastic content in plastic packaging material and;
- (iv) package designing for environment.

(7.8) Manufacturer or importer of plastic raw material - Extended Producer Responsibility Target:

(i) The extended producer responsibility of producers, which are micro and small enterprises as defined under the Micro, Small and Medium Enterprises Development Act, 2006 (27 of 2006), hereinafter referred to as micro and small producers, shall be fulfilled by manufacturer or importer of plastic raw material who has supplied the plastic raw material to such micro and small producers: Provided that the target for use of recycled plastic content shall be fulfilled by such producers.

(ii) The Extended Producer Responsibility target category-wise for manufacturer or importer of plastic raw material shall be the quantity of plastic raw material sold to micro and small producers where the sale invoice is authenticated by the manufacturer or importer of plastic raw material, on the centralized online portal, excluding the sale made by such micro and small producers to Brand Owners and Producers, which are not categorized as micro and small enterprises as defined under the Micro, Small and Medium Enterprises Development Act, 2006 (27 of 2006).

(iii) The producer, which is a micro or small enterprise, shall declare category of plastic packaging manufactured by it on the centralized online portal. (iv) While fulfilling the Extended Producer Responsibility target the manufacturer or importer of plastic raw material shall ensure minimum level of recycling (excluding end of life disposal) of plastic packaging waste collected under the Extended Producer Responsibility Target, category-wise, as given in the Table below, namely:
(w.e.f.14.03.2024)

TABLE

- **Minimum level of recycling (excluding end of life disposal) of plastic packaging waste (% of Extended Producer Responsibility Target)**

| Plastic packaging category | 2024-25 | 2025-26 | 2026-27 | 2027-28 and onwards |
|----------------------------|---------|---------|---------|---------------------|
| (1) | (2) | (3) | (4) | (5) |
| Category I | 50 | 60 | 70 | 80 |
| Category II | 30 | 40 | 50 | 60 |
| Category III | 30 | 40 | 50 | 60 |

8. Generation of surplus Extended Producer Responsibility certificates, carry forward and offsetting against previous year Extended Producer Responsibility targets and obligations, and sale and purchase of surplus Extended Producer Responsibility certificates:

(8.1) A Brand Owner who has fulfilled their Extended Producer Responsibility targets, category-wise, can use the surplus for the following namely: -

- (i) Off setting previous year shortfall subject to clause 9.5;
- (ii) Carry forward for use in succeeding year;
- (iii) Sell it to other Producers, Importers & Brand-Owners.

(8.2) Surplus in one category can only be used for off-setting, carry forward and sale in the same category. A surplus under reuse can be used for against reuse, recycling and also end of life disposal. A surplus under recycling can be used for recycling and end of life disposal. A surplus under end of life disposal cannot be used for reuse or recycle.

(8.3) Producers, Importers & Brand-Owners can also meet their Extended Producer Responsibility obligations under a category by purchasing surplus Extended Producer Responsibility certificates from other Producers, Importers & Brand-Owners of the same category.

(8.4) Such transactions shall be recorded and submitted by the Producers, Importers & Brand-Owners on the online portal while filing annual returns under the Extended Producer Responsibility framework. Central Pollution Control Board will develop mechanism for such exchange on the centralized portal.

(8.5) The Central Pollution Control Board shall issue guidelines for authorisation of agencies for establishment of electronic platform for trade of Extended Producer Responsibility certificates between obligated entities.

(8.6) The number of electronic platform may be restricted keeping in view volume of trade of Extended Producer Responsibility certificates.

(8.7) The operation of electronic platform shall be as per guidelines issued by Central Pollution Control Board after approval of the Central Government.

(8.8) The Central Pollution Control Board shall fix the highest and the lowest price for extended producer responsibility certificates which shall be equal to 100 % and 30 % ,respectively, of the Environment Compensation leviable on the obligated entities for non-fulfilment of Extended Producer Responsibility obligations, under rule 18 of these rules.

(8.9) The exchange price of Extended Producer Responsibility certificate between registered entities through the portal shall be between the highest and the lowest prices as fixed above. (w.e.f.14.03.2024)

9. Imposition of Environmental Compensation

(9.1) Environmental Compensation shall be levied based upon polluter pays principle, with respect to nonfulfilment of Extended Producer Responsibility targets by Producers, Importers & Brand Owners, for the purpose of protecting and improving the quality of the environment and preventing, controlling and abating environment pollution .

(9.2) Central Pollution Control Board shall lay down guidelines for imposition and collection of environment compensation on Producers, Importers & Brand-Owners, recyclers and end of life processors, in case of nonfulfilment of obligations set out in these guidelines, and the same shall be notified. The Guidelines for Environmental Compensation shall be updated, as required.

(9.3) The Environment Compensation, as applicable, shall be levied by Central Pollution Control Board on the Producers, Importers & Brand-Owners operating in more than two states with respect to non-fulfillment of their Extended Producer Responsibility targets, responsibilities and obligations in these guidelines.

(9.4) The Environment Compensation, as applicable, shall be levied by respective State Pollution Control Board on the Producers, Importers & Brand-Owners operating in their jurisdiction (for Producers, Importers & Brand-Owners not operating in more than two states/Union Territory's), Plastic Waste Processors which includes recyclers and other waste processors – waste to energy, waste to oil, co-processors, with respect to non-fulfillment of their Extended Producer Responsibility targets or responsibilities and obligations set out under these guidelines. In case, the State Pollution Control Board or Pollution Control Committee does not take action in reasonable time, the Central Pollution Control Board shall issue directions to the State Pollution Control Board /Pollution Control Committee.

(9.5) Payment of environmental compensation shall not absolve the Producers, Importers & Brand-Owners of the obligations set out in these guidelines. The unfulfilled Extended Producer Responsibility obligations for a particular year will be carried forward to the next year for a period of three years. In case, the shortfall of Extended Producer Responsibility obligation is addressed within three years. The environmental compensation levied shall be returned to the Producers, Importers & Brand-Owners as given below, namely

(i) Within one year of levying of EC: 75% return;

(ii) Within two years 60% return;

(iii) Within three years 40% return, After completion of three years on environmental compensation getting due the entire environmental compensation amount shall be forfeited. This arrangement shall allow for collection and recycling of plastic packaging waste by Producers, Importers & Brand-Owners in later years as well.

(9.6) The funds collected under environmental compensation shall be kept in a separate Escrow account by Central Pollution Control Board or State Pollution Control Board or Pollution Control Committee. The funds collected shall be utilized in collection, recycling and end of life disposal of uncollected and non-recycled or non- end of life disposal of plastic packaging waste, on which the environmental compensation is levied. Modalities for utilization of the funds for plastic waste management on an annual basis would be recommended by the Committee for Extended Producer Responsibility implementation and approved by the Competent Authority in the Ministry.

10. Role of Producers, Importers, Brand-Owners and manufacturers, and manufacturers of commodities made from compostable plastic or biodegradable plastic. (w.e.f.14.03.2024)

(10.1) The Producers, Importers, Brand-Owners and manufacturers, and manufacturers of commodities made from compostable plastic or biodegradable plastic shall have to register through the online centralized portal. (w.e.f.14.03.2024)

(10.2) Producers, Importers & Brand-Owners shall provide Action Plan containing information on the Extended Producer Responsibility Target, category-wise, where applicable, through the online centralized portal developed by Central Pollution Control Board, along with application for registration or renewal of registration under Plastic Waste Management Rules, 2016. The Action Plan shall cover tenure of the Registration as per the provisions of Plastic Waste Management Rules, 2016. The standard operating procedure for registration and the action plan pro forma shall be developed by Central Pollution Control Board as per these guidelines.

(10.3) Brand Owner covered under clause 4 (iii) shall provide details of plastic packaging purchased from Producers and/or Importers covered under clause 4 (i) and 4 (ii) separately. The quantities attributed to each Producer and Importer covered under clause 4 (i) and 4 (ii) obligated upon Brand Owner shall be deducted from the obligation of Producers and Importers. The record of such purchase including category-wise quantity purchased, shall be maintained separately by Brand Owner.

(10.4) **The Producers and Importers covered under clauses 4 (i) and 4 (ii)** will maintain the record of the quantity of plastic packaging material made available to Brand Owner covered under clause 4 (iii). The record of such sale including category-wise quantity sold, will be maintained separately by Producers and Importers. In case such records are not maintained, they will have to fulfil the complete Extended Producer Responsibility obligation. The online platform shall cross-check the declaration of transactions among Producers, Importers & Brand-Owners.

(10.5) Producers, Importers, Brand-Owners and manufacturers, and manufacturers of commodities made from compostable plastic or biodegradable plastic may operate schemes such as deposit refund system or buy back or any other model in order to develop a separate waste stream for collection of plastic packaging waste for directly fulfilling Extended Producer Responsibility obligations to prevent mixing of plastic packaging waste with solid waste. (w.e.f.14.03.2024)

(10.6) The Producers, Importers & Brand-Owners manufacturers, and manufacturers of commodities made from compostable or biodegradable plastics (w.e.f.14.03.2024) shall file annual returns on the plastic packaging waste collected and processed towards fulfilling obligations under Extended Producer Responsibility with the Central Pollution Control Board or concerned State Pollution Control Board or Pollution Control Committee as per pro forma prescribed by Central Pollution Control Board by the 30th June of the next financial year. Information on the reuse and/or recycled content used for packaging purposes will also be provided. The details of the registered recyclers from whom the recycled plastic has been procured will also be provided.

Provided that the last date for filing of annual returns shall be the 31 st October 2023 for the financial year 2022-2023 (w.e.f.27.04.2023)

Provided that the annual return under this sub-paragraph in respect of the financial year 2022-2023 may be filed on or before 31st March 2024. (w.e.f.14.03.2024)

11. Role of Plastic Waste Processors (Recyclers or Other Waste Processors including industrial composting facilities)

(11.1) All plastic waste processors shall have to register with concerned State Pollution Control Board or Pollution Control Committee in accordance with provision 13(3) of Plastic Waste Management Rules, 2016 on the centralized portal developed by Central Pollution Control Board. Central Pollution Control Board shall lay down uniform procedure for registration within three months of the publication of these guidelines.

(11.2) The Plastic waste processors shall submit annual returns after end of every financial year by 30th April of the next financial year on the quantity of plastic waste processed category-wise as per prescribed pro forma on the centralized portal developed by Central Pollution Control Board.

Provided that the last date for filing of annual returns shall be the 31 st October 2023 for the financial year 2022-2023 (w.e.f.27.04.2023)

Provided that the annual returns under this sub-paragraph in respect of the financial year 2022-2023 may be filed on or before the 31st March 2024; (w.e.f.14.03.2024)

(11.3) The total quantity of plastic waste processed by plastic waste processors and attributed to Producers, Importers & Brand-Owners, on an annual basis, will be made available on the centralized portal developed by Central Pollution Control Board as also on the website of Plastic waste processors.

(11.4) In case, at any stage it is found that the information provided by the plastic waste processor is false, the plastic waste processor shall be debarred by State Pollution Control Board, as per procedure laid down by Central Pollution Control Board , from operating under the Extended Producer Responsibility framework for a period of one year.

(11.5) Only plastic waste processors registered under Plastic Waste Management Rules, 2016, as amended, shall provide certificates for plastic waste processing, except in case of use of plastic waste in road construction. In case where plastic waste is used in road construction the Producers, Importers & Brand-Owners shall provide a selfdeclaration certificate in pro forma developed by Central Pollution Control Board. The certificate provided by only registered plastic waste processors shall be considered for fulfilment of Extended Producer Responsibility obligations by Producers, Importers & Brand-Owners.

(11.6) The pro forma for the certificate shall be developed by Central Pollution Control Board. In no case, the amount of plastic packaging waste recycled by the enterprise shall be more than installed capacity of the enterprise. The certificates will be for plastic packaging category-wise and shall include GST data of the enterprise.

(11.7) The certificate for plastic packaging waste provided by registered plastic waste processors shall be in the name of registered Producers, Importers & Brand-Owners or Local authorities, as applicable, based upon agreed modalities. Central Pollution Control Board will develop mechanism for issuance of such certificate on the centralized portal.

(11.8) The Plastic Waste Processors undertaking end-of-life disposal of plastic packaging waste viz. waste to energy, waste to oil, cement kilns (co processing) shall provide information on an annual basis as per prescribed pro forma, on the centralized portal developed by Central Pollution Control Board. These entities shall ensure the disposal of plastic packaging waste as per relevant rules, guidelines framed by regulatory bodies in an environmentally sound manner.

12. Role of Central Pollution Control Board

(12.1) The Central Pollution Control Board shall register Producers, Importers & Brand-Owners who are operating in more than two states and plastic waste processors, through online portal. Central Pollution Control Board shall prescribe the standard operating procedure for registration of Producers, Importers & Brand-Owners under Plastic Waste Management Rules, 2016.

(12.2) The Central Pollution Control Board may charge fee for processing of applications for registration and an annual fee for processing of returns, as per procedure prescribed by CPCB. In case, where Producers, Importers & Brand-Owners, are operating in the jurisdiction of a State Pollution Control Board or Pollution Control Committee, the Central Pollution Control Board as per

guidelines so decided, will share the application fee with the concerned State Pollution Control Board or Pollution Control Committee.

(12.3) The registration shall be done within two weeks from the submission of a complete application online by the Producers, Importers & Brand-Owners. The tenure of registration shall be as per Plastic Waste Management Rules, 2016.

(12.4) Central Pollution Control Board by itself or through a designated agency shall verify compliance of Producers, Importers & Brand-Owners through inspection and periodic audit, as deemed appropriate. Central Pollution Control Board, as required, can also verify compliance of Plastic Waste Processors through inspection and periodic audit. In case of plastic waste processors and Producers, Importers & Brand-Owners operating in a State or Union Territory, Central Pollution Control Board may, if required, direct State Pollution Control Board or Pollution Control Committee to take action.

(12.5) Central Pollution Control Board shall publish the list of Producers, Importers & Brand-Owners who have failed to meet Extended Producer Responsibility targets and obligations in the previous financial year, on an annual basis, by 30th September of the next financial year.

(12.6) The Central Pollution Control Board will establish a mechanism to ensure a regular dialogue between relevant stakeholders involved in the fulfilment of extended producer responsibility obligations for plastics under the Plastic Waste Management Rule, 2016.

(12.7) The Central Pollution Control Board shall carry out a compositional survey of collected mixed municipal waste to determine the share of plastic waste as well as different categories of plastics packaging material on a half-yearly basis.

(12.8) The Central Pollution Control Board shall carry out review of technologies related to plastic packaging and plastic waste management for techno-economic viability and feasibility specifically with respect to clause 7.6.

(12.9) The Central Government may permit filing of annual returns by Producers, Importers and Brand owners under clause 10.6 and by Plastic Waste Processors under clause 11.2 for a period not exceeding nine months for the reasons to be recorded in writing. (w.e.f.30.10.2023)

13. Role of State Pollution Control Board or Pollution Control Committee:

(13.1) The concerned State Pollution Control Board or Pollution Control Committee shall register Producers, Importers & Brand-Owners (operating in one or two states) and plastic waste processors, through the online portal developed by Central Pollution Control Board. Provision for registration shall be made on the Extended Producer Responsibility portal. State Pollution Control Board or Pollution Control Committee by itself or through a designated agency shall verify compliance of Producers, Importers & Brand-Owners through inspection and periodic audit, as deemed appropriate, of Producers, Importers & Brand-Owners as well as plastic waste processors in their jurisdiction as per the Plastic Waste Management Rule, 2016.

(13.2) The State Pollution Control Board or Pollution Control Committee shall bring out a list of entities (Exception Report) who have not fulfilled their Extended Producer Responsibility responsibilities on annual basis and publish the same on their website. The State Pollution Control Board or Pollution Control Committee shall submit the Annual Reports submitted by Producers, Importers & Brand-Owners and plastic waste processors in their jurisdiction to Central Pollution Control Board and upload the same on the online Extended Producer Responsibility portal.

(13.3) State Pollution Control Board or Pollution Control Committee will establish a mechanism to ensure a regular dialogue between relevant stakeholders involved in the fulfilment of extended producer responsibility obligations under the Plastic Waste Management Rule, 2016.

(13.4) State Pollution Control Board or Pollution Control Committee shall carry out a compositional survey of collected mixed municipal waste to determine the share of plastic waste as well as different categories of plastics packaging material on a half-yearly basis. 14. Plastic Packaging Waste Collection System by Producers, Importers & Brand-Owners

(14.1) Producers, Importers & Brand-Owners while fulfilling their Extended Producer Responsibility obligations may develop collection and segregation infrastructure of plastic packaging waste, as required, based on the category of plastics. It may include the following based on implementation modality of Extended Producer Responsibility adopted by Producers, Importers & Brand-Owners: -

(a) establish waste plastic collection points and Material Recovery Facilities (MRFs); (b) ensure the collection of the plastic packaging waste from the collection points, with a frequency that is proportionate to the area covered and the volume; (c) offer the collection of plastic, from the entities like urban local bodies, gram panchayats, other public authorities or third parties carrying out waste management, and provide for the collection from all entities that have made use of that offer; provide for the necessary practical arrangements for collection and transport; (d) ensure that the plastic packaging waste collected from the collection points are subsequently subject to recycling in a registered facility by a recycler or its permitted end use in the designated manner.

(14.2) Producers, Importers & Brand-Owners may ensure the network of collection points taking into account population size, expected volume of plastic or packaging waste, accessibility and vicinity to end-users, not being limited to areas where the collection and subsequent management is profitable.

(14.3) The entities involved in waste collection will hand over the waste for treatment and recycling or for identified end uses.

(14.4) Participation of voluntary collection points - voluntary collection points will hand over plastic packaging waste to the Producers, Importers & Brand-Owners or third party agencies acting on their behalf with a view to their treatment and recycling or their identified end use.

15. Fulfilment of Extended Producer Responsibility Obligations The Producers, Importers & Brand-Owners shall have to provide the details of recycling certificate only from registered recyclers along with the details of quantity sent for end of life disposal, by 30th June of next financial year while filing annual returns on the online portal. The details provided by Producers, Importers & Brand-Owners and registered plastic waste processors will be cross-checked by the online portal. In case of difference, the lower figure would be considered towards fulfilment of Extended Producer Responsibility obligation of Producers, Importers & Brand-Owners. The certificates shall be subject to verification by Central Pollution Control Board or State Pollution Control Board or Pollution Control Committee, as the case may be.

(15.1) The Producers, Importers, Brand-Owners and manufacturers, and manufacturers of commodities made from compostable plastics or biodegradable plastics shall provide the details of certificates for plastic waste recycled and sent for end of life disposal, by 30th June of next financial year while filing annual returns on the online portal.

(15.2) The details of certificates provided by Producers, Importers, Brand-Owners and manufacturers, and manufacturers of commodities made from compostable plastic or biodegradable plastics and registered plastic waste processors shall be verified and in case of difference, the lower figure shall be considered towards fulfilment of Extended Producer Responsibility obligation under these rules.

(15.3) The certificates shall be subject to verification by Central Pollution Control Board or State Pollution Control Board or Pollution Control Committee concerned, as the case may be.

(15.4) The Manufacturer of biodegradable plastics shall fulfil their Extended Producer Responsibility obligations by obtaining Extended Producer Responsibility certificates generated by local authorities, as per agreed modalities.

(15.5) The local authorities shall generate Extended Producer Responsibility certificates equal to the biodegradable plastic collected by them and put to end of life biodegradation in the respective recipient environment as per standard notified by Bureau of Indian Standards, which shall be recorded, and details of such certificates obtained by the manufacturers of commodities of biodegradable plastics shall be submitted on the centralised online portal while filing annual returns under these rules. Central Pollution Control Board will develop mechanism for such exchange on the centralized online portal. (w.e.f.14.03.2024)

15A Purchase of extended producer responsibility certificate from different categories.-

(1) The Central Pollution Control Board may allow purchase of extended producer responsibility certificates for those categories where surplus exists over the extended producer responsibility obligation of that category for fulfilment of extended producer responsibility obligation of such category where deficit exists.

(2) In such cases, the Central Pollution Control Board shall prescribe the quantum of extended producer responsibility certificates of the category required to be procured, where surplus exists, for fulfilment of extended producer responsibility obligation of the category where deficit is present, based on the availability and cost of collection, segregation and processing for different categories of plastic packaging waste.

(3) The provision of this paragraph shall cease to apply at the end of 2025-2026. (w.e.f.30.10.2023)

16. Centralized Online Portal

(16.1) Central Pollution Control Board shall establish an online system for the registration as well as for filing of annual returns by Producers, Importers & Brand-Owners, plastic waste processors of plastic packaging waste by 31st March 2022:-

(16.2) The online system developed by Central Pollution Control Board for the registration as well as for filing of returns by Producers, Importers & Brand-Owners shall reflect the plastic packaging material introduced in the market Producers, Importers & Brand-Owners in a financial year. It shall also reflect the details regarding the audit of the Producers, Importers & Brand-Owners as well as recyclers or other waste processors of plastic packaging waste.

(16.3) The State Pollution Control Board or Pollution Control Committee shall also use the centralized portal developed by Central Pollution Control Board for registration of Producers, Importers & Brand-Owners as well as recyclers/waste processors. The centralized portal would act as the single point data repository with respect to orders and guidelines related to implementation of Extended Producer Responsibility for plastic packaging under Plastic Waste Management Rule, 2016 Producers, Importers & Brand-Owners may, if they so desire, facilitate the development of online web portal or platform.

(16.3) Till the online web portal is developed all activities related to implementation of Extended Producer Responsibility under the Plastic Waste Management Rules, 2016 will be done in an offline manner.

17. Monitoring State Pollution Control Board or Pollution Control Committee shall submit annual report on Extended Producer Responsibility portal with respect to fulfilment of Extended Producer

Responsibility by Producers, Importers & Brand-Owners (which include manufacturers of plastic packaging material) and plastic waste processors in the State/Union Territory to Central Pollution Control Board. The report shall also be submitted to the State Level Monitoring Committee constituted under the Plastic Waste Management Rules, 2016. State Pollution Control Board or Pollution Control Committee shall also submit annual report with respect to recyclers or end of life disposal in the State or Union Territory to Central Pollution Control Board by 31st July of the next year.

18. Committee for Extended Producer Responsibility under PWM Rules (18.1) A committee shall be constituted by the Central Pollution Control Board under chairpersonship of Chairman, Central Pollution Control Board to recommend measures to Ministry of Environment, Forest and Climate Change for effective implementation of Extended Producer Responsibility including amendments to Extended Producer Responsibility guidelines. The committee shall monitor the implementations of Extended Producer Responsibility and also take such measures as required for removal of difficulties. The Committee shall also be tasked with the guiding and supervision of the online portal including approval of requisite forms or pro forma.

(18.2) The committee shall comprise of representative from concerned line Ministries/Departments such as Ministry of Housing and Urban Affairs, Ministry of Micro, Small and Medium Enterprises, Department of Drinking Water and Sanitation, Department of Chemical and Petrochemicals; Bureau of Indian Standards, three State Pollution Control Board or Pollution Control Committee, Central Institute of Plastic Engineering and Technology (CIPET), National Environmental Engineering Research Institute (NEERI), and three industry associations, and any other invitee as decided by the chairperson of the committee.

ANNEXURE

Examples for Clause 7 Extended Producer Responsibility Target and Minimum level of recycling of plastic packaging waste [Refer Clause 7.2 (a), (b) & (c), Clause 7.3 (a), (b) & (c), and Clause 7.4 (a), (b) & (c)]

Example 1:

| <i>Year 2022-23</i> | |
|--|---|
| <i>Plastic packaging introduced in the market category-wise (Category II Flexible plastic packaging)</i> | <i>100 MT</i> |
| <i>Extended Producer Responsibility Target @ 70 %</i> | <i>70 MT</i> |
| <i>Minimum level of recycling of plastic packaging waste collected under Extended Producer Responsibility - no threshold has been prescribed</i> | <i>Quantity of plastic packaging waste collected under Extended Producer Responsibility and recycled as per actuals</i> <i>Quantity of plastic packaging waste collected under Extended Producer Responsibility and used for energy recovery, co-processing, road construction, waste to oil etc. as per actuals</i> |

Example 2:

| Year 2024-25 | |
|---|---|
| <i>Plastic packaging introduced in the market category-wise (Category II Flexible plastic packaging)</i> | 100 MT |
| <i>Extended Producer Responsibility Target @ 100 %</i> | 100 MT |
| <i>Minimum level of recycling of plastic packaging waste collected under Extended Producer Responsibility @ 30%</i> | <i>Minimum 30 MT of plastic packaging waste collected under Extended Producer Responsibility needs to be recycled. Remaining plastic packaging waste collected (Maximum 70 MT) may be used for energy recovery, co-processing, road construction, waste to oil etc.</i> |

Example 3:

| Year 2028-29 | |
|--|---|
| <i>Plastic packaging introduced in the market category-wise (Category II Flexible plastic packaging)</i> | 100 MT |
| <i>Extended Producer Responsibility Target @ 100 %</i> | 100 MT |
| <i>Minimum level of recycling of plastic packaging waste collected under Extended Producer Responsibility @ 60 %</i> | <i>Minimum 60 MT of plastic packaging waste collected under Extended Producer Responsibility needs to be recycled. Remaining plastic packaging waste collected (Maximum 40 MT) may be used for energy recovery, co-processing, road construction, waste to oil etc.</i> |

Reuse [Refer Clause 7.4 (b)] Example 4:

| Year 2025 – 26 (Minimum obligation for reuse comes into effect) | |
|---|--------|
| <i>Plastic packaging introduced in the market category-wise (Category I Rigid Plastic Packaging)</i> | 100 MT |
| <i>Reuse of Category I rigid plastic packaging with volume or weight equal or more than 0.9 litres or</i> | 15 MT |

| | |
|--|--|
| <i>kilogrammes bUnion Territory less than 4.9 litres or kilogrammes</i> | <i>Reuse @ 15 %; minimum obligation for reuse 10 %</i> |
| <i>Fresh plastic packaging introduced (A)</i> | 85 MT |
| <i>Extended Producer Responsibility target for compliance @ 100% of (A)</i> | 85 MT |
| <i>Minimum level of recycling of Category I plastic packaging waste collected under Extended Producer Responsibility @ 60%</i> | <i>Minimum 51 MT of plastic packaging waste collected under Extended Producer Responsibility needs to be recycled. A maximum of 34 MT plastic packaging waste collected may be used for energy recovery, co-processing, road construction, waste to oil etc.</i> |

Example 5:

| For Year 2022 - 23 | |
|---|---------|
| Plastic packaging introduced in the market category-wise (Category I Rigid Plastic Packaging) | 100 MT |
| Reuse of Category I rigid plastic packaging with volume or weight equal or more than 0.9 litres or kilogrammes bUnion Territory less than 4.9 litres or kilogrammes | 10 MT |
| Fresh plastic packaging introduced (A) | 90 MT |
| Extended Producer Responsibility Target @ 35 % of (A) | 31.5 MT |

Use of recycled plastic content [Refer Clause 7.2 (d), 7.3 (d)] Example 6: ⁽²⁰²²⁾

| Year 2025-26 | |
|--|--|
| Plastic packaging introduced in the market category-wise (Category II Flexible plastic packaging) | 100 MT |
| Extended Producer Responsibility Target as per clause 5.1 @ 100 % | 100 MT |
| Minimum content of recycled plastic in packaging @ 10% | 10 MT of plastic content in the packaging should be recycled plastic 90 MT of virgin plastic content in packaging |

FORM - I (w.e.f.14.03.2024)

[See rules 13 (2)]

APPLICATION FOR REGISTRATION FOR PRODUCERS OR BRAND OWNERS

From:

.....(Name and full address of the occupier)

To

The Member Secretary,

..... Pollution Control Board or Pollution Control Committee

.....
.....

Sir,

I /We hereby apply for registration under rule 9 of the Plastic Waste Management Rules, 2016

1. Producers

(A) other than micro and small enterprises (as per criteria of Ministry of Micro, Small and Medium Enterprises, Government of India)

| PART – A | | |
|--|---|--|
| GENERAL | | |
| 1.(a) | Name and location of the unit | |
| (b) | Address of the unit | |
| (c) | Registration required for manufacturing of: i. Carry bags; (a) petro- based, (b) Compostable ii. Multilayered plastics | |
| (d) | Manufacturing capacity | |
| (e) | In case of renewal, previous registration number and date of registration | |
| 2. | Is the unit registered with the District Industries Centre of the State Government or Union territory? If yes, attach a copy. | |
| 3.(a) | Total capital invested on the project | |
| (b) | Year of commencement of production | |
| 4.(a) | List and quantum of products and by-products | |
| (b) | List and quantum of raw materials used | |
| 5. | Furnish a flow diagram of manufacturing process showing input and output in terms of products and waste generated including for captive power generation and water. | |
| 6. | Status of compliance with these rules- Thickness – fifty micron (Yes/No) | |
| PART – B | | |
| PERTAINING TO LIQUID EFFLUENT AND GASEOUS EMISSIONS | | |
| 7. | a. Does the unit have a valid consent under the Water (Prevention and control of Pollution) Act, 1974 (6 of 1974)? If yes, attach a copy | |
| | b. Does the unit have a valid consent under the Air (Prevention and Control of Pollution) Act, 1981 (14 of 1981)? If yes, attach a copy | |

| PART – C | | |
|----------------------------|--|--|
| PERTAINING TO WASTE | | |
| 8. | Solid Wastes or rejects: a. Total quantum of waste generated b. Mode of storage within the plant c. Provision made for disposal of wastes | |
| 9. | Attach or Provide list of person supplying plastic to be used as raw material to manufacture carry bags or plastic sheet of like or multilayered packaging | |
| 10. | Attach or provide list of personnel or brand Owners to whom the products will be supplied | |
| 11. | Action plan as per Regulation notified for Extended Producer Responsibility | |
| Name and Signature | | |
| Designation | | |
| Date : | | |
| Place : | | |

(B) Producers; Micro and Small Enterprises (as per criteria of Ministry of Micro, Small and Medium Enterprises, Government of India)

| PART-A General | | |
|-----------------------|----------------------------|--|
| 1. | Micro or Small Producer | |
| 2. | Details: | <ul style="list-style-type: none"> (a) Name and location (b) Registered Address (c) Postal Address (d) GST No. (e) PAN No. (f) CIN No (Applicable for companies) (g) Udyam Registration No. |
| 3. | Authorized Person Details: | <ul style="list-style-type: none"> (a) Name (b) Designation (c) Mobile No. (d) Aadhaar No. (Aadhaar authentication on voluntary basis) (e) PAN No. (f) Email ID |

| | | |
|----|---|--|
| 4. | Plastic packaging manufactured: Category - I /Category - II/ Category - III/ Category - IV/Category – V) | |
| 5. | Year of commencement of business | |
| 6. | Unit Location: S.No. Place of Manufacturing unit Manufacturing capacity (plastic-packaging category wise) | |
| 7. | Total Capital invested in project | |

| Part B: Details on plastic packaging | | | |
|--------------------------------------|--|---------------|--------|
| 8. | Manufacturing details 1. Raw material procured 2. Plastic packaging produced category-wise 3. Total Plastic packaging sold category-wise (MT) a. Plastic packaging sold to Brand owner b. Plastic packaging sold to Producer (Large and Medium) c. Plastic packaging sold to Producer (Small and micro) c. Plastic packaging sold to seller 4. Pre-consumer plastic packaging waste (MT) | Year 1 | Year 2 |
| 9. | Status of Compliance with Rule 4 of Plastic Waste Management Rules, 2016 as amended | Quantity (MT) | Yes/No |
| 10. | Cover Letter (with attachment) | | |
| 11. | Self-Declaration by Micro and Small Producers | | |
| 12. | Authorized Signatory | | |
| 13. | Self-Declaration: Name: Digital Signature Date: Place: | | |

Note:

- (i) The registration shall be based upon self-declaration and done through centralized online portal on plastic packaging.
 - (ii) In case of proprietorship firm not registered under any Act or rules of the Central Government or the State Government, the proprietor may use his or her Permanent Account Number (PAN) issued by Income Tax Department for registration of the enterprise.
2. Brand Owners:

| PART – A | | |
|--|---|--|
| GENERAL | | |
| 1. | Name, address and Contact number | |
| 2 | In case of renewal, previous registration number and date of registration | |
| 3 | Is the unit registered with the District Industries Centre of the State Government or Union territory? If yes, attach a copy. | |
| 4.(a) | Total capital invested on the project | |
| (b) | Year of commencement of production | |
| 5. (a) | List and quantum of products and by-products | |
| (b) | List and quantum of raw materials used | |
| PART – B | | |
| PERTAINING TO LIQUID EFFLUENT AND GASEOUS EMISSIONS | | |
| 5 | Does the unit have a valid consent under the Water (Prevention and control of Pollution) Act, 1974 (6 of 1974)? If yes, attach a copy | |
| 6 | Does the unit have a valid consent under the Air (Prevention and Control of Pollution) Act, 1981 (14 of 1981)? If yes, attach a copy | |
| PART – C | | |
| PERTAINING TO WASTE | | |
| 7. | Solid Wastes or rejects: (a) Total quantum of waste generated (b) Mode of storage within the plant (c) Provision made for disposal of wastes | |
| 8. | Attach or Provide list of person supplying plastic material | |
| 9 | Action plan on collecting back the plastic wastes | |
| | | Name and Signature Designation Date : Place : |

3. Importers: Item 3, 4, 5 of Part A, Part B, and item 7 and 8 of Part C, to be filled as per applicability

| PART – A | | |
|-----------------|----------------------------------|--|
| GENERAL | | |
| 1. | Name, Address and Contact number | |

| | | |
|--------|---|--|
| 2 | In case of renewal, previous registration number and date of registration | |
| 3 | Is the unit registered with the District Industries Centre of the State Government or Union Territory? If yes, attach a copy. | |
| 4.(a) | Total capital invested on the project | |
| (b) | Year of commencement of production | |
| 5. (a) | List and quantum of products and by-products | |
| (b) | List and quantum of raw materials used | |
| 6 (a) | Quantity of plastic sheet or like used for packaging of imported or to be imported products | |
| (b) | Quantity of imported or to be imported plastic sheet or like used for packaging for further supply or self-use | |
| (c) | Quantity of imported or to be imported multilayered packaging for further supply or self-use | |

PART – B**PERTAINING TO LIQUID EFFLUENT AND GASEOUS EMISSIONS**

| | | |
|---|--|--|
| 5 | Does the unit have a valid consent under the Water (Prevention and control of Pollution) Act, 1974 (6 of 1974)? If yes, attach a copy | |
| 6 | Does the unit have a valid consent under the Air (Prevention and Control of Pollution) Act, 1981 (14 of 1981)? If yes, attach a copy | |

PART – C**PERTAINING TO WASTE**

| | | |
|--------|---|--|
| 7. | Solid Wastes or rejects: (a) Total quantum of waste generated (b) Mode of storage within the plant (c) Provision made for disposal of wastes | |
| 8. (a) | Attach or Provide list of person supplying imported (i) plastic sheet or like used for packaging, (ii) multilayered packaging | |
| (b) | Quantity of imported (i) plastic sheet or like used for packaging, (ii) multilayered packaging used for self use | |
| 9 | Action plan as per Regulation notified for Extended Producer Responsibility | |

Name and Signature

Designation

Date :

Place :

| | | | | | |
|-----|--|---|------|--------------------|------|
| 3. | Date of commencement | | | | |
| 4. | No. of workers (including contract labour) | | | | |
| 5. | Consents Validity | a. Water (Prevention & Control of Pollution) Act, 1974; Valid up to _____ b. Air (Prevention & Control of Pollution) Act, 1981; Valid up to _____ c. Authorization ; valid up to | | | |
| 6. | Manufacturing Process | Please attach a flow diagram of the manufacturing process flow diagram for each product. | | | |
| 7. | Products and installed capacity of production (MTA) | Products | | Installed capacity | |
| 8. | Waste Management: | S. No. | Type | Category | Qty. |
| | a. Waste generation in processing plastic-waste | (i) | | | |
| | | (ii) | | | |
| | | (iii) | | | |
| | b. Waste Collection and transportation (attach details) | | | | |
| | c. Waste Disposal details | S. No. | Type | Category | Qty |
| | | (i) | | | |
| | | (ii) | | | |
| | d. Provide details of the disposal facility, whether the facility is authorized by SPCB or PCC | | | | |
| | e. Please attach analysis report of characterization of waste generated (including leachate test if applicable) | | | | |
| 9. | Details of plastic waste proposed to be acquired through sale, auction, contract or import, as the case may be, for use as raw material | (i) Name (ii) Quantity required /year | | | |
| 10. | Occupational safety and health aspects | Please provide details of facilities | | | |
| 11. | Pollution Control Measures | | | | |
| | Whether the unit has adequate pollution control systems or equipment to meet the standards of emission or effluent. | If Yes, please furnish details | | | |
| | Whether unit is in compliance with conditions laid down in the said rules. | Yes/No | | | |
| | Whether conditions exist or are likely to exist of the material being handled or processed posing adverse immediate or delayed impacts on the environment. | Yes/No | | | |
| | Whether conditions exist (or are likely to exist) of the material being handled or processed by any means capable of yielding another material (e.g. leachate) which may possess eco-toxicity. | Yes/No | | | |
| 12. | Any other relevant information including fire or accident mitigative measures | | | | |
| 13. | List of enclosures as per rule | | | | |

Name and Signature

[see rule 13 (3)]

APPLICATION FORM FOR REGISTRATION OF UNITS ENGAGED IN PROCESSING OR RECYCLING OF PLASTIC WASTE

| | | |
|----|--|--|
| 1. | Name and Address of the unit | |
| 2. | Contact person with designation, Tel./Fax /email | |

Designation

Date :

Place :

FORM - III*[See rules 13(4)]***APPLICATION FOR REGISTRATION FOR MANUFACTURERS OF PLASTIC RAW MATERIALS**

From:

.....
.....(Name and full address of the occupier)

To

The Member Secretary,

..... Pollution Control Board or Pollution Control Committee

.....

.....
Sir,

I/We hereby apply for registration under the Plastic Waste Management Rules, 2011

| PART – A GENERAL | | |
|-----------------------------|---|-----------------------------------|
| 1.(a) | Name and location of the unit | |
| (b) | Address of the unit | |
| (c) | In case of renewal, previous registration number and date of registration | |
| 2. | Is the unit registered with the DIC or DCSSI of the State Government or Union Territory? If yes, attach a copy. | |
| 3.(a) | Total capital invested on the project | |
| (b) | Year of commencement of production | |
| (c) | List of producers and quantum of raw materials supplied to producers | |
| | | Name and Signature Designation |
| Date : | | |
| Place : | | |

Form - IV*[See rules 17 (1)]***FORMAT OF ANNUAL REPORT BY OPERATOR OF PLASTIC WASTE PROCESSING OR RECYCLING FACILITY TO THE LOCAL BODY****Period of Reporting:**

| | | |
|-----|---|--|
| (1) | Name and Address of operator of the facility | |
| (2) | Name of officer in-charge of the facility (Telephone/Fax/Mobile/ E-mail) | |
| (3) | Capacity: | |
| (4) | Technologies used for management of plastic waste: | |
| (5) | Quantity of plastic waste received during the year being reported | |

| | | |
|------|--|--|
| | upon along with the source | |
| (6) | Quantity of plastic waste processed (in tons): - Plastic waste recycled(in tons) - Plastic waste processed (in tons) - Used (in tons) | |
| (7) | Quantity of inert or rejects sent for final disposal to landfill sites: | |
| (8) | Details of land fill facility to which inert or rejects were sent for final disposal: - Address -Telephone | |
| (9) | Attach status of compliance to environmental conditions, if any specified during grant of Consent or registration | |
| (10) | Data to be provided as per guidelines specified in Schedule -II by 30th April of every year to the concerned State Pollution Control Board or Pollution Control Committee. (W.E.F.7.7.2022) | |

Signature of Operator

Dated :

Place:

| | |
|------|---|
| (10) | Summary of the mechanisms put in place for management of plastic waste in the area under jurisdiction along with the details of agencies involved in door to door collection |
| (11) | Attach details of infrastructure put in place for management of plastic waste generated in the area under jurisdiction |
| (12) | Attach details of infrastructure required, if any along with justification |
| (13) | Quantity of Plastic Waste generated during the year from area under jurisdiction (in tons) |
| (14) | Quantity of Plastic Waste collected during the year from area under jurisdiction (in tons) |
| (15) | Quantity of plastic waste channelized for recycling during the year (in tons) |
| (16) | Quantity of plastic waste channelized for use during the year (in tons) |
| (17) | Quantity of inert or rejects sent to landfill sites during the year (in tons) |
| (18) | Details of each of facilities used for processing and disposal of plastic waste Facility-I i) Name of operator ii) Address with Telephone Number or Mobile iii) Capacity iv) Technology Used v) Registration Number vi) Validity of Registration (up to) |

| Name of the SPC B or PCC | Estimated Plastic Waste generation in Tons Per Annum (TPA) | No. of registered Plastic Manufacturing or Recycling (including multilayer, compostable) units. (Rule 9) | No. of Unregistered plastic manufacturing units. (in residential or unapproved areas) | Details of Plastic Waste Management (PWM) e.g. Collection, Segregation, Disposal (Coprocessing | Partial or complete ban on usages of Plastic Carry Bags (through Executive Order) | Status of Marking Labelling on carry bags (Rule 8) | Explicit Pricing of carry bags (Rule 10) | Details of the meeting of State Level Advisory Body (SLA) along with its recommendations on Implementation | No. of violations and action taken on noncompliance of provisions of these Rules | Number of Municipal Authority or Gram Panchayat under jurisdiction and Submission of Annual Report to CPCB (Rule 12) |
|--------------------------|--|--|---|--|---|--|--|--|--|--|
|--------------------------|--|--|---|--|---|--|--|--|--|--|

Signature of CEO or Municipal Commissioner or

Executive Officer or Chief Officer

Date:

Place:

FORM V (w.e.f.14.03.2024)**[See rules 17 (4)]**

**(A) FORMAT FOR ANNUAL REPORT ON PLASTIC WASTE MANAGEMENT TO BE SUBMITTED BY
THE URBAN LOCAL BODY Period of Reporting: (Year)**

| A | General Information |
|----------|---|
| 1 | Name of the City or Town and State: |
| 2 | Name & Address of Local body |
| 3 | Contact E-mail: |
| 4 | Contact Phone No. |
| 5 | Population |
| 6 | Area in sq. Kilometers |
| 7 | Whether separate Plastic Waste Management Cell is operational (Y/N) |
| 8 | Staff deployed in Plastic Waste Management Cell |
| 9 | Total numbers of the wards in the area under jurisdiction |
| 10 | Total numbers of households in the area under jurisdiction ward –wise |
| 11 | Number of households covered by door-to-door collection – ward-wise |
| 12 | Total number of commercial establishments and Institutions in the area under jurisdiction and those covered by door to door collection |
| a | Commercial establishments |
| b | Institutions |
| 13 | (i) Details of human resource including waste pickers in informal sector (concessionaire or own resource) deployed for (a) Collection (b) Street sweeping (c) Transportation (d) Segregation (e) Processing (f) disposal (ii) Details of waste pickers engaged in plastic waste management (ward wise) No. of waste pickers |

| B | Plastic Waste Management |
|----------|--|
| 1 | Quantity of Plastic Waste generated (Tonnes) as per CPCB methodology |
| 2 | Compositional characterization of plastic waste as per CPCB methodology <ul style="list-style-type: none"> • Plastic packaging (Cat I/Cat II/Cat III/Cat IV/Cat V) • Others type of plastic waste (i) recyclable and (ii) non-recyclable |
| 3 | Door to Door collection of segregated waste (coverage in % or number of households) – ward-wise |

| | |
|-----|--|
| 4 | Total no. and capacity of MRF (a) No. and capacity of Mechanical MRF Facilities No. Capacity (MT) Waste segregated (MT) |
| | b) No. and capacity of Manual MRF Facilities No. Capacity (MT) Waste segregated (MT) |
| 5 | Number of plastic recycling facilities with details of category- wise Name and address with EPR registration number Capacity (MT) Total Plastic Waste recycled (MT) Plastic packaging waste recycled category –wise (MT) Other plastic waste recycled (MT) EPR certificates generated category-wise (MT) |
| 6 | Number and capacity of industrial composting unit for compostable plastics Name and address with EPR registration number Capacity (MT) Waste composted (MT) Compostable plastics processed (MT) |
| 7 | Number and capacity of Operational Waste to energy Plants Name and address with EPR registration number Capacity (MT) Plastic Waste processed (MT) Energy produced |
| 8 | Number and capacity of operational wastes to Oil units Name and address with EPR registration number Capacity (MT) Waste processed (MT) Oil generated |
| 9 | Quantity and capacity of Plastic waste used in road construction along with KM Plastic Waste used (MT) Road Length (Km) |
| 10 | Disposal of thermoset plastic as per guidelines Thermoset plastic Waste sent to secured landfill (MT) Thermoset plastic Waste co-processed (MT) |
| 11 | Cement plants for plastic waste for coprocessing |
| a | Name and address with EPR registration number Total unsegregated waste received (MT) Percentage of plastic waste in unsegregated waste Plastic waste co-processed (MT) |
| b | Name and address with EPR registration number Total segregated plastic waste received (MT) Plastic waste co-processed category-wise (MT) |
| 12 | Quantity of inert material disposed (MT) from recyclers and other waste processor in sanitary landfill |
| 13 | Scientific Landfill site (number and capacity) No. Capacity (MT) Waste received (MT) |
| 14 | Legacy waste site (number and amount of legacy waste) Waste present (MT) Waste processed to RDF (MT) Plastic waste in RDF (%) Waste remaining (MT) |
| 15. | EPR Registration No. of ULB in case registered |
| 16 | EPR Guidelines leveraged for PWM (Y/N) Details to be attached |
| | |
| C. | Enforcement of Plastic Waste Management Rules |
| 1 | Please confirm if Bye- laws have been framed (Yes/No) |
| 2 | No. of violations & action taken on non-compliance of provisions of PWM Rules, 2016, except for banned Single Use Plastics and plastic carry bags (Rule 12) |

| | | | | |
|-----------|---|---|---|-----------------------------------|
| (i) | Total no of Violations (eg. Burning/ Littering of plastic waste) | | | |
| (ii) | Actions Taken (Fines/penalties Imposed Rs.) | | | |
| 3 | Implementation of ban imposed under Rule 4 including on identified single use plastic items, plastic carry bags having thickness less than 120 microns (ward-wise) (quarterly reporting) | | | |
| (i) | Registration number CPCB SUP compliance App | | | |
| (ii) | Total number of commercial establishments/Institutions and Hotspots in the area under jurisdiction | | | |
| (a) | -Commercial establishments : Malls, Cinema Halls, Airports, Railway Stations, Metro Stations, others | | | |
| (b) | - Institutions- Schools, Colleges, Office Complex etc | | | |
| (c) | -Hotspots – Tourist spots, sabzi Mandi, Wholesale market, Fish Market, Flower market, Religious Places etc. | | | |
| (iii) | Total No of Inspections carried out | | | |
| (iv) | Total Fine imposed (Rs.) | | | |
| (v) | Quantity of Banned SUP seized(Tons) | | | |
| (vi) | Details of mode of disposal of seized SUP | | | |
| | Qty of SUP Seized (T) | Mode of Disposal (Recycling/ WtE/ WtO/ Co-processing/Road making) | Name & Address of the Plastic Waste Processor | |
| (vii) | Details of Entities producing Alternatives | | | |
| | S.No | Name of Entity | SUP Alternative produced | Production Capacity (TPA) Address |
| (ix) | Details of Entities producing compostable plastics and biodegradable plastics | | | |
| (xi) | Shops for Eco alternatives for banned Single Use Plastic items | | | |
| D. | Data on ingress of littered plastic waste in water bodies | | | |
| 1 | Ingress points for plastic waste in Drain and Water Body Number of ingress points Measures taken to stop ingress of plastic waste | | | |
| 2. | Surface water bodies including river stretches Number of surfaces water bodies Quantity of plastic waste collected | | | |
| 3. | Number of drains cleaned from Plastic waste Total length of drains Total length of drains cleaned from plastic waste Plastic waste collected (MT) Silt collected | | | |

(B) FORMAT FOR ANNUAL REPORT ON PLASTIC WASTE MANAGEMENT TO BE SUBMITTED BY THE PANCHAYAT AT THE DISTRICT LEVEL

Period of Reporting: (Year)

| | | |
|----------|---|--|
| A | General | |
| 1 | Name of the District and State: | |
| 2 | Name & Address of Panchayati Raj Institution At The District Level | |
| 3 | Contact E-mail: | |
| 4 | Contact Phone No. | |
| 5 | Number of Gram Panchayats covered | |
| 6 | Number of villages covered | |
| 7 | Total Population | |
| 8 | Total Area | |
| 9 | Total number of households | |
| B | Plastic Waste Management | |
| 1. | Summary of the mechanisms put in place for management of plastic waste in the area under jurisdiction along with the details of agencies involved (Please attach the details) | |
| 2. | Please attach details of infrastructure put in place for management of plastic waste generated in the area under jurisdiction | |
| 3. | Total no. of Plastic Waste Management Units set up with capacity | |
| 4. | Quantity of Plastic Waste generated (Tonnes) as per CPCB methodology | |
| 5 | Plastic Waste Characterization as per CPCB methodology (Plastic packaging waste: Cat I/Cat II/ Cat III/Cat IV/Cat V and Others ((i) recyclable and (ii) non-recyclable) | |
| 6. | Quantity of Plastic Waste collected (Tonnes) | |
| 7. | Plastic Waste Segregated (Tonnes) | |
| 8. | Plastic waste channelized for processing and recycling (details quantum of plastic waste, type of processing) (a) Plastic waste to recyclers (b) Plastic waste to co-processing in cement kilns (c) Plastic waste to waste to energy/waste to oil plants (d) Plastic waste for road construction | |
| 9 | (i) Details of human resource including waste pickers in informal sector (concessionaire or own resource) deployed for (a) Collection (b) Street sweeping (c) Transportation (d) Segregation (e) Processing (f) disposal (ii) Details of waste pickers engaged in plastic waste management (ward wise) No. of waste pickers | |
| 10 | EPR Guidelines leveraged for PWM (Y/N) | |
| | Details to be attached | |
| C | Enforcement of Plastic Waste Management Rules | |
| 1 | Please confirm if Bye- laws have been framed (Yes/No) | |
| 2 | No. of violations & action taken on non-compliance of provisions of PWM Rules, 2016, except for banned Single Use Plastics and plastic carry bags (Rule 12) | |

| | | |
|-----------|---|--|
| I | Total no of Violations (eg. Burning/ Littering of plastic waste) | |
| II | Actions Taken (Fines/penalties Imposed Rs.) | |
| 3 | Implementation of ban imposed under Rule 4 including on identified single use plastic items, plastic carry bags having thickness less than 120 microns (ward-wise) (quarterly reporting) | |
| I | Total number of Institutions & Hotspots in the area under jurisdiction | |
| (a) | - Institutions- Schools, Colleges, etc | |
| (b) | Hotspots – Subzi Mandi, Wholesale market, Fish Market, Flower market, Religious Places etc. | |
| II | Total No of Inspections carried out | |
| III | Total Fine imposed (Rs.) | |
| IV | Quantity of Banned SUP seized(Tons) | |
| D. | Data on ingress of littered plastic waste in water bodies | |
| 1 | Ingress points for plastic waste in Drain and Water Body Number of ingress points Measures taken to stop ingress of plastic waste | |
| 2. | Surface water bodies including river stretches Number of surfaces water bodies cleaned Quantity of plastic waste collected | |
| 3. | Number of drains cleaned from Plastic waste Total length of drains Total length of drains cleaned from plastic waste Plastic waste collected (MT) Silt collected | |

FORM VI (w.e.f.14.03.2024)

[See rule 17(6)]

FORMAT FOR ANNUAL REPORT ON PLASTIC WASTE MANAGEMENT TO BE SUBMITTED BY SPCB/PCC

Period of Reporting:

| A | General | |
|----------|---|--|
| 1 | Name of the State/UT: | |
| 2 | Name & Address of SPCB/PCC: | |
| 3 | Contact E-mail: | |
| 4 | Contact Phone No. | |
| 5 | Details of Plastic Waste Management (State Level) <ul style="list-style-type: none"> • Collection (MT) • Segregation (MT) • Processing including recycling (MT) • Disposal (MT) | |
| B | Mechanism of Plastic Waste Management | |
| 1 | Summary of the mechanisms put in place for management of plastic waste in your State/UT along with the details of agencies involved (Please attach the details) | |
| 2 | Please attach details of infrastructure put in place for management of | |

| | | | | | | | | |
|-----------|--|--|-----------------|-----------------------------|--------------|--------------|-------------|-------------------|
| | plastic waste generated in your State/UT | | | | | | | |
| 3 | Total no. of MRF Facilities | | | | | | | |
| (a) | No. of Mechanical MRF Facilities with capacity | | | | | | | |
| (b) | No. of Manual MRF Facilities with capacity | | | | | | | |
| C | Plastic Waste Generation, Collection, Segregation & Characterization | | | | | | | |
| 1 | Total Numbers of the Urban Local Bodies (ULBs) in the area under jurisdiction | | | | | | | |
| 2 | No. of ULBs who have submitted Annual Report | | | | | | | |
| 3 | Total Numbers of the Gram Panchayat (GPs) in the area under jurisdiction | | | | | | | |
| 4a | Total number of Panchayati Raj institution at District Level | | | | | | | |
| 4b | No. of Panchayati Raj institution at District Level who have submitted annual report | | | | | | | |
| 5 | Please confirm that all GPs/ULBs have provided complete information in stipulated time as per format prescribed by CPCB (Yes/No) | | | | | | | |
| 6. | Please provide no. of ULBs/GPs which have not submitted complete information within the stipulated time frame | | | | | | | |
| 7. | Please provide total amount of EC levied on PRI at District Level / ULBs who have not submitted annual report as per prescribed timelines under the rules | | | | | | | |
| 8. | Quantity of Plastic Waste generated (Tonnes) as per CPCB methodology (Cat I/Cat II/ Cat III/Cat IV/Cat V / Others) | | | | | | | |
| 9. | Quantity of Plastic Waste collected (Tonnes) | | | | | | | |
| 10. | Plastic Waste Segregated (Tonnes) | | | | | | | |
| 11. | Please confirm that all Local Bodies/ GPs have carried out Assessment of Plastic Waste Generation & Characterization as per methodology specified by CPCB (Yes/No) | | | | | | | |
| 12. | Please upload Plastic Waste Characterization Report as per methodology specified by CPCB | | | | | | | |
| 13. | Please confirm that data validation and reconciliation for ULB and PRI at District Level has been done as per methodology specified by CPCB (Yes /No) | | | | | | | |
| D | Extended Producer Responsibility Implementation | | | | | | | |
| 1. | Total Number of ULBs registered on EPR (To be auto fetched from EPR portal) | | | | | | | |
| 2. | Details of Plastic Waste Processors (To be auto fetched from EPR Portal) | | | | | | | |
| | Name | Type (Recycler/Coprocessors/Waste to Energy/Waste to Oil/Road Making) | Registration No | Processing Capacity (TPA) | | | | |
| | | | | PW (Cat-I) | PW (Cat-II) | PW (Cat-III) | PW (Cat-IV) | PW-(Cat-V) Other |
| | | | | | | | | |
| | | | | | | | | |
| 3. | Plastic Waste Processed through PWPs (TPA) | | | | | | | |
| | Type (Recycler/Coprocessors/Waste to Energy/Waste to Oil/Road Making) | | | PW (Cat-I) | PW (Cat- II) | PW (Cat-III) | PW (Cat-IV) | PW (Cat-V) Others |
| | | | | | | | | |
| | | | | | | | | |
| 4. | Audit & Levying of Environmental Compensation (EC) (To be auto fetched from the EPR Portal) | | | | | | | |
| (a) | No. of Entities (PIBOs/PWPs) audited | | | | | | | |
| (b) | No. of Entities (PIBOs/PWPs) found in violation | | | | | | | |
| (c) | EC levied on violating Entities (PIBOs/PWPs) | | | | | | | |
| E. | Implementation of ban imposed under Rule 4 including on identified single use plastic items, plastic carry bags having thickness less than 120 microns | | | | | | | |
| 1 | Total number of commercial establishments/ Institutions & | | | | | | | |

| | | | | | |
|-----|--|---|----------------------|---------------------------|---------|
| | Hotspots in the area under jurisdiction | | | | |
| (a) | -Commercial establishments :Malls, Cinema Halls, Airports, Railway Stations, Metro Stations | | | | |
| (b) | - Institutions: Schools, Colleges, Office Complex etc | | | | |
| c | -Hotspots :Tourist spots, sabzi Mandi, Wholesale market, Fish Market, Flower market, Religious Places etc. | | | | |
| 2 | Total No of Inspections (Data Auto fetched from SUP Compliance Monitoring Portal) | | | | |
| 3 | Total No of Commercial Establishment and hotspots closed for SUP Ban Violation | | | | |
| 4 | Total No. of Industries inspected(Data Auto fetched from SUP Compliance Monitoring Portal) | | | | |
| 5 | Total no. of industries closed for manufacturing banned SUP items | | | | |
| 6 | Total Fine imposed (Rs.) (Data Auto-fetched from SUP Compliance Monitoring Portal) | | | | |
| 7 | Quantity of Banned SUP seized(Tons) (Data Auto-fetched from SUP Compliance Monitoring Portal) | | | | |
| 8 | Total No of Commercial establishment and hotspot made SUP free | | | | |
| 9 | Details of mode of disposal of seized SUP | | | | |
| | Qty of SUP Seized (T) | Mode of Disposal (Recycling/ WtE/WtO/ Co-processing/ roadmaking) | | | |
| 10. | Details of Entities producing Alternatives including compostable plastics | | | | |
| | Sl.No. | Name of Entity | SUP Alternative | Processing Capacity (TPA) | Address |
| | | | | | |
| | | | | | |
| 11. | No of Complaints received on SUP grievance App (Data Autofetched from SUP Grievance redressal app) | | | | |
| 12. | No of Complaints resolved (Data Autofetched from SUP Grievance redressal app) | | | | |
| F | Enforcement of Plastic Waste Management Rules | | | | |
| 1. | Details of Registered Plastic Raw Material Manufacturing Units | | | | |
| | Total No: | Capacity: | Product Manufactured | | |
| | | | | | |
| 2. | Details of Registered PWP (Non- packaging) Processing Facilities | | | | |
| | Total No: | Capacity: | Product Manufactured | | |
| | | | | | |
| 3. | Details of Unregistered Manufacturing or Recycling Units (in residential or unapproved areas). | | | | |
| | Total No: | Capacity: | Product Manufactured | | |
| | | | | | |
| 4. | No. of ULBs which have framed bye-laws | | | | |
| 5. | No. of violations & action taken on non-compliance of provisions of PWM | | | | |

| | | |
|----|--|--|
| | Rules, 2016, as amended, 2018 (Rule 12) | |
| 6. | Total no. of violations (Burning/ Littering/non-registration and other non-compliance) | |
| 7. | Action Taken (Fine Imposed / Closures issued) | |

Note: The following informations shall be provided to the Central Pollution Control Board by 30th April of every year, namely:-

- (a) Manufacturer of carry bag, recycled plastic bag, multilayered packaging (Registered under clause (i) of sub-rule (1) of rule 13;
- (b) Producer, Importer, Brand Owner (Registered under clause (i) of sub-rule (2) of rule 13; (c) Recycler and plastic waste processor (Registered under clause (i) of sub-rule (3) of rule 13. (w.e.f.7.7.2022)

FORM VII(w.e.f.14.03.2024)

[See rule 17(2)]

Format for Quarterly report of Plastic Raw Material Manufacturer/Importer of plastic raw material Year : Quarter : Q1/Q2/Q3/Q4

| S. No. | Name of Buyer | Address of Buyer | Email ID | Phone No. | Buyer Category | GST no. of Buyer | Category of plastic packaging | Qty of plastic raw material supplied (T) | Type of plastic raw material supplied |
|--------|---------------|------------------|----------|-----------|----------------|------------------|-------------------------------|--|---------------------------------------|
| | | | | | | | | | |
| | | | | | | | | | |
| | | | | | | | | | |
| | | | | | | | | | |

Note:

- (i) Quarterly report shall be submitted as per pro forma in electronic format prescribed by CPCB.
- (ii) Individual invoices for transactions are not required for the purposes of quarterly report. Buyer Category
 - 1. Large and Medium Producers (as per criteria of Ministry of Micro, Small and Medium Enterprises, Government of India)
 - 2. Micro and Small Producers (as per criteria of Ministry of Micro, Small and Medium Enterprises, Government of India)
 - 3. Brand Owners
 - 4. Seller
 - 5. Others (Non-plastic packaging applications)

Type of plastic raw material supplied

- 1. PET
- 2. HDPE
- 3. PVC

- 4. LDPE
- 5. PP
- 6. PS
- 7. Others
- 8. Biodegradable plastic in specified environment
- 9. Compostable plastic

SOLID WASTE MANAGEMENT (AMENDMENT) RULES, AS AMENDED UPTO 2024

And whereas, copies of the said Gazette were made available to the public on the 3 June, 2015;

And whereas, the objections or comments received within the stipulated period were duly considered by the Central Government;

Now, therefore, in exercise of the powers conferred by sections 3, 6 and 25 of the Environment (Protection) Act, 1986 (29 of 1986) and in supersession of the Municipal Solid Waste (Management and Handling) Rules, 2000, except as respect things done or omitted to be done before such supersession, the Central Government hereby makes the following rules for management of Solid Waste, namely:-

1. **Short title and commencement.-**

- (1) These rules may be called the Solid Waste Management 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 every urban local body, outgrowths in urban agglomerations, census towns as declared by the Registrar General and Census Commissioner of India, **villages with population more than 3000**^(w.e.f.19.03.2020), notified areas, notified industrial townships, areas under the control of Indian Railways, airports, airbases, Ports and harbours, defence establishments, special economic zones, State and Central government organisations, places of pilgrims, religious and historical importance as may be notified by respective State government from time to time and to every domestic, institutional, commercial and any other non residential solid waste generator situated in the areas except industrial waste, hazardous waste, hazardous chemicals, bio medical wastes, e-waste, lead acid batteries and radio-active waste, that are covered under separate rules framed under the Environment (Protection) Act, 1986.

3. **Definitions** -(1) In these rules, unless the context otherwise requires,- (1) "**aerobic composting**" means a controlled process involving microbial decomposition of organic matter in the presence of oxygen;

2. "**anaerobic digestion**" means a controlled process involving microbial decomposition of organic matter in absence of oxygen;
3. "**authorisation**" means the permission given by the State Pollution Control Board or Pollution Control Committee, as the case may be, to the operator of a facility or urban local authority, or any other agency responsible for processing and disposal of solid waste;
4. "**biodegradable waste**" means any organic material that can be degraded by micro-organisms into simpler stable compounds;
5. "**bio-methanation**" means a process which entails enzymatic decomposition of the organic matter by microbial action to produce methane rich biogas;
6. "**brand owner**" means a person or company who sells any commodity under a registered brand label.
7. "**buffer zone**" means zone of no development to be maintained around solid waste processing and disposal facility, exceeding 5 TPD of installed capacity. This will be maintained within total and area allotted for the solid waste processing and disposal facility.
8. "**bulk waste generator**" means and includes buildings occupied by the Central government departments or undertakings, State government departments or undertakings, local bodies, public sector undertakings or private companies, hospitals, nursing homes, schools, colleges, universities, other educational institutions, hostels, hotels, commercial establishments, markets, places of worship, stadia and sports complexes having an average waste generation rate exceeding 100kg per day;
9. "**bye-laws**" means regulatory framework notified by local body, census town and notified area townships for facilitating the implementation of these rules effectively in their jurisdiction.
10. "**census town**" means an urban area as defined by the Registrar General and Census Commissioner of India;

11. "**combustible waste**" means non-biodegradable, non-recyclable, non-reusable, non hazardous solid waste having minimum calorific value exceeding 1500 kcal/kg and excluding chlorinated materials like plastic, wood pulp, etc;
12. "**composting**" means a controlled process involving microbial decomposition of organic matter;
13. "**contractor**" means a person or firm that undertakes a contract to provide materials or labour to perform a service or do a job for service providing authority;
14. "**co-processing**" means use of non-biodegradable and non recyclable solid waste having calorific value exceeding 1500k/cal as raw material or as a source of energy or both to replace or supplement the natural mineral resources and fossil fuels in industrial processes;
15. "**decentralised processing**" means establishment of dispersed facilities for maximizing the processing of biodegradable waste and recovery of recyclables closest to the source of generation so as to minimize transportation of waste for processing or disposal;
16. "**disposal**" means the final and safe disposal of post processed residual solid waste and inert street sweepings and silt from surface drains on land as specified in Schedule I to prevent contamination of ground water, surface water, ambient air and attraction of animals or birds;
17. "**domestic hazardous waste**" means discarded paint drums, pesticide cans, CFL bulbs, tube lights, expired medicines, broken mercury thermometers, used batteries, used needles and syringes and contaminated gauge, etc., generated at the household level;
18. "**door to door collection**" means collection of solid waste from the door step of households, shops, commercial establishments , offices , institutional or any other non residential premises and includes collection of such waste from entry gate or a designated location on the ground floor in a housing society , multi storied building or apartments , large residential, commercial or institutional complex or premises;
19. "**dry waste**" means waste other than bio-degradable waste and inert street sweepings and includes recyclable and non recyclable waste, combustible waste and sanitary napkin and diapers, etc;
20. "**dump sites**" means a land utilised by local body for disposal of solid waste without following the principles of sanitary land filling;
21. "**extended producer responsibility**" (**EPR**) means responsibility of any producer of packaging products such as plastic, tin, glass and corrugated boxes, etc., for environmentally sound management, till end-of-life of the packaging products;
22. "**facility**" means any establishment wherein the solid waste management processes namely segregation, recovery, storage, collection, recycling, processing, treatment or safe disposal are carried out;
23. "**fine**" means penalty imposed on waste generators or operators of waste processing and disposal facilities under the bye-laws for non-compliance of the directions contained in these rules and/or bye- laws
24. "**Form**" means a F8orm appended to these rules;
25. "**handling**" includes all activities relating to sorting, segregation, material recovery, collection, secondary storage, shredding, baling, crushing, loading, unloading, transportation, processing and disposal of solid wastes;
26. "**inerts**" means wastes which are not bio-degradable, recyclable or combustible street sweeping or dust and silt removed from the surface drains;
27. "**incineration**" means an engineered process involving burning or combustion of solid waste to thermally degrade waste materials at high temperatures;
28. "**informal waste collector**" includes individuals, associations or waste traders who are involved in sorting, sale and purchase of recyclable materials;
29. "**leachate**" means the liquid that seeps through solid waste or other medium and has extracts of dissolved or suspended material from it;
30. "**local body**" for the purpose of these rules means and includes the municipal corporation, nagar nigam, municipal council, nagarpalika, nagar Palikaparishad, municipal board, nagar panchayat and town panchayat, census towns, notified areas and notified industrial townships with whatever name they are called in different States and union territories in India;
31. "**materials recovery facility**" (**MRF**) means a facility where non-compostable solid waste can be temporarily stored by the local body or any other entity mentioned in rule 2 or any person or agency authorised by any of them to facilitate segregation, sorting and recovery of recyclables from various components of waste by authorised

- informal sector of waste pickers, informal recyclers or any other work force engaged by the local body or entity mentioned in rule 2 for the purpose before the waste is delivered or taken up for its processing or disposal;
32. "**non-biodegradable waste**" means any waste that cannot be degraded by micro organisms into simpler stable compounds;
 33. "**operator of a facility**" means a person or entity, who owns or operates a facility for handling solid waste which includes the local body and any other entity or agency appointed by the local body;
 34. "**primary collection**" means collecting, lifting and removal of segregated solid waste from source of its generation including households, shops, offices and any other non-residential premises or from any collection points or any other location specified by the local body;
 35. "**processing**" means any scientific process by which segregated solid waste is handled for the purpose of reuse, recycling or transformation into new products;
 36. "**recycling**" means the process of transforming segregated non-biodegradable solid waste into new material or product or as raw material for producing new products which may or may not be similar to the original products;
 37. "**redevelopment**" means rebuilding of old residential or commercial buildings at the same site, where the existing buildings and other infrastructures have become dilapidated;
 38. "**refused derived fuel**"(RDF) means fuel derived from combustible waste fraction of solid waste like plastic, wood, pulp or organic waste, other than chlorinated materials, in the form of pellets or fluff produced by drying, shredding, dehydrating and compacting of solid waste ;
 39. "**residual solid waste**" means and includes the waste and rejects from the solid waste processing facilities which are not suitable for recycling or further processing;
 40. "**sanitary land filling**" means the final and safe disposal of residual solid waste and inert wastes on land in a facility designed with protective measures against pollution of ground water, surface water and fugitive air dust, wind-blown litter, bad odour, fire hazard, animal menace, bird menace, pests or rodents, greenhouse gas emissions, persistent organic pollutants slope instability and erosion;
 41. "**sanitary waste**" means wastes comprising of used diapers, sanitary towels or napkins, tampons, condoms, incontinence sheets and any other similar waste;
 42. "**Schedule**" means the Schedule appended to these rules;
 43. "**secondary storage**" means the temporary containment of solid waste after collection at secondary waste storage depots or MRFs or bins for onward transportation of the waste to the processing or disposal facility;
 44. "**segregation**" means sorting and separate storage of various components of solid waste namely biodegradable wastes including agriculture and dairy waste, non biodegradable wastes including recyclable waste, nonrecyclable combustible waste, sanitary waste and non recyclable inert waste, domestic hazardous wastes, and construction and demolition wastes;
 45. "**service provider**" means an authority providing public utility services like water, sewerage, electricity, telephone, roads, drainage, etc;
 46. "**solid waste**" means and includes solid or semi-solid domestic waste, sanitary waste, commercial waste, institutional waste, catering and market waste and other non residential wastes, street sweepings, silt removed or collected from the surface drains, horticulture waste, agriculture and dairy waste, treated bio-medical waste excluding industrial waste, bio-medical waste and e-waste, battery waste, radio-active waste generated in the area under the local authorities and other entities mentioned in rule 2;
 47. "**sorting**" means separating various components and categories of recyclables such as paper, plastic, cardboards, metal, glass, etc., from mixed waste as may be appropriate to facilitate recycling;
 48. "**stabilising**" means the biological decomposition of biodegradable wastes to a stable state where it generates no leachate or offensive odours and is fit for application to farm land ,soil erosion control and soil remediation;
 49. "**street vendor**" means any person engaged in vending of articles, goods, wares, food items or merchandise of everyday use or offering services to the general public, in a street, lane, side walk, footpath, pavement, public park or any other public place or private area, from a temporary built up structure or by moving from place to place and includes hawker, peddler, squatter and all other synonymous terms which may be local or region specific; and the words "street vending" with their grammatical variations and cognate expressions, shall be construed accordingly;

50. “**tipping fee**” means a fee or support price determined by the local authorities or any state agency authorised by the State government to be paid to the concessionaire or operator of waste processing facility or for disposal of residual solid waste at the landfill;
51. “**transfer station**” means a facility created to receive solid waste from collection areas and transport in bulk in covered vehicles or containers to waste processing and, or, disposal facilities;
52. “**transportation**” means conveyance of solid waste, either treated, partly treated or untreated from a location to another location in an environmentally sound manner through specially designed and covered transport system so as to prevent the foul odour, littering and unsightly conditions;
53. “**treatment**” means the method, technique or process designed to modify physical, chemical or biological characteristics or composition of any waste so as to reduce its volume and potential to cause harm;
54. “**user fee**” means a fee imposed by the local body and any entity mentioned in rule 2 on the waste generator to cover full or part cost of providing solid waste collection, transportation, processing and disposal services.
55. “**vermi composting**” means the process of conversion of bio-degradable waste into compost using earth worms;
56. “**waste generator**” means and includes every person or group of persons, every residential premises and non residential establishments including Indian Railways, defense establishments, which generate solid waste;
57. “**waste hierarchy**” means the priority order in which the solid waste is to be managed by giving emphasis to prevention, reduction, reuse, recycling, recovery and disposal, with prevention being the most preferred option and the disposal at the landfill being the least;
58. “**waste picker**” means a person or groups of persons informally engaged in collection and recovery of reusable and recyclable solid waste from the source of waste generation the streets, bins, material recovery facilities, processing and waste disposal facilities for sale to recyclers directly or through intermediaries to earn their livelihood.

(2) Words and expressions used herein but not defined, but defined in the Environment (Protection) Act, 1986, the Water (Prevention and Control of Pollution) Act, 1974, Water (Prevention and Control of Pollution) Cess Act, 1977 and the Air (prevention and Control of Pollution) Act, 1981 shall have the same meaning as assigned to them in the respective Acts.

4 Duties of waste generators.- (1) Every waste generator shall,-

- (a) segregate and store the waste generated by them in three separate streams namely bio-degradable, non biodegradable and domestic hazardous wastes in suitable bins and handover segregated wastes to authorised waste pickers or waste collectors as per the direction or notification by the local authorities from time to time;
- (b) wrap securely the used sanitary waste like diapers, sanitary pads etc., in the pouches provided by the manufacturers or brand owners of these products or in a suitable wrapping material as instructed by the local authorities and shall place the same in the bin meant for dry waste or non- bio-degradable waste;
- (c) store separately construction and demolition waste, as and when generated, in his own premises and shall dispose off as per the Construction and Demolition Waste Management Rules, 2016; and
- (d) store horticulture waste and garden waste generated from his premises separately in his own premises and dispose of as per the directions of the local body from time to time.

(2) No waste generator shall throw, burn or bury the solid waste generated by him, on streets, open public spaces outside his premises or in the drain or water bodies.

(3) All waste generators shall pay such user fee for solid waste management, as specified in the bye-laws of the local bodies.

(4) No person shall organise an event or gathering of more than one hundred persons at any unlicensed place without intimating the local body, at least three working days in advance and such person or the organiser of such event shall ensure segregation of waste at source and handing over of segregated waste to waste collector or agency as specified by the local body.

(5) Every street vendor shall keep suitable containers for storage of waste generated during the course of his activity such as food waste, disposable plates, cups, cans, wrappers, coconut shells, leftover food, vegetables, fruits, etc., and shall deposit such waste at waste storage depot or container or vehicle as notified by the local body.

(6) All resident welfare and market associations shall, within one year from the date of notification of these rules and in partnership with the local body ensure segregation of waste at source by the generators as prescribed in these rules, facilitate collection of segregated waste in separate streams, handover recyclable material to either the authorised waste

pickers or the authorised recyclers. The bio-degradable waste shall be processed, treated and disposed off through composting or bio-methanation within the premises as far as possible. The residual waste shall be given to the waste collectors or agency as directed by the local body.

(7) All gated communities and institutions with more than 5,000 sqm area shall, within one year from the date of notification of these rules and in partnership with the local body, ensure segregation of waste at source by the generators as prescribed in these rules, facilitate collection of segregated waste in separate streams, handover recyclable material to either the authorised waste pickers or the authorised recyclers. The bio-degradable waste shall be processed, treated and disposed off through composting or bio-methanation within the premises as far as possible. The residual waste shall be given to the waste collectors or agency as directed by the local body.

(8) All hotels and restaurants shall, within one year from the date of notification of these rules and in partnership with the local body ensure segregation of waste at source as prescribed in these rules, facilitate collection of segregated waste in separate streams, handover recyclable material to either the authorised waste pickers or the authorised recyclers. The bio-degradable waste shall be processed, treated and disposed off through composting or bio-methanation within the premises as far as possible. The residual waste shall be given to the waste collectors or agency as directed by the local body.

5. Duties of Ministry of Environment, Forest and Climate Change.- (1) The Ministry of Environment, Forest and Climate Change shall be responsible for over all monitoring the implementation of these rules in the country. It shall constitute a Central Monitoring Committee under the Chairmanship of Secretary, Ministry of Environment, Forest and Climate Change comprising officer not below the rank of Joint Secretary or Advisor from the following namely,-

- 1) Ministry of Housing and Urban Affairs (w.e.f.19.03.2020)
- 2) Ministry of Rural Development
- 3) Ministry of Chemicals and Fertilizers
- 4) Ministry of Agriculture
- 5) Central Pollution Control Board
- 6) Three State Pollution Control Boards or Pollution Control Committees by rotation
- 7) Urban Development Departments of three State Governments by rotation
- 8) Rural Development Departments from two State Governments by rotation
- 9) Three Urban Local bodies by rotation
- 10) Two census towns by rotation
- 11) FICCI, CII
- 12) Two subject experts

2. This Central Monitoring Committee shall meet at least once in a year to monitor and review the implementation of these rules. The Ministry of Environment, Forest and Climate Change may co-opt other experts, if needed. The Committee shall be renewed every three years.

6. Duties of Ministry of Housing and Urban Affairs (w.e.f.19.03.2020) .- (1) The Ministry of Urban Development shall coordinate with State Governments and Union territory Administrations to,-

- (a) take periodic review of the measures taken by the states and local bodies for improving solid waste management practices and execution of solid waste management projects funded by the Ministry and external agencies at least once in a year and give advice on taking corrective measures;
- (b) formulate national policy and strategy on solid waste management including policy on waste to energy in consultation with stakeholders within six months from the date of notification of these rules;
- (c) facilitate States and Union Territories in formulation of state policy and strategy on solid management based on national solid waste management policy and national urban sanitation policy;
- (d) promote research and development in solid waste management sector and disseminate information to States and local bodies;
- (e) undertake training and capacity building of local bodies and other stakeholders; and (w.e.f.19.03.2020)

(f) provide technical guidelines and project finance to states, Union territories and local bodies on solid waste management to facilitate meeting timelines and standards ,**and**^(w.e.f.19.03.2020)

(g) **ensure the implementation of these rules by the States and the Union territories as per rule 11**^(w.e.f.19.03.2020)

7. Duties of Department of Fertilisers, Ministry of Chemicals and Fertilisers.- (1) The Department of Fertilisers through appropriate mechanisms shall,-

- (a) provide market development assistance on city compost; and
- (b) ensure promotion of co-marketing of compost with chemical fertilisers in the ratio of 3 to 4 bags: 6 to 7 bags by the fertiliser companies to the extent compost is made available for marketing to the companies.

8. Duties of Ministry of Agriculture, Government of India.- The Ministry of Agriculture through appropriate mechanisms shall,-

- (a) provide flexibility in Fertiliser Control Order for manufacturing and sale of compost;
- (b) propagate utilisation of compost on farm land;
- (c) set up laboratories to test quality of compost produced by local authorities or their authorised agencies; and
- (d) issue suitable guidelines for maintaining the quality of compost and ratio of use of compost vis-a-vis chemical fertilizers while applying compost to farmland.

9. Duties of the Ministry of Power.-The Ministry of Power through appropriate mechanisms shall,- (a) decide tariff or charges for the power generated from the waste to energy plants based on solid waste.

- (b) compulsory purchase power generated from such waste to energy plants by distribution company.

10. Duties of Ministry of New and Renewable Energy Sources- The Ministry of New and Renewable Energy Sources through appropriate mechanisms shall,-

- (a) facilitate infrastructure creation for waste to energy plants; and
- (b) provide appropriate subsidy or incentives for such waste to energy plants.

11. Duties of the Secretary-in-charge, Urban Development in the States and Union territories.- (1) The Secretary, Urban Development Department in the State or Union territory through the Commissioner or Director of Municipal Administration or Director of local bodies shall,-

- (a) prepare a state policy and solid waste management strategy for the state or the union territory in consultation with stakeholders including representative of waste pickers, self help group and similar groups working in the field of waste management consistent with these rules, national policy on solid waste management and national urban sanitation policy of the **Ministry of Housing and Urban Affairs**^(w.e.f.19.03.2020), in a period not later than one year from the date of notification of these rules;
- (b) while preparing State policy and strategy on solid waste management, lay emphasis on waste reduction, reuse, recycling, recovery and optimum utilisation of various components of solid waste to ensure minimisation of waste going to the landfill and minimise impact of solid waste on human health and environment;
- (c) state policies and strategies should acknowledge the primary role played by the informal sector of waste pickers, waste collectors and recycling industry in reducing waste and provide broad guidelines regarding integration of waste picker or informal waste collectors in the waste management system.
- (d) ensure implementation of provisions of these rules by all local authorities;
- (e) direct the town planning department of the State to ensure that master plan of every city in the State or Union territory provisions for setting up of solid waste processing and disposal facilities except for the cities who are members of common waste processing facility or regional sanitary landfill for a group of cities; and
- (f) ensure identification and allocation of suitable land to the local bodies within one year for setting up of processing and disposal facilities for solid wastes and incorporate them in the master plans (land use plan) of the State or as the case may be, cities through metropolitan and district planning committees or town and country planning department;

- (h) direct the town planning department of the State and local bodies to ensure that a separate space for segregation, storage, decentralised processing of solid waste is demarcated in the development plan for group housing or commercial, institutional or any other non-residential complex exceeding 200 dwelling or having a plot area exceeding 5,000 square meters;
- (i) direct the developers of Special Economic Zone, Industrial Estate, Industrial Park to earmark at least five percent of the total area of the plot or minimum five plots or sheds for recovery and recycling facility.
- (j) facilitate establishment of common regional sanitary land fill for a group of cities and towns falling within a distance of 50 km (or more) from the regional facility on a cost sharing basis and ensure professional management of such sanitary landfills;
- (k) arrange for capacity building of local bodies in managing solid waste, segregation and transportation or processing of such waste at source;
- (l) notify buffer zone for the solid waste processing and disposal facilities of more than five tons per day in consultation with the State Pollution Control Board; and
- (m) start a scheme on registration of waste pickers and waste dealers.

12. Duties of District Magistrate or District Collector or Deputy Commissioner.- The District Magistrate or District Collector or as the case may be , the Deputy Commissioner shall, -

- (a) facilitate identification and allocation of suitable land as per clause (f) of rules 11 for setting up solid waste processing and disposal facilities to local authorities in his district in close coordination with the Secretary-in-charge of State Urban Development Department within one year from the date of notification of these rules;
- (b) review the performance of local bodies, at least once in a quarter on waste segregation, processing, treatment and disposal and take corrective measures in consultation with the Commissioner or Director of Municipal Administration or Director of local bodies and secretary-in-charge of the State Urban Development.

13. Duties of the Secretary-in-charge of Village Panchayats or Rural Development Department in the State and Union territory.- (1) The Secretary-in-charge of Village Panchayats or Rural Development Department in the State and Union territory shall have the same duties as the Secretary-in-charge, Urban Development in the States and Union territories, for the areas which are covered under these rules and are under their jurisdictions.

14. Duties of Central Pollution Control Board.- The Central Pollution Control Board shall, -

- (a) co-ordinate with the State Pollution Control Boards and the Pollution Control Committees for implementation of these rules and adherence to the prescribed standards by local authorities;
- (b) formulate the standards for ground water, ambient air, noise pollution, leachate in respect of all solid waste processing and disposal facilities;
- (c) review environmental standards and norms prescribed for solid waste processing facilities or treatment technologies and update them as and when required;
- (d) review through State Pollution Control Boards or Pollution Control Committees, at least once in a year, the implementation of prescribed environmental standards for solid waste processing facilities or treatment technologies and compile the data monitored by them;
- (e) review the proposals of State Pollution Control Boards or Pollution Control Committees on use of any new technologies for processing, recycling and treatment of solid waste and prescribe performance standards, emission norms for the same within 6 months;
- (f) monitor through State Pollution Control Boards or Pollution Control Committees the implementation of these rules by local bodies;
- (g) prepare an annual report on implementation of these rules on the basis of reports received from State Pollution Control Boards and Committees and submit to the Ministry of Environment, Forest and Climate Change and the report shall also be put in public domain;
- (h) publish guidelines for maintaining buffer zone restricting any residential, commercial or any other construction activity from the outer boundary of the waste processing and disposal facilities for different sizes of facilities handling more than five tons per day of solid waste;
- (i) publish guidelines, from time to time, on environmental aspects of processing and disposal of solid waste to enable local bodies to comply with the provisions of these rules; and

- (j) provide guidance to States or Union territories on inter-state movement of waste.

15. Duties and responsibilities of local authorities and village Panchayats of census towns and urban agglomerations.- The local authorities and Panchayats shall,-

- (a) prepare a solid waste management plan as per state policy and strategy on solid waste management within six months from the date of notification of state policy and strategy and submit a copy to respective departments of State Government or Union territory Administration or agency authorised by the State Government or Union territory Administration;
- (b) arrange for door to door collection of segregated solid waste from all households including slums and informal settlements, commercial, institutional and other non residential premises. From multi-storage buildings, large commercial complexes, malls, housing complexes, etc., this may be collected from the entry gate or any other designated location;
- (c) establish a system to recognise organisations of waste pickers or informal waste collectors and promote and establish a system for integration of these authorised waste-pickers and waste collectors to facilitate their participation in solid waste management including door to door collection of waste;
- (d) facilitate formation of Self Help Groups, provide identity cards and thereafter encourage integration in solid waste management including door to door collection of waste;
- (e) frame bye-laws incorporating the provisions of these rules within one year from the date of notification of these rules and ensure timely implementation;
- (f) prescribe from time to time user fee as deemed appropriate and collect the fee from the waste generators on its own or through authorised agency;
- (g) direct waste generators not to litter i.e throw or dispose of any waste such as paper, water bottles, liquor bottles, soft drink canes, tetra packs, fruit peel, wrappers, etc., or burn or burry waste on streets, open public spaces, drains, waste bodies and to segregate the waste at source as prescribed under these rules and hand over the segregated waste to authorised the waste pickers or waste collectors authorised by the local body;
- (h) setup material recovery facilities or secondary storage facilities with sufficient space for sorting of recyclable materials to enable informal or authorised waste pickers and waste collectors to separate recyclables from the waste and provide easy access to waste pickers and recyclers for collection of segregated recyclable waste such as paper, plastic, metal, glass, textile from the source of generation or from material recovery facilities; Bins for storage of bio-degradable wastes shall be painted green, those for storage of recyclable wastes shall be printed blue ^(w.e.f.10.04.2019) and those for storage of other wastes shall be printed black;
- (i) establish waste deposition centres for domestic hazardous waste and give direction for waste generators to deposit domestic hazardous wastes at this centre for its safe disposal. Such facility shall be established in a city or town in a manner that one centre is set up for the area of twenty square kilometers or part thereof and notify the timings of receiving domestic hazardous waste at such centres;
- (j) ensure safe storage and transportation of the domestic hazardous waste to the hazardous waste disposal facility or as may be directed by the State Pollution Control Board or the Pollution Control Committee;
- (k) direct street sweepers not to burn tree leaves collected from street sweeping and store them separately and handover to the waste collectors or agency authorised by local body;
- (l) provide training on solid waste management to waste-pickers and waste collectors;
- (m) collect waste from vegetable, fruit, flower, meat, poultry and fish market on day to day basis and promote setting up of decentralised compost plant or bio-methanation plant at suitable locations in the markets or in the vicinity of markets ensuring hygienic conditions;
- (n) collect separately waste from sweeping of streets, lanes and by-lanes daily, or on alternate days or twice a week depending on the density of population, commercial activity and local situation;
- (o) set up covered secondary storage facility for temporary storage of street sweepings and silt removed from surface drains in cases where direct collection of such waste into transport vehicles is not convenient. Waste so collected shall be collected and disposed of at regular intervals as decided by the local body;
- (p) collect horticulture, parks and garden waste separately and process in the parks and gardens, as far as possible;
- (q) transport segregated bio-degradable waste to the processing facilities like compost plant, bio-methanation plant or any such facility. Preference shall be given for on site processing of such waste;

- (r) transport non-bio-degradable waste to the respective processing facility or material recovery facilities or secondary storage facility;
- (s) transport construction and demolition waste as per the provisions of the Construction and Demolition Waste management Rules, 2016;
- (t) involve communities in waste management and promotion of home composting, bio-gas generation, decentralised processing of waste at community level subject to control of odour and maintenance of hygienic conditions around the facility;
- (u) phase out the use of chemical fertilizer in two years and use compost in all parks, gardens maintained by the local body and wherever possible in other places under its jurisdiction. Incentives may be provided to recycling initiatives by informal waste recycling sector.
- (v) facilitate construction, operation and maintenance of solid waste processing facilities and associated infrastructure on their own or with private sector participation or through any agency for optimum utilisation of various components of solid waste adopting suitable technology including the following technologies and adhering to the guidelines issued by the **Ministry of Housing and Urban Affairs** ([w.e.f.19.03.2020](#)) from time to time and standards prescribed by the Central Pollution Control Board. Preference shall be given to decentralised processing to minimize transportation cost and environmental impacts such as-
 - a) bio-methanation, microbial composting, vermi-composting, anaerobic digestion or any other appropriate processing for bio-stabilisation of biodegradable wastes;
 - b) waste to energy processes including refused derived fuel for combustible fraction of waste or supply as feedstock to solid waste based power plants or cement kilns;
- (w) undertake on their own or through any other agency construction, operation and maintenance of sanitary landfill and associated infrastructure as per Schedule 1 for disposal of residual wastes in a manner prescribed under these rules;
- (x) make adequate provision of funds for capital investments as well as operation and maintenance of solid waste management services in the annual budget ensuring that funds for discretionary functions of the local body have been allocated only after meeting the requirement of necessary funds for solid waste management and other obligatory functions of the local body as per these rules;
- (y) make an application in Form-I for grant of authorisation for setting up waste processing, treatment or disposal facility, if the volume of waste is exceeding five metric tones per day including sanitary landfills from the State Pollution Control Board or the Pollution Control Committee, as the case may be;
- (z) submit application for renewal of authorisation at least sixty days before the expiry of the validity of authorisation;
- (za) prepare and submit annual report in Form IV on or before the 30th April of the succeeding year to the Commissioner or Director, Municipal Administration or designated Officer;
- (zb) the annual report shall then be sent to the Secretary -in-Charge of the State Urban Development Department or village panchayat or rural development department and to the respective State Pollution Control Board or Pollution Control Committee by the 31st May of every year;
- (zc) educate workers including contract workers and supervisors for door to door collection of segregated waste and transporting the unmixed waste during primary and secondary transportation to processing or disposal facility;
- (zd) ensure that the operator of a facility provides personal protection equipment including uniform, fluorescent jacket, hand gloves, raincoats, appropriate foot wear and masks to all workers handling solid waste and the same are used by the workforce;
- (ze) ensure that provisions for setting up of centers for collection, segregation and storage of segregated wastes, are incorporated in building plan while granting approval of building plan of a group housing society or market complex; and
- (zf) frame bye-laws and prescribe criteria for levying of spot fine for persons who litters or fails to comply with the provisions of these rules and delegate powers to officers or local bodies to levy spot fines as per the bye laws framed; and
- (zg) create public awareness through information, education and communication campaign and educate the waste generators on the following; namely:-
 - (i) not to litter;
 - (ii) minimise generation of waste;

- (iii) reuse the waste to the extent possible;
 - (iv) practice segregation of waste into bio-degradable, non-biodegradable (recyclable and combustible), sanitary waste and domestic hazardous wastes at source;
 - (v) practice home composting, vermi-composting, bio-gas generation or community level composting;
 - (vi) wrap securely used sanitary waste as and when generated in the pouches provided by the brand owners or a suitable wrapping as prescribed by the local body and place the same in the bin meant for nonbiodegradable waste;
 - (vii) storage of segregated waste at source in different bins;
 - (viii) handover segregated waste to waste pickers, waste collectors, recyclers or waste collection agencies; and
 - (ix) pay monthly user fee or charges to waste collectors or local bodies or any other person authorised by the local body for sustainability of solid waste management.
- (zh) stop land filling or dumping of mixed waste soon after the timeline as specified in rule 23 for setting up and operationalisation of sanitary landfill is over;
- (zi) allow only the non-usable, non-recyclable, non-biodegradable, non-combustible and non-reactive inert waste and pre-processing rejects and residues from waste processing facilities to go to sanitary landfill and the sanitary landfill sites shall meet the specifications as given in Schedule—I, however, every effort shall be made to recycle or reuse the rejects to achieve the desired objective of zero waste going to landfill;
- (zj) investigate and analyse all old open dumpsites and existing operational dumpsites for their potential of biomining and bio-remediation and wheresoever feasible, take necessary actions to bio-mine or bio-remediate the sites;
- (zk) in absence of the potential of bio-mining and bio-remediation of dumpsite, it shall be scientifically capped as per landfill capping norms to prevent further damage to the environment.

(zl) collect and transport bio-degradable, non-bio-degradable and domestic hazardous waste from households including slums and informal settlements, commercial, institutional and other nonresidential premises, multi-storey buildings, large commercial complexes, malls, housing complexes and the like in compartmentalised and covered vehicle to the respective processing facility. (w.e.f.19.03.2020)

16. Duties of State Pollution Control Board or Pollution Control Committee.- (1) The State Pollution Control Board or Pollution Control Committee shall,-

- (a) enforce these rules in their State through local bodies in their respective jurisdiction and review implementation of these rules at least twice a year in close coordination with concerned Directorate of Municipal Administration or Secretary-in-charge of State Urban Development Department;
- (b) monitor environmental standards and adherence to conditions as specified under the Schedule I and Schedule II for waste processing and disposal sites;
- (c) examine the proposal for authorisation and make such inquiries as deemed fit, after the receipt of the application for the same in Form I from the local body or any other agency authorised by the local body;
- (d) while examining the proposal for authorisation, the requirement of consents under respective enactments and views of other agencies like the State Urban Development Department, the Town and Country Planning Department, District Planning Committee or Metropolitan Area Planning Committee, as may be applicable, Airport or Airbase Authority, the Ground Water Board, Railways, power distribution companies, highway department and other relevant agencies shall be taken into consideration and they shall be given four weeks time to give their views, if any;
- (e) issue authorisation within a period of sixty days in Form II to the local body or an operator of a facility or any other agency authorised by local body stipulating compliance criteria and environmental standards as specified in Schedules I and II including other conditions, as may be necessary;
- (f) synchronise the validity of said authorisation with the validity of the consents;
- (g) suspend or cancel the authorization issued under clause (a) any time, if the local body or operator of the facility fails to operate the facility as per the conditions stipulated:

provided that no such authorization shall be suspended or cancelled without giving notice to the local body or operator, as the case may be; and

(h) on receipt of application for renewal, renew the authorisation for next five years, after examining every application on merit and subject to the condition that the operator of the facility has fulfilled all the provisions of the rules, standards or conditions specified in the authorisation, consents or environment clearance.

(2) The State Pollution Control Board or Pollution Control Committee shall, after giving reasonable opportunity of being heard to the applicant and for reasons thereof to be recorded in writing, refuse to grant or renew an authorisation.

(3) In case of new technologies, where no standards have been prescribed by the Central Pollution Control Board, State Pollution Control Board or Pollution Control Committee, as the case may be, shall approach Central Pollution Control Board for getting standards specified.

(4) The State Pollution Control Board or the Pollution Control Committee, as the case may be, shall monitor the compliance of the standards as prescribed or laid down and treatment technology as approved and the conditions stipulated in the authorisation and the standards specified in Schedules I and II under these rules as and when deemed appropriate but not less than once in a year.

(5) The State Pollution Control Board or the Pollution Control Committee may give directions to local bodies for safe handling and disposal of domestic hazardous waste deposited by the waste generators at hazardous waste deposition facilities.

(6) The State Pollution Control Board or the Pollution Control Committee shall regulate Inter-State movement of waste.

17. Duty of manufacturers or brand owners of disposable products and sanitary napkins and diapers.- (1) All manufacturers of disposable products such as tin, glass, plastics packaging, etc., or brand owners who introduce such products in the market shall provide necessary financial assistance to local authorities for establishment of waste management system.

(2) All such brand owners who sell or market their products in such packaging material which are nonbiodegradable shall put in place a system to collect back the packaging waste generated due to their production.

(3) Manufacturers or brand owners or marketing companies of sanitary napkins and diapers shall explore the possibility of using all recyclable materials in their products or they shall provide a pouch or wrapper for disposal of each napkin or diapers along with the packet of their sanitary products.

(4) All such manufacturers, brand owners or marketing companies shall educate the masses for wrapping and disposal of their products.

18. Duties of the industrial units located within one hundred km from the refused derived fuel and waste to energy plants based on solid waste- All industrial units using fuel and located within one hundred km from a solid waste based refused derived fuel plant shall make arrangements within six months from the date of notification of these rules to replace at least five percent of their fuel requirement by refused derived fuel so produced.

19. Criteria for Duties regarding setting-up solid waste processing and treatment facility.- (1) The department in- charge of the allocation of land assignment shall be responsible for providing suitable land for setting up of the solid waste processing and treatment facilities and notify such sites by the State Government or Union territory Administration.

(2) The operator of the facility shall design and set up the facility as per the technical guidelines issued by the Central Pollution Control Board in this regard from time to time and the manual on solid waste management prepared by the **Ministry of Housing and Urban Affairs** (w.e.f.19.03.2020).

(3) The operator of the facility shall obtain necessary approvals from the State Pollution Control Board or Pollution Control Committee.

(4) The State Pollution Control Board or Pollution Control Committee shall monitor the environment standards of the operation of the solid waste processing and treatment facilities.

(5) The operator of the facility shall be responsible for the safe and environmentally sound operations of the solid waste processing and or treatment facilities as per the guidelines issued by the Central Pollution Control Board from time to time and the Manual on Municipal Solid Waste Management published by the Ministry of Urban Development and updated from time to time:-

(6) The operator of the solid waste processing and treatment facility shall submit annual report in Form III each year by 30th April to the State Pollution Control Board or Pollution Committee and concerned local body.

20. Criteria and actions to be taken for solid waste management in hilly areas.— In the hilly areas, the duties and responsibilities of the local authorities shall be the same as mentioned in rule 15 with additional clauses as under:

- (a) Construction of landfill on the hill shall be avoided. A transfer station at a suitable enclosed location shall be setup to collect residual waste from the processing facility and inert waste. A suitable land shall be identified in the plain areas down the hill within 25 kilometers for setting up sanitary landfill. The residual waste from the transfer station shall be disposed of at this sanitary landfill.
- (b) In case of non-availability of such land, efforts shall be made to set up regional sanitary landfill for the inert and residual waste.
- (c) Local body shall frame Bye-laws and prohibit citizen from littering wastes on the streets and give strict direction to the tourists not to dispose any waste such as paper, water bottles, liquor bottles, soft drink canes, tetra packs, any other plastic or paper waste on the streets or down the hills and instead direct to deposit such waste in the litter bins that shall be placed by the local body at all tourist destinations.
- (d) Local body shall arrange to convey the provisions of solid waste management under the bye-laws to all tourists visiting the hilly areas at the entry point in the town as well as through the hotels, guest houses or like where they stay and by putting suitable hoardings at tourist destinations.
- (e) Local body may levy solid waste management charge from the tourist at the entry point to make the solid waste management services sustainable.
- (f) The department in-charge of the allocation of land assignment shall identify and allot suitable space on the hills for setting up decentralised waste processing facilities. Local body shall set up such facilities. Step garden system may be adopted for optimum utilisation of hill space.

21. Criteria for waste to energy process.— (1) Non recyclable waste having calorific value of 1500 K/cal/kg or more shall not be disposed of on landfills and shall only be utilised for generating energy either or through refuse derived fuel or by giving away as feed stock for preparing refuse derived fuel.

- (2) High calorific wastes shall be used for co-processing in cement or thermal power plants.
- (3) The local body or an operator of facility or an agency designated by them proposing to set up waste to energy plant of more than five tones per day processing capacity shall submit an application in Form-I to the State Pollution Control Board or Pollution Control Committee, as the case may be, for authorisation.
- (4) The State Pollution Control Board or Pollution Control Committee, on receiving such application for setting up waste to energy facility, shall examine the same and grant permission within sixty days.

22. Time frame for implementation.— Necessary infrastructure for implementation of these rules shall be created by the local bodies and other concerned authorities, as the case may be, on their own, by directly or engaging agencies within the time frame specified below:

| Sl. No. | Activity | Time limit from the date of notification of rules |
|---------|--|---|
| (1) | (2) | (3) |
| 1. | identification of suitable sites for setting up solid waste processing facilities | 1 year |
| 2. | identification of suitable sites for setting up common regional sanitary landfill facilities for suitable clusters of local authorities under 0.5 million population and for setting up common regional sanitary landfill facilities or stand alone sanitary landfill facilities by all local authorities having a population of 0.5 million or more . | 1 year |
| 3. | procurement of suitable sites for setting up solid waste processing facility and sanitary landfill facilities | 2 years |

| | | |
|-----|--|---------|
| 4. | enforcing waste generators to practice segregation of bio degradable, recyclable, combustible, sanitary waste domestic hazardous and inert solid wastes at source , | 2 years |
| 5. | Ensure door to door collection of segregated waste and its transportation in covered vehicles to processing or disposal facilities. | 2 years |
| 6. | ensure separate storage, collection and transportation of construction and demolition wastes | 2 years |
| 7. | setting up solid waste processing facilities by all local bodies having 100000 or more population | 2 years |
| 8. | Setting up solid waste processing facilities by local bodies and census towns below 100000 population. | 3 years |
| 9. | setting up common or stand alone sanitary landfills by or for all local bodies having 0.5 million or more population for the disposal of only such residual wastes from the processing facilities as well as untreatable inert wastes as permitted under the Rules | 3 years |
| 10. | setting up common or regional sanitary landfills by all local bodies and census towns under 0.5 million population for the disposal of permitted waste under the rules | 3 years |
| 11. | bio-remediation or capping of old and abandoned dump sites | 5 years |

23. State Level Advisory Body.— (1) Every Department in-charge of local bodies of the concerned State Government or Union territory administration shall constitute a State Level Advisory Body within six months from the date of notification of these rules comprising the following members, namely:-

| Sl. No | Designation (2) | Member (3) |
|--------|--|----------------------------|
| 1. | Secretary, Department of Urban Development or Local self government department of the State | Chairperson, ex-officio |
| 2. | One representative of Panchayats or Rural development Department not below the rank of Joint Secretary to State Government | Member, ex-officio |
| 3. | one representative of Revenue Department of State Government | Member, ex-officio |

| | | |
|-----|---|--------------------|
| 4. | One representative from Ministry of Environment, Forest and Climate Change Government of India | Member, ex-officio |
| 5. | One representative from Ministry of Housing and Urban Affairs <small>(w.e.f.19.03.2020)</small> , Government of India | Member, ex-officio |
| 6. | One representative from Ministry of Rural Development, Government of India | Member, ex-officio |
| 7. | One representative from the Central Pollution Control Board | Member, ex-officio |
| 8. | One representative from the State Pollution Control Board or Pollution Control Committee | Member, ex-officio |
| 9. | One representative from Indian Institute of Technology or National Institute of Technology | Member,Ex-officio |
| 10. | Chief town planner of the state | Member |
| 11. | Three representatives from the local bodies by rotation | Member |
| 12. | Two representatives from census towns or urban agglomerations by rotation. | Member |
| 13. | One representative from reputed Non-Governmental Organisation or Civil Society working for the waste pickers or informal recycler or solid waste management | Member |
| 14. | One representative from a body representing Industries at the State or Central level | Member |
| 15. | one representative from waste recycling industry | member |
| 16. | Two subject experts | Member |
| 17. | Co-opt one representative each from agriculture department, and labour department of State Government. | Member |

(2) The State Level Advisory Body shall meet at least one in every six months to review the matters related to implementation of these rules, state policy and strategy on solid waste management and give advice to state government for taking measures that are necessary for expeditious and appropriate implementation of these rules.

(3) The copies of the review report shall be forwarded to the State Pollution Control Board or Pollution Control Committee for necessary action.

24. Annual report.—(1) The operator of facility shall submit the annual report to the local body in Form-III on or before the 30th day of April every year.

(2) The local body shall submit its annual report in Form-IV to State P Control Board or P Committee and the Secretary-in-Charge of the Department of Urban Development of the concerned State or Union Territory in case of metropolitan city and to the Director of Municipal Administration or Commissioner of Municipal Administration or Officer in -Charge of Urban local bodies in the state in case of all other local bodies of state on or before the 30th day of June every year

(3) Each State Pollution Control Board or Pollution Control Committee as the case may be, shall prepare and submit the consolidated annual report to the Central Pollution Control Board and **Ministry of Housing and Urban Affairs** (w.e.f.19.03.2020) on the implementation of these rules and action taken against non complying local body by the 31st day of July of each year in Form-V.

(4) The Central Pollution Control Board shall prepare a consolidated annual review report on the status of implementation of these rules by local bodies in the country and forward the same to the **Ministry of Housing and Urban Affairs** (w.e.f.19.03.2020) and Ministry of Environment, Forest and Climate Change, along with its recommendations before the 31st day of August each year.

(5) The annual report shall be reviewed by the Ministry of Environment, Forest and Climate Change during the meeting of Central Monitoring Committee.

25. Accident reporting- In case of an accident at any solid waste processing or treatment or disposal facility or landfill site, the Officer- in- charge of the facility shall report to the local body in Form-VI and the local body shall review and issue instructions if any, to the in- charge of the facility.

SCHEDULE I

[see rule 15 (w),(zi), 16 (1) (b) (e), 16 (4)]

Specifications for Sanitary Landfills

(A) Criteria for site selection.-

- (i) The department in the business allocation of land assignment shall provide suitable site for setting up of the solid waste processing and treatment facilities and notify such sites.
- (ii) The sanitary landfill site shall be planned, designed and developed with proper documentation of construction plan as well as a closure plan in a phased manner. In case a new landfill facility is being established adjoining an existing landfill site, the closure plan of existing landfill should form a part of the proposal of such new landfill.
- (iii) The landfill sites shall be selected to make use of nearby wastes processing facilities. Otherwise, wastes processing facility shall be planned as an integral part of the landfill site.
- (iv) Landfill sites shall be set up as per the guidelines of the Ministry of Urban Development, Government of India and Central Pollution Control Board.
- (v) The existing landfill sites which are in use for more than five years shall be improved in accordance with the specifications given in this Schedule.
- (vi) The landfill site shall be large enough to last for at least 20-25 years and shall develop ‘landfill cells’ in a phased manner to avoid water logging and misuse.
- (vii) The landfill site shall be 100 meter away from river, 200 meter from a pond, 200 meter from Highways, Habitations, Public Parks and water supply wells and 20 km away from Airports or Airbase. However in a special case, landfill site may be set up within a distance of 10 and 20 km away from the Airport/Airbase after obtaining no objection certificate from the civil aviation authority/ Air force as the case may be. The Landfill site shall not be permitted within the flood plains as recorded for the last 100 years, zone of coastal regulation, wetland, Critical habitat areas, sensitive eco-fragile areas..
- (viii) The sites for landfill and processing and disposal of solid waste shall be incorporated in the Town Planning Department’s land-use plans.
- (ix) A buffer zone of no development shall be maintained around solid waste processing and disposal facility, exceeding five Tonnes per day of installed capacity. This will be maintained within the total area of the solid waste processing and disposal facility. The buffer zone shall be prescribed on case to case basis by the local body in consultation with concerned State Pollution Control Board.
- (x) The biomedical waste shall be disposed of in accordance with the Bio-medical Waste Management Rules, 2016, as amended from time to time . The hazardous waste shall be managed in accordance with the Hazardous and Other

Wastes (Management and Transboundary Movement) Rules, 2016, as amended from time to time. The Ewaste shall be managed in accordance with the e-Waste (Management) Rules, 2016 as amended from time to time.

- (xi) Temporary storage facility for solid waste shall be established in each landfill site to accommodate the waste in case of non- operation of waste processing and during emergency or natural calamities.

(B) Criteria for development of facilities at the sanitary landfills.-

- (i) Landfill site shall be fenced or hedged and provided with proper gate to monitor incoming vehicles, to prevent entry of unauthorised persons and stray animals
- (ii) The approach and / internal roads shall be concreted or paved so as to avoid generation of dust particles due to vehicular movement and shall be so designed to ensure free movement of vehicles and other machinery.
- (iii) The landfill site shall have waste inspection facility to monitor waste brought in for landfilling h, office facility for record keeping and shelter for keeping equipment and machinery including pollution monitoring equipment. The operator of the facility shall maintain record of waste received, processed and disposed.
- (iv) Provisions like weigh bridge to measure quantity of waste brought at landfill site, fire protection equipment and other facilities as may be required shall be provided.
- (v) Utilities such as drinking water and sanitary facilities (preferably washing/bathing facilities for workers) and lighting arrangements for easy landfill operations during night hours shall be provided.
- (vi) Safety provisions including health inspections of workers at landfill sites shall be carried out made.
- (vii) Provisions for parking, cleaning, washing of transport vehicles carrying solid waste shall be provided. The wastewater so generated shall be treated to meet the prescribed standards.

(C) Criteria for specifications for land filling operations and closure on completion of land filling.-

- (i) Waste for land filling shall be compacted in thin layers using heavy compactors to achieve high density of the waste. In high rainfall areas where heavy compactors cannot be used, alternative measures shall be adopted.
- (ii) Till the time waste processing facilities for composting or recycling or energy recovery are set up, the waste shall be sent to the sanitary landfill. The landfill cell shall be covered at the end of each working day with minimum 10 cm of soil, inert debris or construction material..
- (iii) Prior to the commencement of monsoon season, an intermediate cover of 40-65 cm thickness of soil shall be placed on the landfill with proper compaction and grading to prevent infiltration during monsoon. Proper drainage shall be constructed to divert run-off away from the active cell of the landfill.
- (iv) After completion of landfill, a final cover shall be designed to minimise infiltration and erosion. The final cover shall meet the following specifications, namely :--
 - a) The final cover shall have a barrier soil layer comprising of 60 cm of clay or amended soil with permeability coefficient less than 1×10^{-7} cm/sec.
 - b) On top of the barrier soil layer, there shall be a drainage layer of 15 cm.
 - c) On top of the drainage layer, there shall be a vegetative layer of 45 cm to support natural plant growth and to minimise erosion.

(D) Criteria for pollution prevention.-In order to prevent pollution from landfill operations, the following provisions shall be made, namely:-

- (i) The storm water drain shall be designed and constructed in such a way that the surface runoff water is diverted from the landfilling site and leachates from solid waste locations do not get mixed with the surface runoff water. Provisions for diversion of storm water discharge drains shall be made to minimise leachate generation and prevent pollution of surface water and also for avoiding flooding and creation of marshy conditions.
- (ii) Non-permeable lining system at the base and walls of waste disposal area. For landfill receiving residues of waste processing facilities or mixed waste or waste having contamination of hazardous materials (such as aerosols, bleaches, polishes, batteries, waste oils, paint products and pesticides) shall have liner of composite barrier of 1.5 mm thick high density polyethylene (HDPE) geo-membrane or geo-synthetic liners, or equivalent, overlying 90 cm of soil (clay or amended soil) having permeability coefficient not greater than 1×10^{-7} cm/sec. The highest level of water table shall be at least two meter below the base of clay or amended soil barrier layer provided at the bottom of landfills.

- (iii) Provisions for management of leachates including its collection and treatment shall be made. The treated leachate shall be recycled or utilized as permitted, otherwise shall be released into the sewerage line, after meeting the standards specified in Schedule- II.. In no case, leachate shall be released into open environment.
- (iv) Arrangement shall be made to prevent leachate runoff from landfill area entering any drain, stream, river, lake or pond. In case of mixing of runoff water with leachate or solid waste, the entire mixed water shall be treated by the concern authority.

(E) Criteria for water quality monitoring.-

- (i) Before establishing any landfill site, baseline data of ground water quality in the area shall be collected and kept in record for future reference. The ground water quality within 50 meter of the periphery of landfill site shall be periodically monitored covering different seasons in a year that is, summer, monsoon and post-monsoon period to ensure that the ground water is not contaminated.
- (ii) Usage of groundwater in and around landfill sites for any purpose (including drinking and irrigation) shall be considered only after ensuring its quality. The following specifications for drinking water quality shall apply for monitoring purpose, namely :-

| S. No. | Parameters | IS 10500:2012, Edition 2.2(2003-09) Desirable limit (mg/l except for pH) |
|--------|--------------------------------|---|
| (1) | (2) | (3) |
| | Arsenic | 0.01 |
| | Cadmium | 0.01 |
| | Chromium(as Cr ⁶⁺) | 0.05 |
| | Copper | 0.05 |
| | Cyanide | 0.05 |
| | Lead | 0.05 |
| | Mercury | 0.001 |
| | Nickel | - |
| | Nitrate as NO ₃ | 45.0 |
| | pH | 6.5-8.5 |
| | Iron | 0.3 |

| | |
|---|-------|
| Total hardness (as CaCO ₃) | 300.0 |
| Chlorides | 250 |
| Dissolved solids | 500 |
| Phenolic compounds (as C ₆ H ₅ OH) | 0.001 |
| Zinc | 5.0 |
| Sulphate (as SO ₄) | 200 |

(F) Criteria for ambient air quality monitoring.-

- (i) Landfill gas control system including gas collection system shall be installed at landfill site to minimize odour, prevent off-site migration of gases, to protect vegetation planted on the rehabilitated landfill surface. For enhancing landfill gas recovery, use of geomembranes in cover systems along with gas collection wells should be considered.
- (ii) The concentration of methane gas generated at landfill site shall not exceed 25 per cent of the lower explosive limit (LEL).
- (iii) The landfill gas from the collection facility at a landfill site shall be utilized for either direct thermal applications or power generation, as per viability. Otherwise, landfill gas shall be burnt (flared) and shall not be allowed to escape directly to the atmosphere or for illegal tapping. Passive venting shall be allowed in case if its utilisation or flaring is not possible.
- (iv) Ambient air quality at the landfill site and at the vicinity shall be regularly monitored. Ambient air quality shall meet the standards prescribed by the Central Pollution Control Board for Industrial area.

G. Criteria for plantation at landfill Site.- A vegetative cover shall be provided over the completed site in accordance with the following specifications, namely:-

- (a) Locally adopted non-edible perennial plants that are resistant to drought and extreme temperatures shall be planted;
- (b) The selection of plants should be of such variety that their roots do not penetrate more than 30 cms. This condition shall apply till the landfill is stabilized;
- (c) Selected plants shall have ability to thrive on low-nutrient soil with minimum nutrient addition; (d) Plantation to be made in sufficient density to minimise soil erosion.
- (e) Green belts shall be developed all around the boundary of the landfill in consultation with State Pollution Control Boards or Pollution Control Committees .

H. Criteria for post-care of landfill site.- (1) The post-closure care of landfill site shall be conducted for at least fifteen years and long term monitoring or care plan shall consist of the following, namely :-‘

- (a) Maintaining the integrity and effectiveness of final cover, making repairs and preventing run-on and run-off from eroding or otherwise damaging the final cover;
- (b) Monitoring leachate collection system in accordance with the requirement;
- (c) Monitoring of ground water in and around landfill;
- (d) Maintaining and operating the landfill gas collection system to meet the standards.

(2) Use of closed landfill sites after fifteen years of post-closure monitoring can be considered for human settlement or otherwise only after ensuring that gaseous emission and leachate quality analysis complies with the specified standards and the soil stability is ensured.

I. Criteria for special provisions for hilly areas.-Cities and towns located on hills shall have location-specific methods evolved for final disposal of solid waste by the local body with the approval of the concerned State Pollution Control Board or the Pollution Control Committee. The local body shall set up processing facilities for utilisation of biodegradable organic waste. The non-biodegradable recyclable materials shall be stored and sent for recycling periodically. The inert and non-biodegradable waste shall be used for building roads or filling-up of appropriate areas on hills. In case of constraints in finding adequate land in hilly areas, waste not suitable for road-laying or filling up shall be disposed of in regional landfills in plain areas.

J. Closure and Rehabilitation of Old Dumps- Solid waste dumps which have reached their full capacity or those which will not receive additional waste after setting up of new and properly designed landfills should be closed and rehabilitated by examining the following options:

- (i) Reduction of waste by bio mining and waste processing followed by placement of residues in new landfills or capping as in (ii) below.
- (ii). Capping with solid waste cover or solid waste cover enhanced with geomembrane to enable collection and flaring / utilisation of greenhouse gases.
- (iii) Capping as in (ii) above with additional measures (in alluvial and other coarse grained soils) such as cut-off walls and extraction wells for pumping and treating contaminated ground water.
- (iv) Any other method suitable for reducing environmental impact to acceptable level.

SCHEDULE II

[see rule 16 (1), (b), (e), 16 (4)]

Standards of processing and treatment of solid waste

A. Standards for composting.- The waste processing facilities shall include composting as one of the technologies for processing of bio degradable waste. In order to prevent pollution from compost plant, the following shall be complied with namely :-

- (a) The incoming organic waste at site shall be stored properly prior to further processing. To the extent possible, the waste storage area should be covered. If, such storage is done in an open area, it shall be provided with impermeable base with facility for collection of leachate and surface water run-off into lined drains leading to a leachate treatment and disposal facility;
- (b) Necessary precaution shall be taken to minimise nuisance of odour, flies, rodents, bird menace and fire hazard;
 - (c) In case of breakdown or maintenance of plant, waste intake shall be stopped and arrangements be worked out for diversion of waste to the temporary processing site or temporary landfill sites which will be again reprocessed when plant is in order;
- (d) Pre-process and post-process rejects shall be removed from the processing facility on regular basis and shall not be allowed to pile at the site. Recyclables shall be routed through appropriate vendors. The non-recyclable high calorific fractions to be segregated and sent to waste to energy or for RDF production, co-processing in cement plants or to thermal power plants. Only rejects from all processes shall be sent for sanitary landfill site(s).
- (e) The windrow area shall be provided with impermeable base. Such a base shall be made of concrete or compacted clay of 50 cm thick having permeability coefficient less than 10^{-7} cm/sec. The base shall be provided with 1 to 2 per cent slope and circled by lined drains for collection of leachate or surface run-off;
- (f) Ambient air quality monitoring shall be regularly carried out. Odour nuisance at down-wind direction on the boundary of processing plant shall also be checked regularly.
- (g) Leachate shall be re-circulated in compost plant for moisture maintenance.
- (h) The end product compost shall meet the standards prescribed under Fertilizer Control Order notified from time to time.
- (i) In order to ensure safe application of compost, the following specifications for compost quality shall be met, namely:-

| Parameters (1) | Organic Compost (FCO 2009) (2) | Phosphate Rich Organic Manure (FCO 2013) (3) |
|---|--|--|
| Arsenic (mg/Kg) | 10.00 | 10.00 |
| Cadmium (mg/Kg) | 5.00 | 5.00 |
| Chromium (mg/Kg) | 50.00 | 50.00 |
| Copper (mg/Kg) | 300.00 | 300.00 |
| Lead (mg/Kg) | 100.00 | 100.00 |
| Mercury (mg/Kg) | 0.15 | 0.15 |
| Nickel (mg/Kg) | 50.00 | 50.00 |
| Zinc (mg/Kg) | 1000.00 | 1000.00 |
| C/N ratio | <20 | Less than 20:1 |
| pH | 6.5-7.5 | (1:5 solution) maximum 6.7 |
| Moisture, percent by weight, maximum | 15.0-25.0 | 25.0 |
| Bulk density (g/cm ³) | <1.0 | Less than 1.6 |
| Total Organic Carbon, per cent by weight, minimum | 12.0 | 7.9 |
| Total Nitrogen (as N), per cent by weight, minimum | 0.8 | 0.4 |
| Total Phosphate (as P ₂ O ₅) percent by weight, minimum | 0.4 | 10.4 |

| | | | |
|---|--|--|---|
| Total Potassium (as K ₂ O), percent by weight, minimum | 0.4 | - | - |
| Colour | Dark brown to black | - | - |
| Odour | Absence of foul Odor | - | - |
| Particle size | Minimum 90% material should pass through 4.0 mm IS sieve | Minimum 90% material should pass through 4.0 mm IS sieve | |
| Conductivity (as dsm-1), not more than | 4.0 | 8.2 | |

* Compost (final product) exceeding the above stated concentration limits shall not be used for food crops. However, it may be utilized for purposes other than growing food crops.

B. Standards for treated leachates.-The disposal of treated leachates shall meet the following standards, namely:-

| S. No | Parameter | Standards (Mode of Disposal) | | |
|-------|--|--------------------------------|---------------|---------------|
| | | Inland surface water | Public sewers | Land disposal |
| (1) | (2) | (3) | (4) | (5) |
| 1. | Suspended solids, mg/l, max | 100 | 600 | 200 |
| 2. | Dissolved solids (inorganic) mg/l, max. | 2100 | 2100 | 2100 |
| 3 | pH value | 5.5 to 9.0 | 5.5 to 9.0 | 5.5 to 9.0 |
| 4 | Ammonical nitrogen (as N), mg/l, max. | 50 | 50 | - |
| 5 | Total Kjeldahl nitrogen (as N), mg/l, max. | 100 | - | - |
| 6 | Biochemical oxygen demand (3 days at 27° C) max.(mg/l) | 30 | 350 | 100 |
| 7 | Chemical oxygen demand, mg/l, max. | 250 | - | - |

| | | | | |
|----|---|------|------|-----|
| 8 | Arsenic (as As), mg/l, max | 0.2 | 0.2 | 0.2 |
| 9 | Mercury (as Hg), mg/l, max | 0.01 | 0.01 | - |
| 10 | Lead (as Pb), mg/l, max | 0.1 | 1.0 | - |
| 11 | Cadmium (as Cd), mg/l, max | 2.0 | 1.0 | - |
| 12 | Total Chromium (as Cr), mg/l, max. | 2.0 | 2.0 | - |
| 13 | Copper (as Cu), mg/l, max. | 3.0 | 3.0 | - |
| 14 | Zinc (as Zn), mg/l, max. | 5.0 | 15 | - |
| 15 | Nickel (as Ni), mg/l, max | 3.0 | 3.0 | - |
| 16 | Cyanide (as CN), mg/l, max. | 0.2 | 2.0 | 0.2 |
| 17 | Chloride (as Cl), mg/l, max. | 1000 | 1000 | 600 |
| 18 | Fluoride (as F), mg/l, max | 2.0 | 1.5 | - |
| 19 | Phenolic compounds (as C ₆ H ₅ OH) mg/l, max. | 1.0 | 5.0 | - |

Note : While discharging treated leachates into inland surface waters, quantity of leachates being discharged and the quantity of dilution water available in the receiving water body shall be given due consideration.

C. Standards for incineration: The Emission from incinerators /thermal technologies in Solid Waste treatment/disposal facility shall meet the following standards, namely:-

| Parameter | Emission standard | | |
|-----------------|------------------------|--|-----|
| | (1) | (2) | (3) |
| Particulates | 50 mg/Nm ³ | Standard refers to half hourly average value | |
| HCl | 50 mg/Nm ³ | Standard refers to half hourly average value | |
| SO ₂ | 200 mg/Nm ³ | Standard refers to half hourly average value | |

| | | |
|--|---|--|
| CO | 100 mg/Nm ³ 50 mg/Nm ³ | Standard refers to half hourly average value Standard refers to daily average value |
| Total Organic Carbon | 20 mg/Nm ³ | Standard refers to half hourly average value |
| HF | 4 mg/Nm ³ | Standard refers to half hourly average value |
| NOx (NO and NO2 expressed as NO2) | 400 mg/Nm ³ | Standard refers to half hourly average value |
| Total dioxins and furans | 0.1 ng TEQ/Nm ³ | Standard refers to 6-8 hours sampling. Please refer guidelines for 17 concerned congeners for toxic equivalence values to arrive at total toxic equivalence. |
| Cd + Th + their compounds | 0.05 mg/Nm ³ | Standard refers to sampling time anywhere between 30 minutes and 8 hours. |
| Hg and its compounds | 0.05 mg/Nm ³ | Standard refers to sampling time anywhere between 30 minutes and 8 hours. |
| Sb + As + Pb + Cr + Co + Cu + Mn + Ni + V + their compounds | 0.5 mg/Nm ³ | Standard refers to sampling time anywhere between 30 minutes and 8 hours. |

Note.- All values corrected to 11% oxygen on a dry basis.

Note:

- (a) Suitably designed pollution control devices shall be installed or retrofitted with the incinerator to achieve the above emission limits..
- (b) Waste to be incinerated shall not be chemically treated with any chlorinated disinfectants.
- (c) Incineration of chlorinated plastics shall be phased out within two years.
- (d) if the concentration of toxic metals in incineration ash exceeds the limits specified in the Hazardous Waste (Management, Handling and Trans boundary Movement) Rules, 2008, as amended from time to time, the ash shall be sent to the hazardous waste treatment, storage and disposal facility.
- (e) Only low sulphur fuel like LDO, LSHS, Diesel, bio-mass, coal, LNG, CNG, RDF and bio-gas shall be used as fuel in the incinerator.
- (f) The CO₂ concentration in tail gas shall not be more than 7%.
- (g) All the facilities in twin chamber incinerators shall be designed to achieve a minimum temperature of 950°C in secondary combustion chamber and with a gas residence time in secondary combustion chamber not less than 2 (two) seconds.

- (h) Incineration plants shall be operated (combustion chambers) with such temperature, retention time and turbulence, as to achieve total Organic Carbon (TOC) content in the slag and bottom ash less than 3%, or the loss on ignition is less than 5% of the dry weight.
- (i) Odour from sites shall be managed as per guidelines of CPCB issued from time to time

FORM - I

[see rule 15 (y) 16 (1) (c), 21(3)]

**Application for obtaining authorisation under solid waste management rules
for processing/recycling/treatment and disposal of solid waste**

To,

The Member Secretary,

State Pollution Control Board or Pollution Control Committee, of.....

Sir,

I/We hereby apply for authorisation under the Solid Waste Management Rules, 2016 for processing, recycling, treatment and disposal of solid waste.

| | | |
|----|---|--|
| 1. | Name of the local body/agency appointed by them/ operator of facility | |
| 2. | Correspondence address Telephone No. Fax No. ,e-mail: | |
| 3. | Nodal Officer & designation(Officer authorised by the local body or agency responsible for operation of processing/ treatment or disposal facility) | |
| 4. | Authorisation required for setting up and operation of the facility (Please tick mark) | waste processing recycling treatment disposal at landfill |
| 5. | Attach copies of the Documents Site clearance (local body) Proof of Environmental Clearance Consent for establishment Agreement between municipal authority and operating agency Investment on the project and expected return | |

| | | |
|----|---|--|
| 6. | <p>Processing/recycling/treatment of solid waste</p> <p>(i) Total Quantity of waste to be processed per day Quantity of waste to be recycled Quantity of waste to be treated Quantity of waste to be disposed into landfill</p> <p>(ii) Utilisation programme for waste processed (Product utilisation)</p> <p>(iii) Methodology for disposal (attach details)</p> <p>Quantity of leachate Treatment technology for leachate</p> <p>(iv) Measures to be taken for prevention and control of environmental pollution</p> <p>(v) Measures to be taken for safety of workers working in the plant</p> <p>(vi) Details on solid waste processing/recycling/ treatment/disposal facility (to be attached)</p> | |
| 7. | <p>Disposal of solid waste</p> <p>Number of sites identified Quantity of waste to be disposed per day Details of methodology or criteria followed for site selection (attach) Details of existing site under operation Methodology and operational details of landfilling Measures taken to check environmental pollution</p> | |
| 8 | Any other information. | |

Date:

Signature:

Place: Designation **Form- II**

[see rule 16 (1) (e)]

Format for issue of authorisation

File No.: _____

Dated: _____

Authorisation No _____

To

Ref: Your application number _____ dt. _____

The _____ State Pollution Control Board/Pollution Control Committee after examining the proposal hereby authorises _____ having administrative office at _____ to set up and operate waste processing/recycling/ treatment/disposal facility at _____

The authorisation is hereby granted to operate the facility for processing, recycling, treatment and disposal of solid waste.

The authorisation is subject to the terms and conditions stated below and such conditions as may be otherwise specified in these rules and the standards laid down in Schedules I and II under these rules.

The _____ State Pollution Control Board/Pollution Control Committees of the UT _____ may, at any time, revoke any of the conditions applicable under the authorisation and shall communicate the same in writing.

Any violation of the provision of the Solid Waste Management Rules, 2016 will attract the penal provision of the Environment (Protection) Act, 1986 (29 of 1986).

(Member Secretary)

State Pollution Control Board/Pollution Control Committee of the UT

(Signature and designation)

Date:

Place:

Form – III

[see rule 19 (6), 24 (1)]

Format of annual report to be submitted by the operator of facility to the local body

| | | |
|---|--|------|
| 1 | Name of the City/Town and State | |
| 2 | Population | |
| 3 | Area in sq. kilometers | |
| 4 | Name & Address of the local body Telephone No. Fax No. E-mail: | |
| 5 | Name and address of operator of the facility | |
| 6 | Name of officer in-charge of the facility Phone No: Fax No: E-mail: | |
| 7 | Number of households in the city/town , Number of non-residential premises in the city Number of election/ administrative wards in the city/town | |
| 8 | Quantity of Solid waste | |
| | Estimated Quantity of solid waste generated in the local body area per day in metric tones | /tpd |

| | | |
|---|--|---------|
| | Quantity of solid waste collected per day | /tpd |
| | Per capita waste collected per day | /gm/day |
| | Quantity of solid waste processed | /tpd |
| | Quantity of solid waste disposed at landfill | /tpd |
| 9 | Status of Solid Waste Management (SWM) service | |
| | Segregation and storage of waste at source | |
| | Whether solid waste is stored at source in domestic/commercial/institutional bins If yes, | Yes/No |
| | Percentage of households practice storage of waste at source in domestic bins | % |
| | Percentage of non-residential premises practice storage of waste at source in commercial /institutional bins | % |
| | Percentage of households dispose of throw solid waste on the streets | % |
| | Percentage of non-residential premises dispose of throw solid waste on the streets | % |
| | Whether solid waste is stored at source in a segregated form | Yes/No |
| | If yes, Percentage of premises segregating the waste at source | % |
| | Door to Door Collection of solid waste | |
| | Whether door to door collection (D2D) of solid waste is being done in the city/town | Yes/No |
| | if yes | |
| | Number of wards covered in D2D collection of waste | |
| | No. of households covered | |
| | No. of non-residential premises including commercial establishments ,hotels, restaurants educational institutions/ offices etc covered | |
| | Percentage of residential and non-residential premises covered in door to door collection through : | % |
| | Motorized vehicle | % |
| | Containerized tricycle/handcart | % |
| | Other device | |

| | | | | | |
|--|---|-------------------------------|---------------|----------------------------|-----------------|
| | If not, method of primary collection adopted | | | | |
| | Sweeping of streets | | | | |
| | Length of roads, streets, lanes, bye-lanes in the city that need to be cleaned | | | km | |
| | Frequency of street sweepings and percentage of population covered | frequency | Daily days | Alternate a week | Twice a week |
| | | % of population covered | | | Occasionally |
| | Tools used | | | | |
| | Manual sweeping | | | % | % |
| | Mechanical sweeping | | | | % |
| | Whether long handle broom used by sanitation workers | | | Yes/No | |
| | Whether each sanitation worker is given handcart/tricycle for collection of waste | | | Yes/No | |
| | Whether handcart / tricycle is containerized | | | Yes/No | |
| | Whether the collection tool synchronizes with collection/ waste storage containers utilized | | | Yes/No | |
| | Secondary Waste Storage facilities | | | | |
| | No. and type of waste storage depots in the city/town | No. | | Capacity in m ³ | |
| | Open waste storage sites | | | | |
| | Masonry bins | | | | |
| | Cement concrete cylinder bins | | | | |
| | Dhalao/covered rooms/space | | | | |
| | Covered metal/plastic containers | | | | |
| | Upto 1.1 m ³ bins | | | | |
| | 2 to 5 m ³ bins | | | | |
| | Above 5m ³ containers | | | | |
| | Bin-less city | | | | |
| | Bin/ population ratio | | | | |

| | <p>Ward wise details of waste storage depots (attach) :</p> <p>Ward No:</p> <p>Area:</p> <p>Population:</p> <p>No. of bins placed</p> <p>Total volume of bins placed</p> | | | | | | | | | | | | | |
|--------------------------------------|--|--|--------------------------------------|-------------|---------------------------|---|---------------|--|--------------|--|-------------|--|--------------|--|
| | Total storage capacity of waste storage facilities in cubic meters | | | | | | | | | | | | | |
| | Total waste actually stored at the waste storage depots daily | | | | | | | | | | | | | |
| | <p>Give frequency of collection of waste from the depots</p> <p>Number of bins cleared</p> | <table border="1"> <thead> <tr> <th>Frequency</th> <th>No. of bins</th> </tr> </thead> <tbody> <tr> <td>Daily</td> <td></td> </tr> <tr> <td>Alternate day</td> <td></td> </tr> <tr> <td>Twice a week</td> <td></td> </tr> <tr> <td>Once a week</td> <td></td> </tr> <tr> <td>Occasionally</td> <td></td> </tr> </tbody> </table> | Frequency | No. of bins | Daily | | Alternate day | | Twice a week | | Once a week | | Occasionally | |
| Frequency | No. of bins | | | | | | | | | | | | | |
| Daily | | | | | | | | | | | | | | |
| Alternate day | | | | | | | | | | | | | | |
| Twice a week | | | | | | | | | | | | | | |
| Once a week | | | | | | | | | | | | | | |
| Occasionally | | | | | | | | | | | | | | |
| | <p>Whether storage depots have facility for storage of segregated waste in green, blue and black bins</p> | <p>Yes/ No</p> <p>(if yes, add details) No.</p> <p>of green bins:</p> <p>No. of blue bins:</p> <p>No. of black bins:</p> | | | | | | | | | | | | |
| | Whether lifting of solid waste from storage depots is manual or mechanical. Give percentage | <table border="1"> <thead> <tr> <th>(%) of Manual Lifting of SOLID WASTE</th> <th>%</th> </tr> </thead> <tbody> <tr> <td>(%) of Mechanical lifting</td> <td>%</td> </tr> </tbody> </table> | (%) of Manual Lifting of SOLID WASTE | % | (%) of Mechanical lifting | % | | | | | | | | |
| (%) of Manual Lifting of SOLID WASTE | % | | | | | | | | | | | | | |
| (%) of Mechanical lifting | % | | | | | | | | | | | | | |
| | If mechanical – specify the method used | front-end loaders/ Top loaders | | | | | | | | | | | | |

| | | |
|--|--|---|
| | Whether solid waste is lifted from door to door and transported to treatment plant directly in a segregated form | Yes/ No (if yes, specify) |
| | Waste Transportation per day Type and Number of vehicles used (pl tick or add) | No. made Trips waste transported |
| | Animal cart Tractors Non tipping Truck Tipping Truck Dumper Placers Refuse collectors Compactors Others JCB/loader | |
| | Frequency of transportation of waste | Frequency (%) of waste transported Daily Alternate day Twice a week Once a week Occasionally |
| | Quantity of waste transported each day | /tpd |
| | Percentage of total waste transported daily | % |
| | Waste Treatment Technologies used | |
| | Whether solid waste is processed | Yes/No |
| | If yes, Quantity of waste processed daily | /tpd |
| | Land(s) available with the local body for waste processing (in Hectares) | |
| | Land currently utilized for waste processing | |
| | Solid waste processing facilities in operation | |

| | | |
|--|--|---|
| | Solid waste processing facilities under construction | |
| | Distance of processing facilities from city/town boundary | |
| | Details of technologies adopted | |
| | Composting , | Qty. raw material processed Qty. final product produced Qty. sold Qty. of residual waste landfilled |
| | vermi composting | Qty. raw material processed Qty. final product produced Qty. sold Quantity of residual waste landfilled |
| | Bio-methanation | Qty. raw material processed Qty. final product produced Qty. sold Quantity of residual waste landfilled |
| | Refuse Derived Fuel | Qty. raw material processed Qty. final product produced Qty. sold Quantity of residual landfilled waste |
| | Waste to Energy technology pyrolysis or any other such as incineration, gasification, technology (give detail) | Qty. raw material processed Qty. final product produced Qty. sold Quantity of residual landfilled waste |
| | Co-processing | Qty. raw material processed |
| | Combustible waste supplied to cement plant | |
| | Combustible waste supplied to solid waste based power plants | |
| | Others | Qty. |
| | Solid waste disposal facilities | |
| | No. of dumpsites sites available with the local body | |

| | |
|---|---|
| No. of sanitary landfill sites available with the local body | |
| Area of each such sites available for waste disposal | |
| Area of land currently used for waste disposal | |
| Distance of dumpsite/landfill facility from city/town | kms |
| Distance from the nearest habitation | kms |
| Distance from water body | kms |
| Distance from state/national highway | kms |
| Distance from Airport | kms |
| Distance from important religious places or historical monument | kms |
| Whether it falls in flood prone area | Yes/No |
| Whether it falls in earthquake fault line area | Yes/No |
| Quantity of waste landfilled each day | tpd |
| Whether landfill site is fenced | Yes / No |
| Whether Lighting facility is available on site | Yes / No |
| Whether Weigh bridge facility available | Yes / No |
| Vehicles and equipments used at landfill (specify) | Bulldozer, Compacters etc. available |
| Manpower deployed at landfill site | Yes/No (if yes, attach details) |
| Whether covering is done on daily basis | Yes/No |
| If not, Frequency of covering the waste deposited at the landfill | |
| Cover material used | |
| Whether adequate covering material is available | Yes/No |
| Provisions for gas venting provided | Yes/No, (if yes, attach technical data sheet) |
| Provision for leachate collection | Yes/No, (if yes, attach technical data sheet) |

| | | |
|----|---|--|
| 10 | Whether an Action Plan has been prepared for improving solid waste management practices in the city | Yes/No (if Yes attach Action Plan details) |
| 11 | What separate provisions are made for : Dairy related activities : Slaughter houses waste : C&D waste (construction debris) : | Attach details on Proposals, Steps taken, Yes/No Yes/No Yes/No |
| 12 | Details of Post Closure Plan | Attach Plan |
| 13 | How many slums are identified and whether these are provided with Solid Waste Management facilities : | Yes/ No (if Yes, attach details) |
| 14 | Give details of manpower deployed for collection including street sweeping, secondary storage, transportation, processing and disposal of waste | |
| 15 | Mention briefly, the difficulties being experienced by the local body in complying with provisions of these rules | |
| 16 | Mention briefly, if any innovative idea is implemented to tackle a problem related to solid waste, which could be replicated by other local bodies. | |

Signature of Operator

Dated :

Place:

Form – IV

[see rules 15(za), 24(2)]

Format for annual report on solid waste management to be submitted by the local body

| | |
|-----------------------|--------------------------------------|
| CALENDAR YEAR: | DATE OF SUBMISSION OF REPORT: |
|-----------------------|--------------------------------------|

| | |
|---|---------------------------------|
| 1 | Name of the City/Town and State |
|---|---------------------------------|

| | | |
|---|--|---------|
| 2 | Population | |
| 3 | Area in sq. kilometers | |
| 4 | Name & Address of local body Telephone No. Fax No. E-mail: | |
| 5 | Name of officer in-charge dealing with solid waste management (SOLID WASTEM)Phone No: Fax No: E-mail: | |
| 6 | Number of households in the city/town Number of non-residential premises in the city Number of election/ administrative wards in the city/town | |
| 7 | Quantity of Solid waste (solid waste) | |
| | Estimated Quantity of solid waste generated in the local body area per day in metric tones | /tpd |
| | Quantity of solid waste collected per day | /tpd |
| | Per capita waste collected per day | /gm/day |
| | Quantity of solid waste processed | /tpd |
| | Quantity of solid waste disposed at dumpsite/ landfill | /tpd |
| 8 | Status of Solid Waste Management service | |
| | Segregation and storage of waste at source | |

| | | |
|--|--|--------|
| | Whether SOLID WASTE is stored at source in domestic/commercial/ institutional bins, If yes, | Yes/No |
| | Percentage of households practice storage of waste at source in domestic bins | % |
| | Percentage of non-residential premises practice storage of waste at source in commercial /institutional bins | % |
| | Percentage of households dispose or throw solid waste on the streets | % |
| | Percentage of non-residential premises dispose of throw solid waste on the streets | % |
| | Whether solid waste is stored at source in a segregated form, If yes, | Yes/No |
| | Percentage of premises segregating the waste at source | % |
| | Door to Door Collection of solid waste | |
| | Whether door to door collection (D2D) of solid waste is being done in the city/town | Yes/No |
| | if yes | |
| | Number of wards covered in D2D collection of waste | |
| | No. of households covered | |
| | No. of non-residential premises including commercial establishments ,hotels, restaurants educational institutions/ offices etc covered | |
| | Percentage of residential and non-residential premises covered in door to door collection through : | |
| | Motorized vehicle | % |
| | Containerized tricycle/handcart | % |
| | Other device | % |
| | If not, method of primary collection adopted | |
| | Sweeping of streets | |
| | Length of roads, streets, lanes, bye-lanes in the city that need to be cleaned | km |

| | Frequency of street sweepings and percentage of population covered | frequency % of population covered | Daily | Alternate days | Twice a week | Occasionally |
|--|---|--------------------------------------|-------|----------------------------|--------------|--------------|
| | Tools used | | | | | |
| | Manual sweeping | | | | % | |
| | Mechanical sweeping | | | | % | |
| | Whether long handle broom used by sanitation workers | | | | Yes/No | |
| | Whether each sanitation worker is given handcart/tricycle for collection of waste | | | | Yes/No | |
| | Whether handcart / tricycle is containerized | | | | Yes/No | |
| | Whether the collection tool synchronizes with collection/ waste storage containers utilized | | | | Yes/No | |
| | Secondary Waste Storage facilities | | | | | |
| | No. and type of waste storage depots in the city/town | | No. | Capacity in m ³ | | |
| | Open waste storage sites | | | | | |
| | Masonry bins | | | | | |
| | Cement concrete cylinder bins | | | | | |
| | Dhalao/covered rooms/space | | | | | |
| | Covered metal/plastic containers | | | | | |
| | Upto 1.1 m ³ bins | | | | | |
| | 2 to 5 m ³ bins | | | | | |
| | Above 5m ³ containers | | | | | |
| | Bin-less city | | | | | |
| | Bin/ population ratio | | | | | |
| | Ward wise details of waste storage depots (attach) : | | | | | |
| | Ward No: | | | | | |
| | Area: | | | | | |
| | Population: | | | | | |
| | No. of bins placed | | | | | |
| | Total volume of bins placed | | | | | |
| | Total storage capacity of waste storage facilities in cubic meters | | | | | |

| | | | |
|--|--------------------------------------|-------------------|--|
| Total waste actually stored at the waste storage depots daily | | | |
| Give frequency of collection of waste from the depots Number of bins cleared | Frequency | No. of bins | |
| | Daily | | |
| | Alternate day | | |
| | Twice a week | | |
| | Once a week | | |
| | Occasionally | | |
| Whether storage depots have facility for storage of segregated waste in green, blue and black bins | Yes/ No (if yes, add details) No. | | |
| | of green bins: | | |
| | No. of blue bins: | | |
| | No. of black bins: | | |
| Whether lifting of solid waste from storage depots is manual or mechanical. Give percentage (%) of Manual Lifting of solid waste (%) of Mechanical lifting | | % | |
| If mechanical – specify the method used | front-end loaders/ Top loaders | | |
| Whether solid waste is lifted from door to door and transported to treatment plant directly in a segregated form | Yes/ No (if yes, specify) | | |
| Waste transportation per day Type and Number of vehicles used | No. Trips made | waste transported | |

| | | | |
|--|--|---------------|--------------------------|
| | Animal cart | | |
| | Tractors | | |
| | Non tipping Truck | | |
| | Tipping Truck | | |
| | Dumper Placers | | |
| | Refuse collectors | | |
| | Compactors | | |
| | Others | | |
| | JCB/loader | | |
| | Frequency of transportation of waste | Frequency | (%) of waste transported |
| | | Daily | |
| | | Alternate day | |
| | | Twice a week | |
| | | Once a week | |
| | | Occasionally | |
| | Quantity of waste transported each day | /tpd | |
| | Percentage of total waste transported daily | % | |
| | Waste Treatment Technologies used | | |
| | Whether solid waste is processed | | |
| | | Yes/No | |
| | If yes, Quantity of waste processed daily | /tpd | |
| | Whether treatment is done by local body or through an agency | | |
| | Land(s) available with the local body for waste processing (in Hectares) | | |
| | Land currently utilized for waste processing | | |
| | Solid waste processing facilities in operation | | |
| | Solid waste processing facilities under construction | | |
| | Distance of processing facilities from city/town boundary | | |

| | | |
|--|--|--|
| | Details of technologies adopted | |
| | Composting , | Qty. raw material processed Qty. final product produced Qty. sold Quantity of residual waste landfilled |
| | Vermi composting | Qty. raw material processed Qty. final product produced Qty. sold Quantity of residual waste landfilled |
| | Bio-methanation | Qty. raw material processed Qty. final product produced Qty. sold Quantity of residual waste landfilled |
| | Refuse Derived Fuel | Qty. raw material processed Qty. final product produced Qty. sold Quantity of residual waste landfilled |
| | Waste to Energy technology such as incineration, gasification, pyrolysis or any other technology (give detail) | Qty. raw material processed Qty. final product produced Qty. sold Quantity of residual waste landfilled |
| | Co-processing | Qty. raw material processed |
| | Combustible waste supplied to cement plant | |
| | Combustible waste supplied to solid waste based power plants | |
| | Others | Qty. |
| | Solid waste disposal facilities | |
| | No. of dumpsites sites available with the local body | |
| | No. of sanitary landfill sites available with the local body | |
| | Area of each such sites available for waste disposal | |

| | |
|---|---|
| Area of land currently used for waste disposal | |
| Distance of dumpsite/landfill facility from city/town | kms |
| Distance from the nearest habitation | kms |
| Distance from water body | kms |
| Distance from state/national highway | kms |
| Distance from Airport | kms |
| Distance from important religious places or historical monument | kms |
| Whether it falls in flood prone area | Yes/No |
| Whether it falls in earthquake fault line area | Yes/No |
| Quantity of waste landfilled each day | tpd |
| Whether landfill site is fenced | Yes / No |
| Whether Lighting facility is available on site | Yes / No |
| Whether Weigh bridge facility available | Yes / No |
| Vehicles and equipments used at landfill (specify) | Bulldozer, Compacters etc. available |
| Manpower deployed at landfill site | Yes/No (if yes, attach details) |
| Whether covering is done on daily basis | Yes/No |
| If not, Frequency of covering the waste deposited at the landfill | |
| Cover material used | |
| Whether adequate covering material is available | Yes/No |
| Provisions for gas venting provided | Yes/No (if yes, attach technical data sheet) |

| | | |
|----|--|---|
| | Provision for leachate collection | Yes/No (if yes, attach technical data sheet) |
| 9 | Whether an Action Plan has been prepared for improving solid waste management practices in the city | Yes/No (if Yes attach Action Plan details) |
| 10 | What separate provisions are made for : Dairy related activities : Slaughter houses waste : C&D waste (construction debris) : | Attach details on Proposals, Steps taken, Yes/No Yes/No Yes/No |
| 11 | Details of Post Closure Plan | Attach Plan |
| 12 | How many slums are identified and whether these are provided with Solid Waste Management facilities : | Yes/ No (if Yes, attach details) |
| 13 | Give details of: Local body's own manpower deployed for collection including street sweeping, secondary storage, transportation, processing and disposal of waste | |
| 14 | Give details of: Contractor/ concessionaire's manpower deployed for collection including street sweeping, secondary storage, transportation, processing and disposal of waste | |
| 15 | Mention briefly, the difficulties being experienced by the local body in complying with provisions of these rules | |
| 16 | Mention briefly, if any innovative idea is implemented to tackle a problem related to solid waste, which could be replicated by other local bodies | |

Signature of CEO/Municipal Commissioner/

Executive Officer/Chief Officer

Date:

Place:

Form – V

[see rule 24(3)]

Format of annual report to be submitted by the state pollution control board or pollution control committee committees to the central pollution control board

PART A

To,

The Chairman
 Central Pollution Control Board
 Parivesh Bhawan, East Arjun Nagar
 DELHI- 110 0032

| | | |
|--------------|---|---|
| 1. | Name of the State/Union territory : | |
| 2. | Name & address of the State Pollution Control | : |
| 3. | Number of local bodies responsible for management of solid waste in the State/Union territory under these rules | : |
| 4. | No. of authorisation application Received | : |
| 5. | A Summary Statement on progress made by local body in respect of solid waste management | Please attach as Annexure-I |
| 6. | A Summary Statement on progress made by local bodies in respect of waste collection, segregation, transportation and disposal | Please attach as Annexure-II |
| 7. | A summary statement on progress made by local bodies in respect of implementation of Schedule II | Please attach as Annexure-III |
| Date: | | Chairman or the Member Secretary |
| Place: | | State Pollution Control Board/ Pollution Control Committee |

PART B**Towns/cities**

Total number of towns/cities

Total number of ULBs

Number of class I & class II cities/towns

Authorisation status (names/number)

Number of applications received

Number of authorisations granted

Authorisations under scrutiny

SOLID WASTE Generation status

Solid waste generation in the state (TPD)

collected

treated

landfilled

Compliance to Schedule I of SW Rules (Number/names of towns/capacity)

Good practices in cities/towns

House-to-house collection

Segregation

Storage

Covered transportation

Processing of SW (Number/names of towns/capacity) Solid Waste processing facilities setup:

| Sl. No. | Composting | Vermi-composting | Biogas | RDF/Pelletization |
|---------|------------|------------------|--------|-------------------|
| | | | | |

Processing facility operational:

| Sl. No. | Composting | Vermi-composting | Biogas | RDF/Pelletization |
|---------|------------|------------------|--------|-------------------|
| | | | | |

Processing facility under installation/planned:

| Sl. No. | Composting | Vermi-composting | Biogas | RDF/Pelletisation |
|---------|------------|------------------|--------|-------------------|
| | | | | |

Waste-to-Energy Plants: (Number/names of towns/capacity)

| Sl. No. | Plant Location | Status of operation | Power generation (MW) | Remarks |
|---------|----------------|---------------------|-----------------------|---------|
| | | | | |

Disposal of solid waste (number/names of towns/capacity):

Landfill sites identified

Landfill constructed

Landfill under construction

Landfill in operation

Landfill exhausted

Landfilled capped

Solid Waste Dumpsites (number/names of towns/capacity):

Total number of existing dumpsites

Dumpsites reclaimed/capped

Dumpsites converted to sanitary landfill

Monitoring at Waste processing/Landfills sites

| Sl. No. | Name of facilities | Ambient air | Groundwater | Leachate quality | Compost quality | VOCs |
|---------|--------------------|-------------|-------------|------------------|-----------------|------|
| 1. | | | | | | |
| 2. | | | | | | |
| 3. | | | | | | |

Status of Action Plan prepared by Municipalities

Total number of municipalities:

Number of Action Plan submitted:

Form – VI**[see rule 25]****Accident Reporting**

| | | |
|----|---------------------------|---|
| 1. | Date and time of accident | : |
|----|---------------------------|---|

| | | | |
|--------------|--|--------------------|--|
| 2. | Sequence of events leading to accident | : | |
| 3. | The waste involved in accident | : | |
| 4. | Assessment of the effects of the accidents on human health: and the environment | : | |
| 5. | Emergency measures taken | : | |
| 6. | Steps taken to alleviate the effects of accidents | : | |
| 7. | Steps taken to prevent the recurrence of such an accident | : | |
| Date: | | Signature:..... | |
| Place: | | Designation: | |

[F. No. 18-3/2004-HSMD]

BISHWANATH SINHA, Jt. Secy.

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THE BATTERY WASTE MANAGEMENT RULES, AS AMENDED UPTO 2025

In exercise of the powers conferred by sub-section (1), clause (v) and clause (vii)

Of sub-section (2) of section 3, sub-section (1), clause © and clause (d) of sub-section (2) of section 6, section 8, clause (b) of sub-section 2 of section 25 of the Environment (Protection) Act, 1986 (29 of 1986), and in supersession of the Batteries (Management and Handling) Rules, 2001, except as respect things done or omitted to be done before such supersession, the Central Government hereby makes the following rules, namely:-

1. **Short title and commencement.**-(1) These rules may be called the Battery Waste Management Rules, 2022.

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

2. **Application.** (1) These rules shall apply to, -

- (i) Producer, dealer, consumer, entities involved in collection, segregation, transportation, re-furbishment and recycling of Waste Battery;
- (ii) All types of batteries regardless of chemistry, shape, volume, weight, material composition and use.

(2) These rules do not apply to Battery used in, (i) equipment connected with the protection of the essential security interests including arms, ammunitions, war material and those intended specifically for military purposes;

- (iii) Equipment designed to be sent into space.

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

(a) **'Act'** means the Environment (Protection) Act, 1986 (29 of 1986);

(b) **'Automotive battery'** means any Battery used only for automotive starter, lighting or ignition power;

(c) **"Battery"** means new or refurbished cell or Battery, including accumulator, which is any source of electrical energy generated by direct conversion of chemical energy and includes disposable primary or secondary battery,] (w.e.f. 25-10-2023)

(d) **'Battery pack'** means any set or module of cells and/or Battery that are connected or encapsulated within an outer casing so as to form a complete unit that the end-user is not intended to split up or open;

- (e) '**Battery materials**' means materials contained in the Battery include metals such as nickel, cobalt, lead, lithium, and other materials such as plastics, paper, etc.;
- (f) '**Cell**' means basic functional unit consisting of an assembly of electrodes, electrolyte, container, terminals and separators that is source of energy generated by direct conversion of chemical energy and includes primary and/or secondary cell;
- (g) '**Central Pollution Control Board**' means the Central Pollution Control Board as constituted under sub-section (1) of section 3 of the Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974);
- (h) '**consumer**' means end user of Battery;
- (i) '**disposal**' means any operation which does not lead to reuse, recovery, refurbishing or recycling and inter-alia include physico-chemical and/or biological treatment and/or deposition in secured landfill;
- (j) '**Electric vehicle battery**' means any Battery specifically designed to provide traction to hybrid and electric vehicles for road transport;
- (k) '**End of Life battery**' means Battery which have been used, completed its intended use and is not meant for refurbishment;
- (l) '**Environmentally sound management**' means management of Waste Battery in a manner to protect human health and environment against any adverse effects, which may result from any substance contained in Waste Battery. These may include refurbishment, and/or recycling;
- (m) '**Extended Producer Responsibility**' means responsibility of any Producer of Battery for Environmentally sound management of Waste Battery;
- (n) '**Extended Producer Responsibility Registration**' means a registration by Central Pollution Control Board of a Producer for Extended Producer Responsibility;
- (o) '**Facility**' means any location wherein the process incidental to the collection, storage, segregation, refurbishing, recycling disposal of Waste Battery is carried out;
- (p) '**Form**' means Forms appended to these rules;

(q) '**Hazardous waste**' means hazardous waste as defined under Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016.

(r) '**Industrial battery**' means any Battery designed for industrial uses, excluding Portable battery, Electric vehicle battery and Automotive battery. These may include sealed Battery (excluding potable battery); unsealed Battery (excluding automotive Battery) and energy storage system Battery:

(s) '**Manufacturer**' means a person or an entity or a company as defined in the Companies Act, 2013 (18 of 2013) or a factory as in the Factories Act, 1948 (63 of 1948) which has facilities for manufacturing of Battery and/or its components;

(t) '**Portable battery**' means Battery that is sealed, less than five kilograms, not made for industrial purposes, electric vehicle or to be used as an Automotive Battery;

u) '**Producer**' means an entity who engages in:

(i) manufacture and sale of Battery including refurbished Battery, including in equipment, under its own brand; or

(ii) sale of Battery including refurbished Battery, including in equipment, under its own brand produced by other manufacturers or suppliers; or

(iii) import of Battery or equipment containing Battery; or

(iv) manufacture or assembling of Battery or refurbished Battery including in equipment for sale to the Producer mentioned in sub-clause (ii) without its own brand name;]^(w.e.f. 25-10-2023)

(v) '**Public Waste Management Authorities**' for the purpose of these rules means Village Panchayat, Municipal Corporation, Municipality and agencies engaged on their behalf.

(w) '**Recycler**' means entity engaged in recycling of Waste Battery: (x) Refurbishment means repairing, re-conditioning, re-purposing of used Battery for its second life;

(y) '**Refurbisher**' means entity engaged in refurbishment;

(2) '**Schedule**' means Schedule appended to these rules;

(za) '**State Pollution Control Board**' means the State Pollution Control Board constituted under Section 4 of Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974) and includes in relation to Union territory, the Pollution Control Committee;

(zb) '**Storage**' means storage of Waste Battery; zc) Treatment' means an activity carried out on Waste Battery for recycling;

((zd) '**Used battery**' means Battery and/or its components which have been used and have residual life and suitable for refurbishment;

(ze) **Waste Battery**' includes:

- Used and/or End of Life Battery and/or its components or spares or parts or consumables which may or may not be hazardous in nature;
- Pre-consumer Off-Spec Battery and its components or spares or parts or consumables;
- Battery whose date for appropriate use has expired; • Battery which have been discarded by the user.

(2) Words and expressions not defined in these rules will have the same meaning as defined in the Environment (Protection) Act, 1986.

4. Functions of Producer

[(1) Every Producer shall have the obligation of Extended Producer Responsibility for the Battery that they introduce in the market and the Battery which they put to self-use, to ensure the recycling or refurbishing obligations as per Schedule II;

(2) Every Producer shall have the obligation for environmentally sound management of pre-consumer waste battery generated during manufacturing or assembling or import of a Battery or Battery pack and every Producer shall file the annual returns in Form 3 in respect of preconsumer waste battery generated in the preceding financial year.

(2A) Every Producer shall meet the collection and recycling and refurbishment targets as mentioned in Schedule II for Battery or Battery pack made available in the market including the Battery which they put for self-use.] (w.e.f. 25-10-2023)

(3) Waste Battery collected by the Producer shall be sent for recycling or refurbishing and shall not be sent for landfilling or incineration.

(4) Every Producer shall obtain registration from the Central Pollution Control Board through online centralised portal in Form 1(A).

(5) The Central Pollution Control Board on registration of the Producer shall issue a certificate of registration in Form 1(B) to such Producer which shall be valid until it is cancelled or withdrawn.] (w.e.f. 25-10-2023)

[6) Every Producer shall inform the Central Pollution Control Board of any changes to the information contained in the Extended Producer Responsibility registration.

(6A) In case the Producer stops its operations, the Producer shall have to discharge its Extended Producer Responsibility obligation in respect of Batteries already made available in the market till closure of operations, in accordance with provisions of these rules.] (w.e.f. 25-10-2023)

(7) The Producer shall furnish a return regarding the Battery manufactured or assembled or imported in the preceding financial year in Form 1© to the Central Pollution Control Board on or before the 30th June of every year.] (w.e.f. 25-10-2023)

(8)[***]

(9) In order to develop a separate waste stream for collection of Waste Battery for fulfilling Extended Producer Responsibility obligations, the Producer, may operate schemes such as deposit refund system or buy back or any other model.

(10) In order to meet the obligations of Extended Producer Responsibility, the Producer may engage itself or authorise any other entity for collection, recycling or refurbishment of Waste Battery. However, the obligations of meeting the Extended Producer Responsibility targets shall remain with the Producer.

(11) Producer shall file annual returns in Form 3 regarding the Waste Battery collected and recycled or refurbished towards fulfilling obligations under Extended Producer Responsibility with the Central Pollution Control Board and concerned State Pollution Control Board in Form 3 by 30th June of the next financial year. The details of the registered recyclers from whom the Extended Producer Responsibility certificates have been procured shall also be provided.

(12) It shall be the responsibility of a Producer to, -

- (i) Adhere to prohibitions and labelling requirements as prescribed in Schedule I
- (ii) ensure safe handling of Battery or Waste Battery such that no damage to human health and environment occurs.

(13) Producer shall bring to the notice of the Central Pollution Control Board or State Pollution Control Board of violations of these rules by any entity involved in handling and management of Waste Battery.

(14) Producer shall have the obligation with respect to the minimum use of domestically recycled materials in new Battery as per the Table below. The assessment of the minimum use of the recycled materials in Battery shall be in respect of the total dry weight of Battery. In case of imported Battery, the Producer shall have to meet the

obligation of the minimum use by way of getting such quantity of recycled materials utilised by other businesses or by way of exporting such quantity of recycled materials.

TABLE

| S.No. | Type of Battery | Minimum use of the recycled materials out of total dry weight of a Battery (in percentage) | | | |
|-------|------------------|---|---------|---------|---------------------|
| | | 2027-28 | 2028-29 | 2029-30 | 2030-31 and onwards |
| 1. | Portable | 5 | 10 | 15 | 20 |
| 2. | Electric Vehicle | 5 | 10 | 15 | 20 |
| | | 2024-25 | 2025-26 | 2026-27 | 2027-28 and onwards |
| 3. | Automotive | 35 | 35 | 40 | 40 |
| 4. | Industrial | 35 | 35 | 40 | 40 |

(15) Producer shall not deal with any other entity not having registration mandated under these rules.

[(16) The Producer shall take measures for sustainable production of Battery or Battery pack including in accordance with the guidelines issued by the Central Pollution Control Board.] (w.e.f. 25-10-2023)

5 . Functions of Consumer. (1) It will be the responsibility of consumer, -

(i) to discard Waste Battery separately from other waste streams especially from mixed waste, domestic waste streams;

(ii) to ensure that Waste Battery are disposed off in an environment friendly manner by giving it to an entity engaged in collection or refurbishment or recycling;

6. Functions of Public Waste Management Authorities. (1) Public Waste Management Authorities will hand over collected Waste Battery to the producers or agencies acting on their behalf or the entity engaged in refurbishment of recycling with a view to refurbishment or recycling of those Waste Battery or carry out their recycling or refurbishment themselves.

7. Functions of entity involved in collection, segregation and treatment.-(1) It shall be the responsibility of entities involved in collection, segregation and treatment to hand over Waste Battery to registered refurbisher or recycler;

2) It shall be the responsibility of the entity to, -(1) ensure that a facility is in accordance with the standards or guidelines prescribed by the Central Pollution Control Board;

(ii) carry out any activity in accordance with the guidelines prescribed by Central Pollution Control Board.

8. Functions of Refurbisher. (1) All refurbishers shall register with State Pollution Control Board on the centralised portal. The certificate of registration shall be issued using the portal in Form 2(B).

(2) It shall be the responsibility of the Refurbisher to, -

(i) make an application in Form 2(A) to the State Pollution Control Board for grant of one-time registration;

(ii) ensure that it carries out any activity in accordance with the guidelines prescribed by Central Pollution Control Board;

(iii) ensure that hazardous waste generated from any activity of the entity is managed as per the provisions under Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016;

(iv) ensure that other waste generated during handling and refurbishing activities be managed as per the extant regulations such as Solid Waste Management Rules, 2016 and Plastic Waste Management Rules, 2016; (v) ensure that refurbishment processes and facilities comply with the standards or guidelines prescribed by the Central Pollution Control Board; (vi) ensure that the Waste Battery is removed from collected appliance if Battery is incorporated in an equipment.

(3) Refurbishers shall furnish quarterly returns in Form 4 regarding the information on quantity of used Battery collected or received from various producers or entities, refurbished quantities, quantity of hazardous and/or other waste including solid waste or plastic waste generated after refurbishment and disposal of such quantity as per extant rules and the quarterly return shall be filed by the end of the month succeeding the end of the quarter.

[**(4)** The total weight of waste Battery processed by entity involved in refurbishment of waste Battery, on quarterly basis, shall be made available on the portal developed by the Central Pollution Control Board for generation of Extended Producer Responsibility certificates.] (w.e.f. 25-10-2023)

(5) Refurbisher shall not deal with any other entity not having registration mandated under these rules.

9. Functions of Recycler. (1) All recyclers shall register with the State Pollution Control Board through the online portal. The certificate of registration shall be issued in Form 2(B).

(2) It shall be the responsibility of the recycler to, -

- (i) make an application in Form 2(A) to the State Pollution Control Board for grant of one-time registration;
- (ii) ensure that it carries out any activity in accordance with the guidelines prescribed by Central Pollution Control Board;
- (iii) ensure that hazardous waste generated from any activity of the entity is managed as per the provisions under Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016; (iv) ensure that other waste generated during handling and recycling activities be managed as per the extant regulations such as Solid Waste Management Rules, 2016, Plastic Waste Management Rules, 2016 and E-waste (Management) Rules, 2016;
- (v) ensure that recycling processes and facilities for Waste Battery comply with the standards or guidelines prescribed by Central Pollution Control Board;
- (vi) ensure that the Waste Battery is removed from collected appliance if Battery is incorporated in an equipment.

(3) Recyclers shall furnish the quarterly returns in Form 4 regarding the information on quantity of Waste Battery collected or received from various producers or entity, recycled quantities, compliance of material-wise recovery percentage as per recovery targets provided under sub-rule 4 of rule 10, quantity of hazardous and/or other waste including solid waste or plastic waste generated after recycling and of such quantity as per as per extant rules and the quarterly return shall be filed by the end of the month succeeding the end of the quarter.

[(4) The total weight of waste Battery processed by entity involved in recycling of waste Battery, on quarterly basis, shall be made available on the portal developed by the Central Pollution Control Board.]

[(5) Recycler shall not deal with any other entity not having registration mandated under these rules.] (w.e.f. 25-10-2023)

10. Provision of Certificate for Waste Battery. (1) Entities involved in refurbishment and/or recycling of Waste Battery, registered under these rules shall provide certificate for Waste Battery processing.

(2) In no case, the amount of Waste Battery recycled or refurbished by the entity shall be more than installed capacity of the entity. These certificates will be for Waste Battery [based on relevant parameters as prescribed by the Central Pollution Control Board).

(3) The certificate for Waste Battery provided by registered entities shall be provided for the type and quantity of Battery refurbished or recycled and can be transacted for meeting Extended Producer Responsibility obligations. [***].

(4) [***]

(5) [***]

(6) Extended Producer Responsibility certificates will be generated by Central Pollution Control Board through the centralised online portal based on the recycled or refurbished quantities and assigned to recyclers or refurbishers. The recyclers or refurbishers can sell the assigned Extended Producer Responsibility certificates to Producer [for fulfilling their extended producer responsibility obligations]. (w.e.f. 25-10-2023)

[7) The Extended Producer Responsibility certificate for recycler or for refurbisher shall be generated based on the weight of waste Battery processed or refurbished, as the case may be, and weight of Battery material produced as per guidelines of the Central Pollution Control Board and the Central Pollution Control Board shall ensure that every certificate is issued based on the waste Battery processed or refurbished.

(8) No Extended Producer Responsibility certificate shall be generated for the recycling or refurbishment of waste Battery imported under the Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016 and separate accounting shall be maintained and reported for recycling or refurbishment of imported waste Battery.] (w.e.f. 25-10-2023)

[9) An Extended Producer Responsibility certificate in a category can only be used for offsetting, carry forward and sale for the same category of Battery.] (w.e.f. 25-10-2023)

(10) A Producer can meet its Extended Producer Responsibility obligation under a category by purchasing surplus Extended Producer Responsibility certificates from other producers of the same category of Battery.

(11) A Producer can purchase Extended Producer Responsibility certificates limited to its Extended Producer Responsibility liability of current year plus any leftover liability of preceding years plus ten percent of the current year liability.

(12) Extended Producer Responsibility certificates purchased by the Producer will be automatically adjusted against their liability.

(i) priority in adjustment will be given to earlier liability;

(ii) Extended Producer Responsibility certificates used by Producer to meet Extended Producer Responsibility obligations shall not be exchanged again.

(13) All such transactions shall be recorded and submitted by the refurbishers or recyclers on the online portal at the time of filing quarterly returns.

(14) Extended Producer Responsibility certificates generated by refurbisher or recycler shall be valid for a period of seven years for meeting the obligations of Producer.

[(15) One or more trading platform for sale and purchase of Extended Producer Responsibility certificates may be established through agency accredited and in accordance with the guidelines issued by the Central Pollution Control Board with the approval of the Central Government.

(16) The operation and regulation of electronic platform (s), so established under sub-rule 15 for trade of Extended Producer Responsibility certificates between obligated entities, shall be as per guidelines notified by the Central Government based on the recommendations of Central Pollution Control Board for the purpose.

(17) The Central Pollution Control Board shall fix the highest and the lowest price for Extended Producer Responsibility certificates which shall be equal to 100% and 30%, respectively of the Environmental Compensation leviable on the obligated entities for non-fulfilment of Extended Producer Responsibility obligations as determined by the Central Pollution Control Board under rule 13. ⁽²⁰²⁴⁾

18) The exchange price of Extended Producer Responsibility certificate between registered entities through the portal shall be between the highest and the lowest prices referred to in sub-rule (17). ^(w.e.f.14.3.2024)

11. Functions of Central Pollution Control Board.-(1) The Central Pollution Control Board shall register Producer through online portal in Form 1(B).

(2) The Central Pollution Control Board may determine the fee for processing of applications for registration as well as returns.

(3) The registration shall be done within two weeks from the submission of a completed application [and on the expiry of the said period of two weeks, the registration shall be deemed to be done, if not refused by the Central Pollution Control Board.] ^(w.e.f. 25-10-2023)

(4) The registration of Producer shall be valid until it is cancelled or withdrawn by the Central Pollution Control Board.

(5) The Central Pollution Control Board shall share all relevant information regarding Producer with the State Pollution Control Board through online portal.] (w.e.f. 25-10-2023)

(6)[***] (w.e.f. 25-10-2023)

(7) Central Pollution Control Board shall suspend and/or cancel the registration, and/or impose Environmental Compensation, in case of non-compliance of Extended Producer Responsibility obligations as per Schedule II after giving reasonable opportunity of being heard.

(8) Central Pollution Control Board shall ensure compliance of these rules by Producer including those who supply Battery by means of distance contracts.

(9)[***]

(10) Central Pollution Control Board or through a designated agency shall verify compliance by Producer through inspection and periodic audit.

(i) Central Pollution Control Board, as required, can also verify compliance by entity involved in refurbishment or recycling of Waste Battery through inspection and periodic audit.

(ii) the actions against violations and for non-fulfilment of obligations under these rules including Extended Producer Responsibility obligations shall be as per rule 13.

(iii) in case of entity operating with a State or Union Territory, Central Pollution Control Board may, if required, direct State Pollution Control Board to take action.

(11) Central Pollution Control Board shall carry out audit of data, including using information from Goods and Services Tax Network portal, by itself or a designated agency, of the registered entity under these rules.

(12) Central Pollution Control Board shall suspend and/or cancel the registration of Producer, and/or impose Environmental Compensation in case of violation of these rules by the registered entity.

(13) Appeal made against the orders of Central Pollution Control Board regarding suspension or cancellation of registration of Producer lies with the Ministry of Environment, Forest and Climate Change and will be disposed off within forty-five days after the submission of the appeal.

(14) The Joint Secretary or the officer equivalent in the Ministry of Environment, Forest and Climate Change shall be designated as an Appellate Authority.

(i) the appeal shall be made by the appellant to the designated Appellate Authority in writing and accompanied with a copy of the order appealed against within thirty days from the date of passing of the order.

(15) Central Pollution Control Board shall dispose off an appeal made by the recycler or refurbisher against the order of State Pollution Control Board regarding suspension and/or cancellation of registration of recyclers or refurbishers within thirty days of the receipt of appeal.

(16) The Member Secretary in the Central Pollution Control Board would be designated as an Appellate Authority.

(i) the appeal shall be made by the appellant to the designated Appellate Authority in writing and accompanied with a copy of the order appealed against within thirty days from the date of passing of the order.

[(17) Central Pollution Control Board shall issue guidelines for environmentally sound procedures of collection, storage, transportation, refurbishment, and recycling of waste Battery, and for implementation of various provisions of these rules.]^(w.e.f. 25-10-2023)

(18) Central Pollution Control Board shall compile and publish the data received every year from the State Pollution Control Boards.

(19) Central Pollution Control Board shall develop mechanism for exchange of Extended Producer Responsibility certificates on the online portal.

(20) Central Pollution Control Board shall publish the list of Producers who have failed to meet Extended Producer Responsibility targets and obligations on an annual basis.

[(21) The Central Pollution Control Board shall prepare an annual report containing information which, inter alia, includes the Extended Producer Responsibility targets of Producers, recycling and refurbishment of waste Battery, generation and exchange of Extended Producer Responsibility certificates, and collection and utilisation of environmental compensation and furnish to the Central Government.]^(w.e.f. 25-10-2023)

(22) Central Pollution Control Board will establish a mechanism to ensure a regular dialogue between stakeholders in the fulfilment of obligations under these rules.

(23) Central Pollution Control Board shall constitute an implementation Committee as per rule 15 for the effective implementation of these rules and make recommendations for making it robust.

(i) the Committee shall meet once in six months to submit its report and recommendations to Ministry of Environment, Forest and Climate Change.

(24) Central Pollution Control Board shall carry out review of technologies related to Waste Battery management for techno-economic viability and feasibility specifically [***]^(w.e.f. 25-10-2023) on recovery of Battery materials.

(25) Central Pollution Control Board shall issue guidelines about technologies and standards with regard to refurbishment and recycling of Waste Battery.

(26) Central Pollution Control Board will recommend to Ministry of Environment, Forest and Climate Change with regard to the Battery material recovery from recycling based on technological and commercial viabilities.

12. Functions of State Pollution Control Board.-(1) The State Pollution Control Board shall register entity involved in refurbishing and recycling through online portal in Form 2(B).

(i) provision for registration shall be made on the Extended Producer Responsibility portal and the State Pollution Control Board or through a designated agency shall verify compliance of entity involved in refurbishing and recycling of Waste Battery through inspection and periodic audit, as deemed appropriate, in their jurisdiction.

(2) In case the information provided by the entity involved in refurbishment or recycling of Waste Battery is found to be false, the State Pollution Control Board shall suspend and/or cancel the registration up to a period of five years, after giving reasonable opportunity of being heard including actions under rule 13.

(3) The State Pollution Control Board shall bring out a list of entities not fulfilled their Extended Producer Responsibility obligations on annual basis and publish the same.

(i) the State Pollution Control Board shall compile and forward the quarterly reports submitted by entities involved in refurbishing or recycling of Waste Battery to Central Pollution Control Board and publish online.

(4) State Pollution Control Board will ensure a regular dialogue between relevant stakeholders involved in the fulfilment of obligations under these rules.

(5) State Pollution Control Board to submit annual report to Central Pollution Control Board by 30th June every year, regarding effective implementation of these rules.

13. Action on violations and imposition of Environmental Compensation.-(1) Environmental Compensation shall also be levied for the following activities based on polluter pays principle, -

(i) entities carrying out activities without registration as mandated under these rules;

- (ii) providing false information/wilful concealment of material facts by the entities registered under these rules;
- (iii) submission of forged/manipulated documents by the entities registered under these rules;
- (iv) entities engaged in collection, segregation, and treatment in respect to not following sound handling of Waste Battery.

(2) These activities, may also be dealt with under the provisions of section 15 of the Environment (Protection) Act, 1986, in case of evasion or violation either by entity itself or help abet any obligated entity evade or violate obligations, after giving an opportunity of being heard.

(3) The Central Pollution Control Board shall prepare and recommend guidelines for imposition and collection of Environmental Compensation from producers and entities involved in refurbishment and recycling of waste battery, in case of non-compliance of these rules. The Central Pollution Control Board may consult the Committee for Implementation constituted under rule 15. The recommended guidelines shall be submitted to the Ministry of Environment, Forest and Climate Change for concurrence.(w.e.f.14.03.2024)

(4) Environmental Compensation shall be levied by Central Pollution Control Board on Producer operating with respect to non-fulfilment of their Extended Producer Responsibility targets, responsibilities and obligations set out in these rules.

(5) Environmental Compensation shall be levied by respective State Pollution Control Board on entities involved in refurbishment or recycling of Waste Battery as well as entities involved in collection, segregation and treatment, operating in their jurisdiction with respect to non-fulfillment of their responsibilities and obligations set out under these rules. In case, the State Pollution Control Board does not take action in sixty days, the Central Pollution Control Board shall issue directions to the State Pollution Control Board.

(6) Payment of Environmental Compensation shall not absolve Producer of Extended Producer Responsibility obligation set out under these rules.

- (i) The unfulfilled Extended Producer Responsibility obligation for a particular year will be carried forward to the next year for a period of three years.
- (ii) In case the shortfall of Extended Producer Responsibility obligation is addressed within subsequent years within three years, the Environmental

Compensation levied shall be returned to the Producer as given below, -

Within one year of levying of Environmental Compensation: 75 percent return;

- Within two years: 60 percent return;
- Within three years: 40 percent return.

(7) After completion of three years after Environmental Compensation getting due, the entire Environmental Compensation amount shall be forfeited, this arrangement shall allow for collection and refurbishment or recycling of Waste Battery by the concerned entities in later years as well.

(8) The funds collected under Environmental Compensation shall be kept in a separate escrow account by Central Pollution Control Board or State Pollution Control Board.

- (i) The funds collected shall be utilised in collection and refurbishing or recycling of uncollected and nonrecycled or non-refurbished Waste Battery against which the Environmental Compensation is imposed.
- (ii) Modalities for utilisation of the funds for Waste Battery management would be recommended by the Committee for Implementation for the approval of Central Government.

(9) Non-fulfilment of obligations set out under these guidelines will attract penal actions under the provisions of section 15 of the Environment (Protection) Act, 1986.

14. Centralised Online Portal

(1) Central Pollution Control Board shall establish an Online system for the registration and filing returns by producers, recyclers, and refurbishers Of Waste Battery within six months of commencement of these rules.

(2)The system shall ensure a mechanism wherein the material balance of Waste Battery as per Extended Producer Responsibility obligations of Producers is reflected and it shall also reflect the details regarding the audit of the Producers and entities involved in refurbishing and recycling of Waste Battery.

(3)The State Pollution Control Board shall also use the web portal of Central Pollution Control Board used for registration of Producers, for registering entities involved in refurbishing and recycling of Waste Battery.

(4)The web portal would act as the single point data repository with respect to orders and guidelines related to implementation of these rules.

(5) Producer may facilitate the development of online portal.

[(6) Central Government may by order relax timelines under this rules upto nine months for filing of returns by producer, recycler and refurbisher under the rules and modalities for effective implementation of the rules.] (w.e.f. 25-10-2023)

15. Committee for Implementation. (1) A Committee shall be constituted by the Central Government under chairpersonship of Chairman, Central Pollution Control Board to recommend measures to Ministry of Environment, Forest and Climate Change for effective implementation of these rules.

(2) The Committee shall monitor the implementation of these rules and also take such measures as required for removal of difficulties.

(3) The Committee shall also be tasked with the guiding and supervision of the development and operation of the online portal.

(4) Any modifications in the forms attached to these rules may be undertaken by the Committee with the approval of the Central Government.

(5) The Committee shall comprise of representatives from Ministry of Electronics and Information Technology, Department of Promotion of Industry and Internal Trade, Ministry of Housing and Urban Affairs, Ministry of Micro, Small and Medium Enterprise, Ministry of New and Renewable Energy, Department of Chemicals and Petrochemicals, Organisations such as Central Pollution Control Board, State Pollution Control Boards, National Environmental Engineering Research Institute and stakeholders such as associations representing producers, recyclers and refurbishers, and any other stakeholder as invited by the chair of the Committee.

[(6) The Committee shall meet at least once in six months and submit its report to the Central Government.] (w.e.f. 25-10-2023)

SCHEDULE I

Prohibitions and Labelling Requirements

1. Prohibitions on heavy metal content in the Battery

- (i) Battery that contains up to 0.0005% (5 ppm) of mercury by weight may only be placed till 2025;
- (ii) [portable Battery that contains up to 0.002% (20 ppm) of cadmium by weight shall only be placed;] (w.e.f. 25-10-2023)

- (iii) Paragraph (1)(i) shall not apply to button zinc silver oxide Battery with a mercury content < 2% and button zinc air Battery with a mercury content < 2% by weight.
- (iv) Prohibition in paragraph (1)(ii) shall not apply to a portable Battery intended for use in,
 - A. Emergency and alarm systems, including emergency lighting;
 - B. Medical equipment

2. Labelling requirements

- (i) Producers shall ensure that all Battery or Battery packs are appropriately marked with requisite labelling requirements as per standards prescribed by Bureau of Indian Standards.

[(ia) producers shall, on or before the 31st March, 2025, ensure that all Battery or Battery packs produced are appropriately marked with Extended Producer Responsibility registration number issued under rule 4.] (w.e.f. 25-10-2023)

Provided that the provisions of this clause shall not apply to packaging covered under rule 26 of the Legal Metrology (Packaged Commodities) Rules, 2011. (w.e.f.24.2.2025)

(ib) producers may fulfill the requirements of clause (ia), subject to providing the information in writing to the Central Pollution Control Board, —

A. print a barcode or Quick Response code containing the Extended Producer Responsibility registration number on —

- (a) battery or battery pack; or
- (b) equipment having battery or battery pack; or
- (c) packaging of battery or battery pack; or
- (d) packaging of the equipment having battery or battery pack; or
- (e) bulk packaging of batteries or battery packs, not for retail sale;

B. print the Extended Producer Registration number on the product information brochure; Provided that the Central Pollution Control Board shall publish a consolidated list of such producers, who have provided the information to it on the centralised online portal and update their details every quarter. (w.e.f.24.2.2025)

- (ii) All requisite labels and symbols shall be printed visibly, legibly and indelibly.
- (iii) no person shall place on the market any Battery or Battery pack unless it is marked with the “crossed out wheeled bin symbol” as shown in Figure I covering at least 3% of the area of the largest side of the Battery or Battery pack, up to a maximum size of 5 cm x 5 cm). In the case of cylindrical cells. The crossed out wheeled bin symbol shall cover at least 1.5% of the surface area of the Battery or Battery pack, up to a maximum size of 5 cm x 5 cm.
- (iv) Where the size of the Battery or Battery pack is such that the crossed out wheeled bin symbol would be smaller than 0.5 cm x 0.5 cm, the Battery or Battery pack need not be marked but a crossed out wheeled bin symbol measuring at least 1 cm x 1 cm shall be printed on the packaging.
- (v) No person shall place on the market a Battery or a button cell containing mercury. Cadmium or lead unless it is marked with the respective chemical symbol “Hg”: “Cd” or “Pb”. The symbol of the heavy metal shall,-
 - A. Be printed beneath the symbol shown in Figure 1; and
 - B. Cover an area of at least one-quarter the size of the crossed out wheeled bin symbol as indicated below:



Figure I: Crossed out wheeled bin symbol

Cd Hg Pb

Provided that marking of chemical symbol 'Cd' or 'Pb' is not applicable where the metal concentration of Cadmium in the battery is less than or equal to 0.002% (20 parts per million) or Lead in the battery is less than or equal to 0.004% (40 parts per million) by weight. (w.e.f.24.2.2025)

SCHEDULE II

- **Targets for Extended Producer Responsibility.-**

- (i) In case of a new Producer introducing Battery in the market in the subsequent years after the publication of these rules, the Extended Producer Responsibility targets shall be applicable for different types of Battery, based on the average life of the Battery mentioned in the tables below for the respective types of Battery.
- (ii) The Extended Producer Responsibility target shall include the collection targets mentioned in the tables below and 100% recycling and/or refurbishment target of Extended Producer Responsibility collection target of the respective year.
- (iii) The recycling of Waste Battery means recycling of Battery materials such as lead, nickel, lithium, nickel, cobalt, plastics, rubber, glass, etc.
- (iv) Extended Producer Responsibility target for the Producer shall be specific to the kind of Battery (viz. Lead acid, Li-Ion, Nickel Cadmium, Zinc based Battery, etc.) within each type of Battery-portable, automotive, industrial and electric vehicle Battery.
- (v) Producer will meet their Extended Producer Responsibility obligation through the Extended Producer Responsibility certificate made available by recycler or refurbisher. In case of non-availability of Extended Producer Responsibility certificates with recyclers or refurbishes, the Producer shall have the responsibility of collection [in accordance with the allocated target]. (w.e.f.25.10.2023)
- (vi) For portable Battery used in consumer electronics which are rechargeable:

| No. | Compliance cycle | Year | Mandatory Waste Battery collection target and 100% of refurbishment or recycling of the collection target (Weight) | Mandatory Waste Battery collection target, and 100% refurbishment and/or recycling target for every ten year cycle (Weight) |
|--------|--------------------|-----------|---|---|
| (i) | 2022-23 to 2031-32 | 2022-2023 | Minimum 50% of the quantity of Battery placed in the market in 2017-18. | Collection of 100% Waste Battery and of 100% of refurbishment or recycling shall be mandatory by end of ten year compliance cycle (end of 10th year) against the Battery placed in the market during ten year compliance cycle. |
| (ii) | | 2023-2024 | Minimum 60% of the quantity of Battery placed in the market in 2018-19. | However, up to 60% of the remaining quantity of battery placed in the market during the applicable compliance cycle may be carried forward to the next compliance cycle. (2024) |
| (iii) | | 2024-2025 | Minimum 70% of the quantity of Battery placed in the market in 2019-2020. | |
| (iv) | | 2025-2026 | Minimum 70% of the quantity of Battery placed in the market in 2020-21. | |
| (v) | | 2026-2027 | Minimum 70% of the quantity of Battery placed in the market in 2021-22. | |
| (vi) | | 2027-2028 | Minimum 70% of the quantity of Battery placed in the market in 2022-23. | |
| (vii) | | 2028-2029 | Minimum 70% of the quantity of Battery placed in the market in 2023-24. | |
| (viii) | | 2029-2030 | Minimum 70% of the quantity of Battery placed in the market in 2024-25. | |

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| (ix) | | 2030-2031 | Minimum 70% of the quantity of Battery placed in the market in 2025-26. | |
| (x) | | 2031-2032 | Minimum 70% of the quantity of Battery placed in the market in 2026-27. | |
| (xi) | 2032-33 to 2041-42, and onwards | 2032-33 and onwards | Minimum 70% of the quantity of Battery placed in the market in 5th preceding financial year (i.e. 2027-28) and onwards. | <p>Collection of 100% Waste Battery and of 100% of refurbishment or recycling shall be mandatory by end of ten year compliance cycle (end of 10th year) against the Battery placed in the market during ten year compliance cycle.</p> <p>However, up to 60% of the remaining quantity of battery placed in the market during the applicable compliance cycle may be carried forward to the next compliance cycle. (2024)</p> |

(vii) For portable Battery except those used in consumer electronics which are rechargeable:

| No. | Compliance cycle | Year | Mandatory Waste Battery collection target and 100% of refurbishment or recycling of the collection target (Weight) | Mandatory Waste Battery collection target, and 100% refurbishment and/or recycling target for every ten year cycle (Weight) |
|------|----------------------|-----------|---|---|
| (i) | 2025-26 till 2034-35 | 2025-2026 | Minimum 50% of the quantity of Battery placed in the market in 202223. | Collection of 100% Waste Battery and of 100% of refurbishment or recycling shall be mandatory by end of ten year compliance cycle (end of 10 th year) against the Battery placed in the market during ten year compliance cycle. |
| (ii) | | 2026-2027 | Minimum 60% of the quantity of Battery placed in the market in 202324. | However, up to 60% of the |

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| (iii) | | 2027-2028 | Minimum 70% of the quantity of Battery placed in the market in 202425. | remaining quantity of battery placed in the market during the applicable compliance cycle may be carried forward to the next compliance cycle. (w.e.f.14.3.2024). |
| (iv) | | 2028-2029 | Minimum 70% of the quantity of Battery placed in the market in 202526. | |
| (v) | | 2029-2030 | Minimum 70% of the quantity of Battery placed in the market in 202627. | |
| (vi) | | 2030-2031 | Minimum 70% of the quantity of Battery placed in the market in 202728. | |
| (vii) | | 2031-2032 | Minimum 70% of the quantity of Battery placed in the market in 202829. | |
| (viii) | | 2032-2033 | Minimum 70% of the quantity of Battery placed in the market in 202930. | |
| (ix) | | 2033-2034 | Minimum 70% of the quantity of Battery placed in the market in 203031. | |
| (x) | | 2034-2035 | Minimum 70% of the quantity of Battery placed in the market in 203132. | |
| (xi) | 2035-36 till 2044-45, and onwards | 2035-2036 and onwards | Minimum 70% of the quantity of Battery placed in the market in 3rd preceding financial year (i.e. 203233) and onwards | Collection of 100% Waste Battery and of 100% of refurbishment or recycling shall be mandatory by end of ten year compliance cycle (end of 10 th year) against the Battery placed in the market during ten year compliance cycle. However, up to 60% of the remaining quantity of battery placed in the market during |

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| | | | | the applicable compliance cycle may be carried forward to the next compliance cycle. (w.e.f.14.3.2024) |
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(viii) For automotive Battery:

| No. | Compliance cycle | Year | Mandatory Waste Battery collection target and 100% of refurbishment or recycling of the collection target (Weight) | Mandatory waste Battery collection target, and 100% refurbishment and/or recycling target for every seven year cycle (Weight) |
|-------|----------------------|-----------|---|--|
| (i) | 2022-23 till 2028-29 | 2022-2023 | Minimum 30% of the quantity of Battery placed in the market in 2019-20. | Collection of 100% Waste Battery and of 100% of refurbishment or recycling shall be mandatory by end of seven year compliance cycle (end of 7th year) against the Battery placed in the market during seven year compliance cycle. |
| (ii) | | 2023-2024 | Minimum 50% of the quantity of Battery placed in the market in 2020-21. | However, up to 60% of the remaining quantity of battery placed in the market during the applicable compliance cycle may be carried forward to the next compliance cycle. (w.e.f.14.3.2024) |
| (iii) | | 2024-2025 | Minimum 70% of the quantity of Battery placed in the market in 2021-22. | |
| (iv) | | 2025-2026 | Minimum 90% of the quantity of Battery placed in the market in 2022-23. | |
| (v) | | 2026-2027 | Minimum 90% of the quantity of Battery placed in the market in 2023-24. | |

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| (vi) | | 2027-2028 | Minimum 90% of the quantity of Battery placed in the market in 2024-25. | |
| (vii) | | 2028-2029 | Minimum 90% of the quantity of Battery placed in the market in 2025-26. | |
| (viii) | 2029-30 till 2035-36, and onwards | 2029-2030 and onwards | Minimum 90% of the quantity of Battery placed in the market in 3rd preceding financial year (i.e. 202627) and onwards | <p>Collection of 100% Waste Battery and of 100% of refurbishment or recycling shall be mandatory by end of seven year compliance cycle (end of 7th year) against the Battery placed in the market during seven year compliance cycle.</p> <p>However, up to 60% of the remaining quantity of battery placed in the market during the applicable compliance cycle may be carried forward to the next compliance cycle.</p> <p>(w.e.f.14.3.2024)</p> |

(ix) For Industrial Battery:

| No. | Compliance cycle | Year | Mandatory Waste Battery collection target and 100% of refurbishment or recycling of the collection target (Weight) | Mandatory Waste Battery collection target, and 100% refurbishment and/or recycling target for every seven year cycle (Weight) |
|------|----------------------|-----------|---|--|
| (i) | 2022-23 till 2028-29 | 2022-2023 | Minimum 40% of the quantity of Battery placed in the market in 2019-20. | <p>Collection of 100% Waste Battery and of 100% of refurbishment or recycling shall be mandatory by end of seven year compliance cycle (end of 7th year) against the Battery placed in the market during seven year compliance cycle.</p> <p>However, there may be a</p> |
| (ii) | | 2023-2024 | Minimum 50% of the quantity of Battery placed in the market in 2020-21. | |

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|--------|-------------------------------|------------------------|---|--|
| (iii) | | 2024-2025 | Minimum 60% of the quantity of Battery placed in the market in 2021-22. | <p>carry forward of up to 60% of the average quantity of Battery placed in the market per year during the seven year cycle to the next compliance cycle." occurring at both the places, the words and figure "However, up to 60% of the remaining quantity of battery placed in the market during the applicable compliance cycle may be carried forward to the next compliance cycle. (w.e.f.14.3.2024)</p> |
| (iv) | | 2025-2026 | Minimum 70% of the quantity of Battery placed in the market in 2022-23. | |
| (v) | | 2026-2027 | Minimum 70% of the quantity of Battery placed in the market in 2023-24. | |
| (vi) | | 2027-2028 | Minimum 70% of the quantity of Battery placed in the market in 2024-25. | |
| (vii) | | 2028-2029 | Minimum 70% of the quantity of Battery placed in the market in 2025-26. | |
| (viii) | 2029-30 2035-36 onwards | till and onwards | 2029-2030 and onwards | <p>Collection of 100% Waste Battery and of 100% of refurbishment or recycling shall be mandatory by end of seven year compliance cycle (end of 7th year) against the Battery placed in the market during seven year compliance cycle.</p> <p>However, there may be a carry forward of up to 60% of the average quantity of Battery placed in the market</p> |

| | | | | |
|--|--|--|--|---|
| | | | | per year during the seven year cycle to the next compliance cycle." occurring at both the places, the words and figure "However, up to 60% of the remaining quantity of battery placed in the market during the applicable compliance cycle may be carried forward to the next compliance cycle. (w.e.f.14.3.2024) |
|--|--|--|--|---|

- (x) For Electric Vehicles Battery of three wheelers, including E-rickshaw, categories L5, L5- M, L5-N, E-cart as defined under the Central Motor Vehicle Rules, 1989, the mandatory waste battery collection, recycling or refurbishment targets are as under:— (w.e.f.25.10.2023)

| No. | Compliance cycle | Year | Mandatory Waste Battery collection target and 100% of refurbishment or recycling of the collection target (Weight) | Mandatory Waste Battery collection target, and 100% refurbishment and/or recycling target for every seven year cycle (Weight) |
|--------|----------------------------------|-----------------------|--|--|
| (1) | (2) | (3) | (4) | (5) |
| (i) | 2026-27 till 2032-33 | 2026-2027 | Minimum 70% of the quantity of Battery placed in the market in 2021-22. | Collection of 100% Waste Battery and of 100% of refurbishment or recycling shall be mandatory by end of seven year compliance cycle (end of 7th year) against the Battery placed in the market during seven year compliance cycle. However, there may be a carry forward of up to 60% of the average quantity of Battery placed in the market per year during the seven year cycle to the next compliance cycle. |
| (ii) | | 2027-2028 | Minimum 70% of the quantity of Battery placed in the market in 2022-23. | |
| (iii) | | 2028-2029 | Minimum 70% of the quantity of Battery placed in the market in 2023-24. | |
| (iv) | | 2029-2030 | Minimum 70% of the quantity of Battery placed in the market in 2024-25. | |
| (v) | | 2030-2031 | Minimum 70% of the quantity of Battery placed in the market in 2025-26. | |
| (vi) | | 2031-2032 | Minimum 70% of the quantity of Battery placed in the market in 2026-27. | |
| (vii) | | 2032-2033 | Minimum 70% of the quantity of Battery placed in the market in 2027-28. | |
| (viii) | 2033-34 till 2039-40 and onwards | 2033-2034 and onwards | Minimum 70% of the quantity of Battery placed in the market in the 5th preceding financial year (i.e. 2028-29) and onwards | Collection of 100% Waste Battery and of 100% of refurbishment or recycling shall be mandatory by end of seven year compliance cycle (end of 7th year) against the Battery placed in the market during seven year compliance cycle. However, there may be a carry forward of up to 60% of the average quantity of Battery placed in the market per year during the seven year cycle to the next compliance cycle. |

- (xi) For Electric Vehicles (EV) Battery of two wheelers:

| No. | Compliance cycle | Year | Mandatory Waste Battery collection target and 100% of refurbishment or recycling of the collection target (Weight) | Mandatory Waste Battery collection target, and 100% refurbishment and/or recycling target for every seven year cycle (Weight) |
|-------|----------------------|-----------|---|--|
| (i) | 2026-27 till 2032-33 | 2026-2027 | Minimum 70% of the quantity of Battery placed in the market in 2022-23. | Collection of 100% Waste Battery and of 100% of refurbishment /recycling shall be mandatory by end of seven year compliance cycle (end of 7th year) against the Battery placed in the market during seven year compliance cycle. |
| (ii) | | 2027-2028 | Minimum 70% of the quantity of Battery placed in the market in 2023-24. | |
| (iii) | | 2028-2029 | Minimum 70% of the quantity of Battery placed in the market in 2024-25. | However, there may be a carry forward of up to 60% of the average quantity of Battery placed in the market per year during the seven year cycle to the next compliance cycle." occurring at both the places, the words and figure "However, up to 60% of the remaining quantity of battery placed in the market during the applicable compliance cycle may be carried forward to the next compliance cycle. (w.e.f.14.3.2024) |
| (iv) | | 2029-2030 | Minimum 70% of the quantity of Battery placed in the market in 2025-26. | |
| (v) | | 2030-2031 | Minimum 70% of the quantity of Battery placed in the market in 2026-27. | |
| (vi) | | 2031-2032 | Minimum 70% of the quantity of Battery placed in the market in 2027-28. | |
| (vii) | | 2032-2033 | Minimum 70% of the quantity of Battery placed in the market in 2028-29. | |

| | | | | |
|--------|---------------------------------|-----------------------|--|--|
| (viii) | 2033-34 till 2039-40 onwards | 2033-2034 and onwards | Minimum 70% of the quantity of Battery placed in the market in the 4th preceding financial year (i.e. 2029-30) and onwards | <p>Collection of 100% Waste Battery and of 100% of refurbishment or recycling shall be mandatory by end of seven year compliance cycle (end of 7th year) against the Battery placed in the market during seven year compliance cycle.</p> <p>However, there may be a carry forward of up to 60% of the average quantity of Battery placed in the market per year during the seven year cycle to the next compliance cycle." occurring at both the places, the words and figure "However, up to 60% of the remaining quantity of battery placed in the market during the applicable compliance cycle may be carried forward to the next compliance cycle. (w.e.f.14.3.2024)</p> |
|--------|---------------------------------|-----------------------|--|--|

(ii) For Electric Vehicles (EV) Battery comprising of four wheelers:

| No. | Compliance cycle | Year | Mandatory Waste Battery collection target and 100% of refurbishment or recycling of the collection target (Weight) | Mandatory Waste Battery collection target, and 100% refurbishment and/or recycling target for every fourteen year cycle (Weight) |
|-----|----------------------|-----------|---|---|
| (i) | 2029-30 till 2042-43 | 2029-2030 | Minimum 70% of the quantity of Battery placed in the market in 2021-22. | Collection of 100% Waste Battery and of 100% of refurbishment or recycling shall be mandatory by end of fourteen year compliance |

| | | | |
|--------|-----------|---|---|
| (ii) | 2030-2031 | Minimum 70% of the quantity of Battery placed in the market in 2022-23. | cycle (end of 14th year) against the Battery placed in the market during fourteen year compliance cycle. |
| (iii) | 2031-2032 | Minimum 70% of the quantity of Battery placed in the market in 2023-24. | However, up to 60% of the remaining quantity of battery placed in the market during the applicable compliance cycle may be carried forward to the next compliance cycle. (w.e.f.14.3.2024) |
| (iv) | 2032-2033 | Minimum 70% of the quantity of Battery placed in the market in 2024-25. | |
| (v) | 2033-2034 | Minimum 70% of the quantity of Battery placed in the market in 2025-26. | |
| (vi) | 2034-2035 | Minimum 70% of the quantity of Battery placed in the market in 2026-27. | |
| (vii) | 2035-2036 | Minimum 70% of the quantity of Battery placed in the market in 2027-28. | |
| (viii) | 2036-2037 | Minimum 70% of the quantity of Battery placed in the market in 2028-29. | |
| (ix) | 2037-2038 | Minimum 70% of the quantity of Battery placed in the market in 2029-30. | |

| | | | | |
|---------------------------|----------------------|-----------------------|--|--|
| (x) | | 2038-2039 | Minimum 70% of the quantity of Battery placed in the market in 2030-31. | |
| (xi) | | 2039-2040 | Minimum 70% (w.e.f.25.10.2023) of the quantity of Battery placed in the market in 2031-32. | |
| (xii) | | 2040-2041 | Minimum 70% of the quantity of Battery placed in the market in 2032-33. | |
| (xiii) | | 2041-2042 | Minimum 70% of the quantity of Battery placed in the market in 2033-34. | |
| (xiv) | | 2042-2043 | Minimum 70% of the quantity of Battery placed in the market in 2034-35. | |
| (xv) (w.e.f.14.3.2024) | 2043-44 till 2056-57 | 2043-2044 onwards and | Minimum 70% of the quantity of Battery placed in the market in the 8th preceding financial year (i.e. 2035-36) and onwards | <p>Collection of 100% Waste Battery and of 100% of refurbishment or recycling shall be mandatory by end of fourteen year compliance cycle (end of 14th year) against the Battery placed in the market during fourteen year compliance cycle.</p> <p>However, up to 60% of the remaining quantity of battery placed in the market during the applicable compliance cycle may be carried forward to the next compliance cycle. (w.e.f.14.3.2024)</p> |

Form 1(A)
(see rule 4)

[Application to be submitted for grant **or renewal** (w.e.f.25.10.2023) of registration as a Producer]

| | | |
|----|--|---|
| 1. | Name of Producer | |
| 2. | Registered address of Producer, website address and contact details | |
| 3. | Name of the authorised person(s) and full address with e-mail, landline telephone number and mobile number | |
| 4. | GST No. | |
| 5. | TIN No. | |
| 6. | Type(s) of Battery placed in the market with brand name(s) | List as per the type: a. Portable Battery b. Automotive Battery c. EV Battery d. Industrial Battery |

General Terms and Conditions:

- i. The registered entity shall comply with provisions of the Environment (Protection) Act 1986 and the rules made thereunder;
- ii. Any change in the approved Extended Producer Responsibility form should be informed to Central Pollution Control Board.

Place:

Date:

Signature of the authorised person:

(w.e.f.25.10.2023)

“Form 1(B)

(see rules 4, 11)

FORMAT FOR GRANT OF REGISTRATION TO PRODUCERS

Ref.: Your application number for registration dated

Registration No.:

M/s----- is hereby granted one-time registration as Producer of waste Battery in line with provisions under Battery Waste Management Rules, 2022. Any violation of the provision(s) of the Battery Waste Management Rules, 2022 will attract the penal provision of the Environment (Protection) Act, 1986 (29 of 1986).

(Member Secretary)

Central Pollution Control Board”;

Form 1 (C) (see rule 4)

[Format for submission of return regarding Battery placed in market (w.e.f.25.10.2023) by the Producer]

| | | |
|----|--|--|
| 1. | Name of Producer | |
| 2. | Registered address of Producer, website address and contact details | |
| 3. | Name of the authorised person(s) and full address with e-mail, landline telephone number and mobile number | |
| 4. | GST No. | |

| | | |
|----|--|---|
| 5. | TIN No. | |
| 6. | Type of Battery placed in the market, including the Battery put to self-use, with brand name and the total number and weight of the Battery, as well as dry weight of Battery. (w.e.f.25.10.2023) | Quantities in number and (w.e.f.25.10.2023) weight as well as dry weight of Battery typewise- <ul style="list-style-type: none"> a. Portable Battery b. Automotive Battery c. EV Battery d. Industrial Battery |

Date:

Place:

Signature of the authorised person

Form 2(A)
(see rule 8 and 9)

[Application to be submitted by recycler or refurbisher for grant of one time registration]

| | | |
|----|--|--|
| 1. | Name of the recycler | |
| 2. | Registered address and website address | |
| 3. | Phone No.(landline and mobile) | |
| 4. | Email ID | |
| 5. | Authorised person(s) Name | |
| 6. | Authorised person(s) Email ID | |
| 7. | Authorised person Mobile No. | |
| 8. | GST No. | |

| | | |
|-----|--|--|
| 9. | Consent Validity | a. Under Air Act, 1981; Valid up to – b. Under Water Act, 1974; Valid up to – |
| 10. | Validity of Authorisation under rule 6 of the Hazardous Wastes (Management and Handling) Rules, 2016 | Valid up to - |
| 11. | Validity of certification of registration with District Industries Centre | Valid up to – |
| 12. | Capacity of recycling unit(s) in (MTA) | a. Installed b. Operating(details of last three years) |

Signature of the authorised person

Place:

Date:

**Form 2(B)
(see rule 12)**

[Format for grant of registration to recycler or refurbisher by State Pollution Control Boards]

Ref.: Your application number for registration
dt.

Registration No.:.....

M/s----- is hereby granted registration for recycling and/or refurbishment of Waste Battery in line with provisions under Battery Waste Management Rules, 2022. The registration shall be valid for a period of years from date of issue. Any violation of the provision(s) of the Battery Waste Management Rules, 2022 will attract the penal provision of the Environment (Protection) Act, 1986 (29 of 1986).

(Member Secretary)
State Pollution Control Board
(Signature and designation)

Date:

Place:

(w.e.f.25.10.2023)

“Form 3
(see rule 4)

[Annual returns to be submitted by Producer by 30th day of June of the following financial year]

| | | | | | | |
|----|--|--|--|--|--|--|
| 1. | Name of Producer | | | | | |
| 2. | Registered address of Producer, website address and contact details | | | | | |
| 3. | Name of the authorised person(s) and full address with e-mail, landline telephone number and mobile number | | | | | |

| 4. Details of Battery placed in the market of the year, on which Extended Producer Responsibility target is calculated | Sl.No. | Financial Year | Type of Battery | Quantity of Battery sold | | | | |
|--|--|----------------|-----------------|--------------------------|--------------|--------------------------------|--|--|
| | | | | No. | Total weight | Dry weight of Battery material | | |
| | | | | 1. | | | | |
| | | | | 2. | | | | |
| | | | | 3. | | | | |
| 5. Details of Extended Producer Responsibility obligation(s) and the Battery collected and refurbished or recycled for which the return is being filed | 1. Extended Producer Responsibility obligation(s), 2. Weight of Battery material refurbished or recycled 3. Weight of Battery material recovered 4. Details of disposal | | | | | | | |
| | No. of certificates recycler or refurbisher-wise | | | | | | | |
| 6. Details of Extended Producer Responsibility certificates | | | | | | | | |
| 7. Details of pre-consumer waste battery and ways of disposal (recycling/other ways of disposal including final disposal) | | | | | | | | |

Note: EPR target compliance includes Battery put to self-use.

Place:
Date:".

Signature of the authorised person:

| | | | | | | | |
|-----|--|---|--------------------|--|-----------------|------------------------|---|
| 1. | Name of the recycler | | | | | | |
| 2. | Registered address | | | | | | |
| 3 | Email Id | | | | | | |
| 4 | Phone No. | | | | | | |
| 5 | Name of authorized person (s) | | | | | | |
| 6. | GST Number | | | | | | |
| 7. | Registration No. With State Pollution Control Board | | | | | | |
| 8 | Capacity of recycling unit(s) in (MTA) | Installed Operating(details of last three years) a. b. | | | | | |
| 9 | Details of Waste Battery collected from different entities including producer(s) | S.No. | Type of Battery | Details of entities from whom the Battery are collected for recycling or refurbishment along with quantities in number and weight | | | |
| | 1 | Portable | | | | | |
| | 2 | Automotive | | | | | |
| | 3 | Electric Vehicle | | | | | |
| | 4 | Industrial | | | | | |
| 10. | Details of Waste Battery recycled or refurbished | S. No. | Type of Battery | Quantity of Battery recycled or refurbished | | | |
| | | | | No. | Total weight | Total dry weight | Total weight of Battery material recovered |
| | | 1. | Portable | | | | |

Form 4
(see rule 8 and 9)

**[Quarterly return to be submitted by recycler or refurbisher to State Pollution
Control Boards by end of the month succeeding the end of the quarter]**

| | | | | | | | |
|--|--|----|---------------------|--|--|--|--|
| | | 2. | Automotive | | | | |
| | | 3. | Electric Vehicle | | | | |
| | | 4. | Industrial | | | | |

| | | |
|-----|---|--|
| | Details of waste generated and disposed during recycling or refurbishing operations | |
| 11. | | |
| 12 | Extended Producer Responsibility certificate details | No. of certificates issued producer-wise |

Signature of the
authorised person Place:

Date:

THE MANUFACTURE, STORAGE AND IMPORT OF HAZARDOUS CHEMICAL RULES, 1989

SHORT TITLE AND COMMENCEMENT –

(1) These rules may be called the Manufacture, Storage and Import of Hazardous Chemical Rules, 1989.

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

2. DEFINITIONS - In these rules, unless the context otherwise requires, -

- (a) "Act" means the Environment (Protection) Act, 1986 (29 of 1986);
- (b) "Authority" means an authority mentioned in Column 2 of Schedule 5;
- (c) "export" with its grammatical variations and cognate expression, means taking out of India to a place outside India;
- (d) "exporter" means any person under the jurisdiction of the exporting country and includes the exporting country, who exports hazardous chemical;
- (e) "Hazardous Chemical " means -
 - (i) any chemical which satisfies any of the criteria laid down in Part I of ¹[Schedule 1 or] listed in Column 2 of Part II of this Schedule ;
 - (ii) any chemical listed in Column 2 of Schedule 2;
 - (iii) any chemical listed in Column 2 of Schedule 3;
- (f) "import" with its grammatical variations and cognate expression, means bringing into India from a place outside India;
- (g) "importer" means an occupier or any person who imports hazardous chemicals;
- (h) "industrial activity" means-
 - i. an operation or process carried out in an industrial installation referred to in Schedule 4 involving or likely to involve one or more hazardous chemicals and includes on-site storage or on-site transport which is associated with that operation or process, as the case may be; or
 - ii. isolated storage; or
 - iii. pipeline ;

* The principal rules were published in the Gazette of India vide number S.O. 966(E), dated 27.11.1989 and subsequently amended vide: S.O.115 (E), dated 05.02.1990; GSR 584, dated 09.09.1990; S.O.2882, dated 03.10.1994; and S.O. 57(E), dated 19.01.2000.

¹ Substituted by Rule 2(i) of the Manufacture, Storage and Import of Hazardous Chemical(Amendment) Rules, 2000 notified vide S.O. 57(E), dated 19.1.2000.

(i) "isolated storage" means storage of a hazardous chemical, other than storage associated with an installation on the same site specified in Schedule 4 where that storage involves atleast the quantities of that chemical set out in Schedule 2;

¹ [(j) "major accident" means -an incident involving loss of life inside or outside the installation, or ten or more injuries inside and/or one or more injuries outside or release of toxic chemicals or explosion or fire or spillage of hazardous chemicals resulting in on-site or off-site emergencies or damage to equipment leading to stoppage of process or adverse affects to the environment ;

(ja) "major accident hazards (MAH) installations" means - isolated storage and industrial activity at a site handling (including transport through carrier or pipeline) of hazardous chemicals equal to or, in excess of the threshold quantities specified in, Column 3 of schedule 2 and 3 respectively;]

(k) "pipeline" means a pipe (together with any apparatus and works associated therewith) or system of pipes (together with any apparatus and work associated therewith) for the conveyance of a hazardous chemical other than a flammable gas as set out in Column 2 of Part II of Schedule 3 at a pressure of less than 8 bars absolute; the pipeline also includes inter -state pipelines;

(l) "Schedule" means Schedule appended to these rules;

(m) "site" means any location where hazardous chemicals are manufactured or processed, stored, handled, used, disposed of and includes the whole of an area under the control of an occupier and includes pier, jetty or similar structure whether floating or not;

(n) "Threshold quantity" means, -

(i) in the case of a hazardous chemical specified in Column 2 of Schedule 2, the quantity of that chemical specified in the corresponding entry in Columns 3 and 4 ;

(ii) in the case of a hazardous chemical specified in Column 2 of Part I of Schedule 3, the quantity of that chemical specified in the corresponding entry in Columns 3 & 4 of that part;

(iii) in the case of substances of a class specified in Column 2 of Part II of Schedule 3, the total quantity of all substances of that class specified in the corresponding entry in Columns 3 and 4 of that part.

² **[3. DUTIES OF AUTHORITIES –**

The concerned authority shall, -

- (a) inspect the industrial activity at least once in a calendar year;

¹ Substituted by Rule 2(ii) of the Manufacture, Storage and Import of Hazardous Chemical (Amendment)Rules, 2000 notified vide S.O.57(E), dated 19th January, 2000.

² Substituted by Rule 2 of the MSIHC (Amendment) Rules, 1994 notified vide S.O.2882, dated 3.10.1994.

- (b) except where such authority is the Ministry of Environment and Forests, annually report on the compliance of the rules by the occupiers to the Ministry of Environment and Forests through appropriate channel ;
- (c) subject to the other provisions of these rules, perform the duties specified in column 3 of Schedule 5.]

4. GENERAL RESPONSIBILITY OF THE OCCUPIER DURING INDUSTRIAL ACTIVITY -

(1) these rules shall apply to, -

- (a) an industrial activity in which a hazardous chemical, which satisfies any of the criteria laid down in Part I of Schedule 1 ¹[or listed] in Column 2 of Part II of this Schedule is, or may be, involved; and

² [(b) isolated storage of a hazardous chemical listed in Schedule 2 in a quantity equal to or more than the threshold quantity specified in Column 3, thereof.]

(2) An occupier who has control of an industrial activity in terms of sub-rule (1) shall provide evidence to show that he has, -

- (a) identified the major accident hazards; and
(b) taken adequate steps
to -

- (i) prevent such major accidents and to limit their consequences to persons and the environment;

¹ Substituted by Rule 3(i) of the MSIHC (Amendment) Rules, 1994 notified vide S.O.2882, dated 3.10.1994.

² Substituted by Rule 3(ii), ibid.

- (ii) provide to the persons working on the site with the information, training and equipment including antidotes necessary to ensure their safety.

4. NOTIFICATION OF MAJOR ACCIDENT -

(1) Where a major accident occurs on a site or in a pipe line, the occupier shall¹[within 48 hours notify] the concerned authority as identified in Schedule 5 of that accident, and furnish thereafter to the concerned authority a report relating to the accidents in installments, if necessary, in Schedule 6.

(2) The concerned authority shall on receipt of the report in accordance with sub-rule 1 of this rule, shall undertake a full analysis of the major accident and sent the²³⁴[requisite information within 90 days to the Ministry] of Environment and Forests through appropriate channel.

⁵

[(3) An occupier shall notify to the concerned Authority, steps taken to avoid any repetition of such occurrence on a site.]

⁵[(4) The concerned Authority shall compile information regarding major accidents and make available a copy of the same to the Ministry of Environment & Forests through appropriate channel.

(5) The concerned Authority shall in writing inform the occupier, of any lacunae which in its opinion needs to be rectified to avoid major accidents.]

6. INDUSTRIAL ACTIVITY TO WHICH RULES 7 TO 15 APPLY -

(1) Rules 7 to 15 shall apply to, -

- (a) an industrial activity in which there is involved a quantity of hazardous chemical listed in Column 2 of Schedule 3 which is equal to or more than the quantity specified in the entry for that chemical in Column 3 & 4 (Rules 10-12 only for Column 4); and
- (b) isolated storage in which there is involved a quantity of a hazardous chemical listed in Column 2 of Schedule 2 which is equal to or more than the quantity specified in the entry for that chemical in Column⁶[3 & 4 (rules 10-12 only for column 4).]

(2) For the purpose of rules 7 to 15,

- (a) "new industrial activity" means an industrial activity which, –
 - (i) commences after the date of coming into operation of these rules; or

¹ Substituted by Rule 3(a) of the MSIHC (Amendment) Rules, 1994 notified vide S.O.2882, dated 3.10.1994.

² Substituted by Rule 3(b) ibid.

³ Substituted by Rule 3(c) of the Manufacture, Storage and Import of Hazardous Chemical (Amendment) Rules, 1994 notified vide S.O. No.2882, dated⁴ 10.1994.

⁵ Inserted by Rule 3(d); ibid.

⁶ Substituted by Rule 4; ibid.

- (ii) if commenced before that date, is an industrial activity in which a modification has been made which is likely to cover major accident hazards, and that activity shall be deemed to have commenced on the date on which the modification was made;
- (b) an "existing industrial activity" means an industrial activity which is not a new industrial activity.

7. ¹[APPROVAL AND] NOTIFICATION OF SITES -

(1) An occupier shall not undertake any industrial activity ²³[unless he has been granted an approval for undertaking such an activity and has submitted] a written report to the concerned authority containing the particulars specified in Schedule 7 at least 3 months before commencing that activity or before such shorter time as the concerned authority may agree and for the purpose of this paragraph, an activity in which subsequently there is or is liable to be a threshold quantity or more of an additional hazardous chemical shall be deemed to be a different activity and shall be notified accordingly.

⁴

[(2) The concerned Authority within 60 days from the date of receipt of the report shall approve the report submitted and on consideration of the report if it is of the opinion that contravention of the provisions of the Act or the rules made thereunder has taken place, it shall issue notice under rule 19].

8. UPDATING OF THE SITE NOTIFICATION FOLLOWING CHANGES IN THE THRESHOLD QUANTITY -

Where an activity has been reported in accordance with rule 7(1) and the occupier makes a change in it (including an increase or decrease in the maximum threshold quantity of a hazardous chemical to which this rule applies which is or is liable to be at the site or in the pipeline or at the cessation of the activity) which affects the particulars specified in that report or any subsequent report made under this rule, the occupier shall forthwith furnish a further report to the concerned authority.

9. TRANSITIONAL PROVISIONS-

Where. –

- (a) at the date of coming into operation of these rules, an occupier is in control of an existing industrial activity which is required to be reported under rule 7(1); or
- (b) within 6 months after that date, an occupier commence any such new industrial activity; it shall be a sufficient compliance with that rule if he reports to the concerned authority as per the particulars in Schedule 7 within 3 months after the date of coming into operation of these rules or within such longer time as the concerned authority may agree in writing.

¹ Substituted by Rule 5 of the MSIHC (Amendment) Rules, 2000 notified vide S.O.57(E), dated 19.1.2000.

² Substituted by Rule 4 (a) of MSIHC (Amendment) Rules, 1994 notified vide S.O.2882, dated 3.10.1994.

³ Substituted by Rule 4(b), ibid.

10. SAFETY REPORTS ¹[AND SAFETY AUDIT REPORTS] -

(1) Subjects to the following paragraphs of this rule, an occupier shall not undertake any industrial activity to which this rule applies, unless he has prepared a safety report on that industrial activity containing the information specified in Schedule 8 and has sent a copy of that report to the concerned authority at least ninety days before commencing that activity.

(2) In the case of a new industrial activity which an occupier commences, or by virtue of sub-rule (2) (a) (ii) of rule 6 is deemed to commence, within 6 months after coming into operation of these rules, it shall be a sufficient compliance with sub-rule (1) of this rule if the occupier sends to the concerned authority a copy of the report required in accordance with that sub-rule within ninety days after the date of coming into operation of these rules.

²

[(3) In case of an existing industrial activity, the occupier shall prepare a safety report in consultation with the concerned authority and submit the same within one year from the date of commencement of the Manufacture, Storage and Import of Hazardous Chemicals (Amendment) Rules, 1994 to the concerned Authority.]

³

[(4) After the commencement of the Manufacture, Storage and Import of Hazardous Chemicals (Amendment) Rules, 1994, the occupier of both the new and the existing industrial activities shall carry out an independent safety audit of the respective industrial activities with the help of an expert, not associated with such industrial activities.

(5) The occupier shall forward a copy of the auditor's report along with his comments to the concerned Authority within 30 days after the completion of such Audit.]

⁴

[(6) The occupier shall update the safety audit report once a year by conducting a fresh safety audit and forward a copy of it with his comments thereon within 30 days to the concerned Authority.

¹ Substituted by Rule 6 of the MSIHC (Amendment) Rules, 2000 notified vide S.O.57(E), dated 19.1.2000.

² Substituted by Rule 5(a) of the MSIHC (Amendment) Rules, 1994 notified vide S.O.2882, dated 3.10.1994.

³ Inserted by Rule 5(b), *ibid*.

⁴ Inserted by Rule 5(b) of the MSIHC (Amendment) Rules, 1994 notified vide S.O.2882, dated 3.10.1994.

(7) The concerned Authority may if it deems fit, issue improvement notice under rule 19 within 45 days of the submission of the said report.]

11. UPDATING OF REPORTS UNDER RULE 10-

(1) Where an occupier has made a safety report in accordance with sub-rule (1) of rule 10 he shall not make any modification to the industrial activity to which that safety report relates which could materially affect the particulars in that report, unless he has made a further report to take account of those

modifications and has sent a copy of that report to the concerned authority at least 90 days before making those modifications.

(2) Where an occupier has made a report in accordance with rule 10 and sub - rule (1) of this rule and that industrial activity is continuing the occupier shall within three years of the date of the last such report, make a further report which shall have regard in particular to new technical knowledge which has affected the particulars in the previous report relating to safety and hazard assessment and shall within 30 days ¹[***] send a copy of the report to the concerned authority.

² **[12. REQUIREMENT FOR FURTHER INFORMATION TO BE SENT TO THE AUTHORITY -**

Where, in accordance with rule 10, an occupier has sent a safety report and the safety audit report relating to an industrial activity to the concerned Authority, the concerned Authority may, by a notice served on the occupier, require him to provide such additional information as may be specified in the notice and the occupier shall send that information to the concerned Authority within 90 days].

13. PREPARATION TO ON-SITE EMERGENCY PLAN BY THE OCCUPIER -

- (i) An occupier shall prepare and keep up-to-date ³[an on-site emergency plan containing details specified in Schedule II and detailing] how major accidents will be dealt with on the site on which the industrial activity is carried on and that plan shall include the name of the person who is responsible for safety on the site and the names of those who are authorized to take action in accordance with the plan in case of an emergency.
- (ii) The occupier shall ensure that the emergency plan prepared in accordance with subrule (1) takes into account any modification made in the industrial activity and that every person on the site who is affected by the plan is informed of its relevant provisions.
- (iii) The occupier shall prepare the emergency plan required under sub-rule (1),
 - (a) in the case of a new industrial activity, before that activity is commenced;
 - (b) in the case of an existing industrial activity within 90 days of commencing into operation of these rules.

⁴ [(4) The occupier shall ensure that a mock drill of the on-site emergency plan is conducted every six months;

(5) A detailed report of the mock drill conducted under sub-rule (4) shall be made immediately available to the concerned Authority.]

14. PREPARATION OF OFF-SITE EMERGENCY PLAN BY THE AUTHORITY -

¹ Omitted by Rule 6, *ibid*.

² Substituted by Rule 7, *ibid*.

3

Substituted by Rule 8(a), ibid.

4

Inserted by Rule 8(b) of the MSIHC (Amendment) Rules, 1994 notified vide S.O.2882, dated 3.10.1994.

(1)It shall be the duty of the concerned authority as identified in Column 2 of Schedule 5 to prepare and keep up-to-date ¹[an adequate off-site emergency plan containing particulars specified in Schedule 12 and detailing] how emergencies relating to a possible major accident on that site will be dealt with and in preparing that plan the concerned authority shall consult the occupier, and such other persons as it may deem necessary.

(2)For the purpose of enabling the concerned authority to prepare the emergency plan required under sub-rule (1), the occupier shall provide the concerned authority with such information relating to the industrial activity under his control as the concerned authority may require, including the nature, extent and likely effects off-site of possible major accidents and the authority shall provide the occupier with any information from the off-site emergency plan which relates to his duties under rule 13.

(3)The concerned authority shall prepare its emergency plan required under sub-rule (1),-

- (a) In the case of a new industrial activity, before that activity is commenced;
- (b) In the case of an existing industrial activity, within six months of coming into operation to these rules.

²[(4) The concerned authority shall ensure that a rehearsal of the off-site emergency plan is conducted at least once in a calendar year.]

15. INFORMATION TO BE GIVEN TO PERSONS LIABLE TO BE AFFECTED BY A MAJOR ACCIDENT -

(1) The occupier shall take appropriate steps to inform persons outside the site either directly or through District Emergency Authority who are likely to be in an area which may be affected by a major accident about, -

- (a) the nature of the major accident hazard; and
- (b) the safety measures and the "Do's" and 'Don'ts" which should be adopted in the event of a major accident.

(2) The occupier shall take steps required under sub-rule (1) to inform persons about an industrial activity, before that activity is commenced, except, in the case of an existing industrial activity in which case the

1

Substituted by Rule 9 (a), ibid.

2

Inserted by Rule 9(b) of the MSIHC (Amendment) Rules, 1994 notified vide S.O.2882, dated 3.10.1994.

occupier shall comply with the requirements of sub-rule (1) within 90 days of coming into operation of these rule.

16. DISCLOSURES OF INFORMATION -

Where for the purpose of evaluating information notified under rule 5 or 7 to 15, the concerned authority discloses that information to some other person, that other person shall not use that information for any purpose except for the purpose of the concerned authority disclosing it, and before disclosing the information the concerned authority shall inform that other person of his obligations under this paragraph.

17. COLLECTION, DEVELOPMENT AND DISSEMINATION OF INFORMATION -

(1) This rule shall apply to an industrial activity in which a hazardous chemical which satisfies any of the criteria laid down in part I of Schedule 1¹[or listed] in Column 2 of Part II of this Schedule is or may be involved.

(2) An occupier, who has control of an industrial activity in term of sub-rule 1 of this rule, shall arrange to obtain or develop information in the form of safety data sheet as specified in Schedule 9. The information shall be accessible upon request for reference.

(3) The occupier while obtaining or developing a safety data sheet as specified in Schedule 9 in respect of a hazardous chemical handled by him shall ensure that the information is recorded accurately and reflects the scientific evidence used in making the hazard determination. In case, any significant information regarding hazard of a chemical is available, it shall be added to the material safety data sheet as specified in Schedule 9 as soon as practicable.

(4) Every container of a hazardous chemical shall be clearly labelled or marked to identify -

- (a) the contents of the container ;
- (b) the name and address of manufacturer or importer of the hazardous chemical ;
- (c) the physical, chemical and toxicological data as per the criteria given at Part I of Schedule 1.

(5) In terms of sub rule 4 of this rule where it is impracticable to label a chemical in view of the size of the container or the nature of the package, provision should be made for other effective means like tagging or accompanying documents.

18. IMPORT OF HAZARDOUS CHEMICALS -

(1) This rule shall apply to a chemical which satisfies any of the criteria laid down in Part I of Schedule 1²[or listed] in Column 2 of Part II of this Schedule.

¹ Substituted by Rule 7 of the MSIHC (Amendment) Rules, 2000 notified vide S.O.57(E), dated 19.1.2000.

² Substituted by Rule 8(a), ibid.

(2) Any person responsible for importing hazardous chemicals in India shall provide ¹[before 30 days or as reasonably possible but not later than] the date of import to the concerned authorities as identified in Column 2 of Schedule 5 the information pertaining to, -

- (i) the name and address of the person receiving the consignment in India;
- (ii) the port of entry in India;
- (iii) mode of transport from the exporting country to India;
- (iv) the quantity of chemical (s) being imported; and
- (v) complete product safety information.

4

(3) If the Concerned Authority of the State is satisfied that the chemical being imported is likely to cause major accidents, it may direct the importer to take such safety measures as the concerned Authority of the State may deem appropriate.]

¹ [(3A) In case the concerned Authority of the State is of the opinion that the chemical should not be imported on safety or on environmental considerations, such Authority may direct stoppage of such import.]

(4) The concerned Authority at the State shall simultaneously inform the concerned Port Authority to take appropriate steps regarding safe handling and storage of hazardous chemicals while offloading the consignment within the port premises.

(5) Any person importing hazardous chemicals shall maintain the records of the hazardous chemicals imported as specified in Schedule 10 and the records so maintained shall be open for inspection by the concerned authority at the State or the Ministry of Environment and Forests or any officer appointed by them in this behalf.

(6) The importer of the hazardous chemical or a person working on his behalf shall ensure that transport of hazardous chemicals from port of entry to the ultimate destination is in accordance with the Central Motor Vehicles Rules, 1989 framed under the provisions of the Motor Vehicles Act, 1988.

19. IMPROVEMENT NOTICES -

(1) if the concerned authority is of the opinion that a person has contravened the provisions of these rules, the concerned authority shall serve on him a notice (in this para referred to as " an

¹ Substituted by Rule 10(a) of the MSIHC (Amendment) Rules, 1994 notified vide S.O.2882, dated 3.10.1994. ⁴
Substituted by Rule 10(b), ibid.

improvement notice") requiring that person to remedy the contravention or, as the case may be,²[the matters occasioning it within 45 days.]

(2) A notice served under sub-rule (1) shall clearly specify the measures to be taken by the occupier in remedying said contraventions.

20. POWER OF THE CENTRAL GOVERNMENT TO MODIFY THE SCHEDULES -

The Central Government may, at any time, by notification in the Official Gazette, make suitable changes in the Schedules.

¹ Inserted by Rule 10(c), ibid.

² Substituted by Rule 11 of MSIHC Rules, 1994 notified vide S.O.2882, dated 3.10.1994.

¹ [SCHEDULE 1] [See rule 2e (i), 4 (1)(a), 4(2), 17 and 18]

[Part -I]

(a) **Toxic Chemicals:** Chemicals having the following values of acute toxicity and which owing to their physical and chemical properties, are capable of producing major accident hazards:

| S.No. | Toxicity | Oral toxicity LD ₅₀ (mg/kg) | Dermal toxicity LD ₅₀ (mg/kg) | Inhalation toxicity LC ₅₀ (mg/l) |
|-------|-----------------|---|---|---|
| 1. | Extremely toxic | >5 | <40 | <0.5 |
| 2. | Highly toxic | >5-50 | >40-200 | <0.5-2.0 |
| 3. | Toxic | >50-200 | >200-1000 | >2-10 |

(b) *Flammable Chemicals* :

- (i) flammable gases: Gases which at 20°C and at standard pressure of 101.3KPa are :-
- (a) ignitable when in a mixture of 13 percent or less by volume with air, or ;
 - (b) have a flammable range with air of at least 12 percentage points regardless of the lower flammable limits.

Note : The flammability shall be determined by tests or by calculation in accordance with methods adopted by International Standards Organization ISO Number 10156 of 1990 or by Bureau of Indian Standard ISI Number 1446 of 1985.

- (ii) ***extremely flammable liquids*** : chemicals which have flash point lower than or equal to 23°C and boiling point less than 35°C.
- (iii) ***very highly flammable liquids*** : chemicals which have a flash point lower than or equal to 23°C and initial boiling point higher than 35°C.
- (iv) ***highly flammable liquids*** : chemicals which have a flash point lower than or equal to 60°C but higher than 23°C.
- (v) ***flammable liquids*** : chemicals which have a flash point higher than 60°C but lower than 90°C.
- (c) ***Explosives*** : explosives mean a solid or liquid or pyrotechnic substance (or a mixture of substances) or an article.
- (a) 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 surroundings ;
 - (b) which is designed to produce an effect by heat, light, sound, gas or smoke or a combination of these as the result of non-detonative self sustaining exothermic chemical reaction.

¹

Substituted by Rule 9 of the MSIHC (Amendment) Rules, 2000 notified vide S.O.57(E), dated 19.1.2000.

PART II
LIST OF HAZARDOUS AND TOXIC CHEMICALS

| S. NAME OF HAZARDOUS CHEMICALS No. | S. NAME OF HAZARDOUS CHEMICALS No. |
|---------------------------------------|---------------------------------------|
|---------------------------------------|---------------------------------------|

| | | | |
|-----|------------------------------|-----|---|
| 1. | Acetaldehyde | 43. | Arsenic pentoxide |
| 2. | Acetic acid | 44. | Arsenic trioxide |
| 3. | Acetic anhydride | 45. | Arsenous trichloride |
| 4. | Acetone | 46. | Arsine |
| 5. | Acetone cyanohydrin | 47. | Asphalt |
| 6. | Acetone thiosemicarbazide | 48. | Azinpho-ethyl |
| 7. | Acetonitrile | 49. | Azinphos methyl |
| 8. | Acetylene | 50. | Bacitracin |
| 9. | Acetylene tetra chloride | 51. | Barium azide |
| 10. | Acrolein | 52. | Barium nitrate |
| 11. | Acrylamide | 53. | Barium nitride |
| 12. | Acrylonitrile | 54. | Benzal chloride |
| 13. | Adiponitrile | 55. | Benzenamine,3-Trifluoromethyl |
| 14. | Aldicarb | 56. | Benzene |
| 15. | Aldrin | 57. | Benzene sulfonyl chloride |
| 16. | Allyl alcohol | 58. | Benzene. 1- (chloromethyl)-4 Nitro |
| 17. | Allyl amine | 59. | Benzene arsenic acid |
| 18. | Allyl chloride | 60. | Benzidine |
| 19. | Aluminium (powder) | 61. | Benzidine salts |
| 20. | Aluminium azide | 62. | Benzimidazole. 4, 5-Dichloro-2 (Trifluoromethyl) |
| 21. | Aluminium borohydride | 63. | Benzoquinone-P |
| 22. | Aluminium chloride | 64. | Benzotrichloride |
| 23. | Aluminium fluoride | 65. | Benzoyl chloride |
| 24. | Aluminium phosphide | 66. | Benzoyl peroxide |
| 25. | Amino diphenyl | 67. | Benzyl chloride |
| 26. | Amino pyridine | 68. | Beryllium (Powder) |
| 27. | Aminophenol-2 | 69. | Bicyclo (2, 2, 1) Heptane -2- carbonitrile |
| 28. | Aminopterin | 70. | Biphenyl |
| 29. | Amiton | 71. | Bis (2-Chloroethyl) sulphide |
| 30. | Amiton dialate | 72. | Bis (Chloromethyl) Ketone |
| 31. | Ammonia | 73. | Bis (Tert-butyl peroxy) cyclohexane |
| 32. | Ammonium chloro platinate | 74. | Bis (Terbutylperoxy) butane |
| 33. | Ammonium nitrate | 75. | Bis(2,4, 6-Trinitrophenylamine) |
| 34. | Ammonium nitrite | 76. | Bis (Chloromethyl) Ether |
| 35. | Ammonium picrate | 77. | Bismuth and compounds |
| 36. | Anabasine | 78. | Bisphenol-A |
| 37. | Aniline | 79. | Bitoscanate |
| 38. | Aniline2,4, 6-Trimethyl | 80. | Boron Powder |
| 39. | Anthraquinone | 81. | Boron trichloride |
| 40. | Antimony pentafluoride | | |
| 41. | Antimycin A | | |
| 42. | ANTU | | |

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|------|---------------------------|------|--|
| 82. | Boron trifluoride | 83. | Chlorine oxide |
| | Boron trifluoride comp. | | 121. Chlorine trifluoride |
| | With methylether, 1:1 | | 122. Chlormephos |
| 84. | Bromine | | 123. Chlormequat chloride |
| 85. | Bromine pentafluoride | | 124. Chloroacetal chloride |
| 86. | Bromo chloro methane | | 125. Chloroacetaldehyde |
| 87. | Bromodialone | | 126. Chloroaniline -2 |
| 88. | Butadiene | | 127. Chloroaniline -4 |
| 89. | Butane | | 128. Chlorobenzene |
| 90. | Butanone-2 | | 129. Chloroethyl chloroformate |
| 91. | Butyl amine tert | | 130. Chloroform |
| 92. | Butyl glycidal ether | | 131. Chloroformyl morpholine |
| 93. | Butyl isovalarate | | 132. Chloromethane |
| 94. | Butyl peroxy maleate tert | | 133. Chloromethyl methyl ether |
| 95. | Butyl vinyl ether | | 134. Chloronitrobenzene |
| 96. | Butyl-n-mercaptop | | 135. Chlorophacinone |
| 97. | C.I.Basic green | | 136. Chlorosulphonic acid |
| 98. | Cadmium oxide | | 137. Chlorothiophos |
| 99. | Cadmium stearate | 100. | 138. Chloroxuron |
| | Calcium arsenate | | 139. Chromic acid |
| 101. | Calcium carbide | | 140. Chromic chloride |
| 102. | Calcium cyanide | | 141. Chromium powder |
| 103. | Camphechlor (Toxaphene) | | 142. Cobalt carbonyl |
| 104. | Cantharidin | | 143. Cobalt Nitrilmethylidyne compound |
| 105. | Captan | | 144. Cobalt (Powder) |
| 106. | Carbachol chloride | | 145. Colchicine |
| 107. | Carbaryl | | 146. Copper and Compounds |
| 108. | Carbofuran (Furadan) | | 147. Copperoxychloride |
| 109. | Carbon tetrachloride | | 148. Coumafuryl |
| 110. | Carbon disulphide | | 149. Coumaphos |
| 111. | Carbon monoxide | | 150. Coumatetralyl |
| 112. | Carbonphenothion | | 151. Crimidine |
| 113. | Carvone | | 152. Crotenaldehyde |
| 114. | Cellulose nitrate | | 153. Crotonaldehyde |
| 115. | Chloroacetic acid | | 154. Cumene |
| 116. | Chlordane | | 155. Cyanogen bromide |
| 117. | Chlorofenvinphos | | 156. Cyanogen iodide |
| 118. | Chlorinated benzene | | 157. Cyanophos |
| 119. | Chlorine | | 158. Cyanothoate |

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|------|--|------|---|
| 159. | Cyanuric fluoride | 189. | Dieldrin |
| 160. | Cyclo hexylamine | 190. | Diepoxy butane |
| 161. | Cyclohexane | 191. | Diethyl carbamazine citrate |
| 162. | Cyclohexanone | 192. | Diethyl chlorophosphate |
| 163. | Cycloheximide | 193. | Diethyl ethanolamine |
| 164. | Cyclopentadiene | 194. | Diethyl peroxydicarbonate (Conc=30%) |
| 165. | Cyclopentane | 195. | Diethyl phenylene diamine |
| 166. | Cyclotetramethyl enetetraniitramine | 196. | Diethylamine |
| 167. | Cyclotrimethylen etrinnitranine | 197. | Diethylene glycol |
| 168. | Cypermethrin | 198. | Diethylene glycol dinitrate |
| 169. | DDT | 199. | Diethylene triamine |
| 170. | Decaborane (1 :4) | 200. | Diethleneglycol butyl ether |
| 171. | Demeton | 201. | Diglycidyl ether |
| 172. | Demeton S-Methyl | 202. | Digitoxin |
| 173. | D i - n - p r o p y l peroxydicarbonate (Conc = 80%) | 203. | Dihydroperoxypropane (Conc >=30%) |
| 174. | Dialifos | 204. | Diisobutyl peroxide |
| 175. | Diazodinitrophenol | 205. | Dimefox |
| 176. | Dibenzyl peroxydicarbonate (Conc>= 90%) | 206. | Dimethoate |
| 177. | Diborane | 207. | Dimethyl dichlorosilane |
| 178. | Dichloroacetylene | 208. | Dimethyl hydrazine |
| 179. | Dichlorobenzalkonium chloride | 209. | Dimethyl nitrosoamine |
| 180. | Dichloroethyl ether | 210. | Dimethyl P phenylene diamine |
| 181. | Dichloromethyl phenylsilane | 211. | Dimethyl phosphoramidi cyanidic acid (TABUM) |
| 182. | Dichlorophenol – 2, 6 | 212. | Dimethyl phosphorochloridothioate |
| 183. | Dichlorophenol – 2, 4 | 213. | Dimethyl sufolane (DMS) |
| 184. | Dichlorophenoxy acetic acid | 214. | Dimethyl sulphide |
| 185. | Dichloropropane – 2, 2 | 215. | Dimethylamine |
| 186. | Dichlorosalicylic acid-3, 5 | 216. | Dimethylaniline |
| 187. | Dichlorvos (DDVP) | 217. | Dimethylcarbonyl chloride |
| 188. | Dicrotophos | 218. | Dimetilan |
| | | 219. | Dinitro O-cresol |
| | | 220. | Dinitrophenol |
| | | 221. | Dinitrotoluene |
| | | 222. | Dinoseb 223. Diniterb |
| | | 224. | Dioxane-p |

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|------|---|------|---|
| 225. | Dioxathion | 258. | Ethyl nitrate |
| 226. | Dioxine N | 259. | Ethyl thiocyanate |
| 227. | Diphacinone | 260. | Ethylamine |
| 228. | Diphosphoramide octamethyl | 261. | Ethylene |
| 229. | Diphenyl methane di- isocynate (MDI) | 262. | Ethylene chlorohydrine |
| 230. | Dipropylene Glycol Butyl ether | 263. | Ethylene dibromide |
| 231. | Dipropylene glycolmethyl ether | 264. | Ethylene diamine |
| 232. | D i s e c - b u t y l peroxydicarbonate (Conc.>80%) | 265. | Ethylene diamine hydrochloride |
| 233. | Disufoton | 266. | Ethylene flourohydride |
| 234. | Dithiazamine iodide | 267. | Ethylene glycol |
| 235. | Dithiobiurate | 268. | Ethylene glycol dinitrate |
| 236. | Endosulfan | 269. | Ethylene oxide |
| 237. | Endothion | 270. | Ethylenimine |
| 238. | Endrin | 271. | Ethylene di chloride |
| 239. | Epichlorohydrine | 272. | Femamiphos |
| 240. | EPN | 273. | Femitrothion |
| 241. | Ergocalciferol | 274. | Fensulphothion |
| 242. | Ergotamine tartarate | 275. | Fluemetil |
| 243. | Ethanesulfenyl chloride, 2 chloro | 276. | Fluorine |
| 244. | Ethanol 1-2 dichloracetate | 277. | Fluoro2-hyrdoxy butyric acid amid salt ester |
| 245. | Ethion | 278. | Fluoroacetamide |
| 246. | Ethoprophos | 279. | Fluoroacetic acid amide salts and esters |
| 247. | Ethyl acetate | 280. | Fluoroacetylchloride |
| 248. | Ethyl alcohol | 281. | Fluorobutyric acid amide salt esters |
| 249. | Ethyl benzene | 282. | Fluorocrotonic acid amides salts esters |
| 250. | Ethyl bis amine | 283. | Fluorouracil |
| 251. | Ethyl bromide | 284. | Fonofos |
| 252. | Ethyl carbamate | 285. | Formaldehyde |
| 253. | Ethyl ether | 286. | Formetanate hydrochloride |
| 254. | Ethyl hexanol -2 | 287. | Formic acid |
| 255. | Ethyl mercaptan | 288. | Formoparanate |
| 256. | Ethyl mercuric phosphate | 289. | Formothion |
| 257. | Ethyl methacrylate | 290. | Fosthiotan |
| | | 291. | Fuberidazole |
| | | 292. | Furan |
| | | 293. | Gallium Trichloride |

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|------|--|------|---|
| 294. | Glyconitrile (Hydroxyacetonitrile) | 321. | Indium powder |
| 295. | G u a n y l - 4 - nitrosaminoguanyl-1tetrazene | 322. | Indomethacin |
| 296. | Heptachlor | 323. | Iodine |
| 297. | Hexamethyl tert-oxyacyclononate (Conc 75%) | 324. | Iridium tetrachloride |
| 298. | Hexachlorobenzene | 325. | Ironpentacarbonyl |
| 299. | Hexachlorocyclohexan (Lindane) | 326. | Iso benzan |
| 300. | Hexachlorocyclopentadiene | 327. | Isoamyl alcohol |
| 301. | Hexachlorodibenzo-p-dioxin | 328. | Isobutyl alcohol 329. Isobutyronitrile |
| 302. | Hexachloronaphthalene | 330. | Isocyanic acid 3, 4dichlorophenyl ester |
| 303. | Hexafluoropropanone sesquihydrate | 331. | Isodrin |
| 304. | Hexamethyl phosphoromide | 332. | Isofluorophosphate |
| 305. | Hexamethylene diamine N N dibutyl | 333. | Isophorone diisocyanate |
| 306. | Hexane | 334. | Isopropyl alcohol |
| 307. | Hexanitrostilbene 2, 2, 4, 4, 6, 6 | 335. | Isopropyl chlorocarbonate |
| 308. | Hexene | 336. | Isopropyl formate |
| 309. | Hydrogen selenide | 337. | Isopropyl methyl pyrazolyl dimethyl carbamate |
| 310. | Hydrogen sulphide | 338. | Juglone (5-Hydroxy Naphthalene-1,4 dione) |
| 311. | Hydrazine | 339. | Ketene |
| 312. | Hydrazine nitrate | 340. | Lactonitrile |
| 313. | Hydrochloric acid (Gas) | 341. | Lead arsenite |
| 314. | Hydrogen | 342. | Lead at high temp (molten) |
| 315. | Hydrogen bromide | 343. | Lead azide |
| 316. | Hydrogen cyanide 317. Hydrogen fluoride | 344. | Lead styphanate |
| 318. | Hydrogen peroxide | 345. | Leptophos |
| 319. | Hydroquinone | 346. | Lenosite |
| 320. | Indene | 347. | Liquified petroleum gas |
| | | 348. | Lithium hydride |
| | | 349. | N-Dinitrobenzene |
| | | 350. | Magnesium powder or ribbon |
| | | 351. | Malathion |
| | | 352. | Maleic anhydride |
| | | 353. | Malononitrile |
| | | 354. | Manganese Tricarbonyl cyclopentadiene |

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|------|--|------|---|
| 355. | Mechlor ethamine | 389. | Methyl isocyanate |
| 356. | Mephospholan | 390. | Methyl isothiocyanate |
| 357. | Mercuric chloride | 391. | Methyl mercuric dicyanamide |
| 358. | Mercuric oxide | 392. | Methyl Mercaptan |
| 359. | Mercury acetate | 393. | Methyl Methacrylate |
| 360. | Mercury fulminate | 394. | Methyl phencapton |
| 361. | Mercury methyl chloride | 395. | Methyl phosphonic dichloride |
| 362. | Mesitylene | 396. | Methyl thiocyanate |
| 363. | Methaacrolein diacetate | 397. | Methyl trichlorosilane |
| 364. | Methacrylic anhydride | 398. | Methyl vinyl ketone |
| 365. | Methacrylonitrile | 399. | Methylene bis (2-chloroaniline) |
| 366. | Methacryloyl oxyethyl isocyanate | 400. | Methylene chloride |
| 367. | Methanidophos | 401. | Methylenebis-4,4(2-chloroaniline) |
| 368. | Methane | 402. | Metolcarb |
| 369. | Methanesulphonyl fluoride | 403. | Mevinphos |
| 370. | Methidathion | 404. | Mezacarbate |
| 371. | Methiocarb | 405. | Mitomycin C |
| 372. | Methonyl | 406. | Molybdenum powder |
| 373. | Methoxy ethanol (2-methyl cellosolve) | 407. | Monocrotophos |
| 374. | Methoxyethyl mercuric acetate | 408. | Morpholine |
| 375. | Methyacrylol chloride | 409. | Muscinol |
| 376. | Methyl 2-chloroacrylate | 410. | Mustard gas |
| 377. | Methyl alcohol | 411. | N-Butyl acetate |
| 378. | Methyl amine | 412. | N-.Butyl alcohol |
| 379. | Methyl bromide (Bromomethane) | 413. | N-Hexane |
| 380. | Methyl chloride | 414. | N- Methyl-N, 2, 4, 6Tetranitroaniline |
| 381. | Methyl chloroform | 415. | Naphtha |
| 382. | Methyl chloroformate | 416. | Naphtha solvent |
| 383. | Methyl cyclohexene | 417. | Naphthalene |
| 384. | Methyl disulphide | 418. | Naphthyl amine |
| 385. | Methyl ethyl ketone peroxide (Conc.60%) | 419. | Nickel carbonyl/nickel tetracarbonyl |
| 386. | Methyl formate | 420. | Nickel powder |
| 387. | Methyl hydrazine | 421. | Nicotine |
| 388. | Methyl isobutyl ketone | 422. | Nicotine sulphate |
| | | 423. | Nitric acid |
| | | 424. | Nitric oxide |
| | | 425. | Nitrobenzene |
| | | 426. | Nitrocellulose (dry) 427. Nitrochlorobenzene |

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|------|--|------|---|
| 428. | Nitrocyclohexane | 459. | Oxygen difluoride |
| 429. | Nitrogen | 460. | Ozone |
| 430. | Nitrogen dioxide | 461. | P-nitrophenol |
| 431. | Nitrogen oxide | 462. | Paraffin |
| 432. | Nitrogen trifluoride | 463. | Paraoxon (Diethyl 4 Nitrophenyl phosphate) |
| 433. | Nitroglycerine | 464. | Paraquat |
| 434. | Nitropropane-1 | 465. | Paraquat methosulphate |
| 435. | Nitropropane-2 | 466. | Parathion |
| 436. | Nitroso dimethyl amine | 467. | Parathion methyl |
| 437. | Nonane | 468. | Paris green |
| 438. | Norbormide | 469. | Penta borane |
| 439. | O-Cresol | 470. | Penta chloro ethane |
| 440. | O-Nitro Toluene | 471. | Penta chlorophenol |
| 441. | O-Toludine | 472. | Pentabromophenol |
| 442. | O-Xylene | 473. | Pentachloro naphthalene |
| 443. | O/P Nitroaniline | 474. | Pentadecyl-amine |
| 444. | Oleum | 475. | Pentaerythriitol tetranitrate |
| 445. | OO Diethyl S ethyl suph. methyl phos | 476. | Pentane |
| 446. | OO Diethyl S propythio methyl phosdithioate | 477. | Pantanone |
| 447. | OO Diethyl s ethylsulphanyl methylphosphorothioate | 478. | Perchloric acid |
| 448. | OO Diethyl s ethylsulphonyl methylphosphorothioate | 479. | Perchloroethylene 480. Peroxyacetic acid |
| 449. | OO Diethyls ethylthiomethylphosphoro-thioate | 481. | Phenol |
| 450. | Organo rhodium complex | 482. | Phenol, 2, 2-thiobis (4, 6-Dichloro) |
| 451. | Orotic acid | 483. | Phenol, 2, 2-thiobis (4 chloro 6methyl phenol) |
| 452. | Osmium tetroxide | 484. | Phenol, 3-(1-methyl ethyl) methylcarbamate |
| 453. | Oxabain | 485. | Phenyl hydrazine hydrochloride |
| 454. | Oxamyl | 486. | Phenyl mercury acetate |
| 455. | Oxetane, 3, 3- bis(chloromethyl) | 487. | Phenyl silatrane |
| 456. | Oxidiphenoxarsine | 488. | Phenyl thiourea |
| 457. | Oxy disulfoton | 489. | Phenylene P-diamine |
| 458. | Oxygen (liquid) | 490. | Phorate |
| | | 491. | Phosazetin |
| | | 492. | Phosfolan |
| | | 493. | Phosgene |

| | | | |
|------|--|------|--|
| 494. | Phosmet | 525. | Potassium peroxide |
| 495. | Phosphamidon | 526. | Potassium silver cyanide |
| 496. | Phosphine | 527. | Powdered metals and mixtures |
| 497. | Phosphoric acid | 528. | Promecarb |
| 498. | Phosphoric acid dimethyl (4methyl thio)phenyl | 529. | Promurit |
| 499. | Phosphorthioic acid dimethyl S(2- Bis) Ester | 530. | Propanesultone |
| 500. | Phosphorothioic acid methyl (ester) | 531. | Propargyl alcohol |
| 501. | Phosphorothioic acid, OO Dimethyl S-(2-methyl) | 532. | Propargyl bromide |
| 502. | Phosphorothioic, methyl- ethyl ester | 533. | Propen-2-chloro-1 ,3-diou diacetate |
| 503. | Phosphorous | 534. | Propiolactone beta |
| 504. | Phosphorous oxychloride | 535. | Propionitrile |
| 505. | Phosphorous ptaoxide | 536. | Propionitrile, 3-chloro |
| 506. | Phosphorous trichloride | 537. | Propiophenone, 4-amino |
| 507. | Phosphorous penta chloride | 538. | Propyl chloroformate |
| 508. | Phthalic anhydride | 539. | Propylene dichloride |
| 509. | Phylloquinone | 540. | Propylene glycol, allylether |
| 510. | Physostignine | 541. | Propylene imine 542. Propylene oxide 543. Prothoate |
| 511. | Physostignine salicylate (1:1) | 544. | Pseudosumene |
| 512. | Picric acid (2, 4, 6- trinitrophenol) | 545. | Pyrazoxon |
| 513. | Picrotoxin | 546. | Pyrene |
| 514. | Piperidine | 547. | Pyridine |
| 515. | Piprotal | 548. | Pyridine, 2-methyl-3-vinyl |
| 516. | Pirinifos-ethyl | 549. | Pyridine, 4-nitro-1-oxide |
| 517. | Platinous chloride | 550. | Pyridine, 4-nitro-1-oxide |
| 518. | Platinum tetrachloride | 551. | Pyriminil |
| 519. | Potassium arsenite | 552. | Quinaliphos |
| 520. | Potassium chlorate | 553. | Quinone |
| 521. | Potassium cyanide | 554. | Rhodium trichloride |
| 522. | Potassium hydroxide | 555. | Salcomine |
| 523. | Potassium nitride 524. Potassium nitrite | 556. | Sarin |
| | | 557. | Selenious acid |
| | | 558. | Selenium Hexafluoride |
| | | 559. | Selenium oxychloride |
| | | 560. | Semicarbazide hydrochloride |
| | | 561. | Silane (4-amino butyl) diethoxymeth |
| | | 562. | Sodium |
| | | 563. | Sodium anthra-quinone-1sulphonate |
| | | 564. | Sodium arsenate |

| | | | |
|------|--|------|---|
| 565. | Sodium arsenite | 599. | Tert-Butyl peroxyacetate |
| 566. | Sodium azide | 600. | Tert-Butyl peroxy-pivalate (Conc >=77%) |
| 567. | Sodium cacodylate | 601. | Tert-Butyl peroxyiso-butyrate |
| 568. | Sodium chlorate | 602. | Tetra hydrofuran |
| 569. | Sodium cyanide | 603. | Terta methyl lead |
| 570. | Sodium fluoro-acetate | 604. | Tetra nitromethane |
| 571. | Sodium hydroxide | 605. | Tetra-chlorodibenzo-p-dioxin, 1, 2, 3, 7, 8(TCDD) |
| 572. | Sodium pentachlorophenate | 606. | Tetraethyl lead |
| 573. | Sodium picramate | 607. | Tetrafluoriethyne |
| 574. | Sodium selenate | 608. | Tetramethylene disulphotetramine |
| 575. | Sodium selenite | 609. | Thallic oxide |
| 576. | Sodium sulphide | 610. | Thallium carbonate |
| 577. | Sodium tellorite | 611. | Thallium sulphate 612. Thallous chloride |
| 578. | Stannane acetoxy triphenyl | 613. | Thallous malonate |
| 579. | Stibine (Antimony hydride) | 614. | Thallous sulphate |
| 580. | Strychnine | 615. | Thiocarbazide |
| 581. | Strychnine sulphate | 616. | Thiocynamic acid, 2(Benzothiazolyethio) methyl |
| 582. | Styphnic acid (2, 4,6trinitroresorcinol) | 617. | Thiofamox 618. Thiometon |
| 583. | Styrene | 619. | Thionazin |
| 584. | Sulphotec | 620. | Thionyl chloride |
| 585. | Sulphoxide, 3-chloropropyl octyl | 621. | Thiophenol |
| 586. | Sulphur dichloride | 622. | Thiosemicarbazide |
| 587. | Sulphur dioxide | 623. | Thiourea (2 chloro-phenyl) |
| 588. | Sulphur monochloride | 624. | Thiourea (2-methyl phenyl) |
| 589. | Sulphur tetrafluoride | 625. | Tirpate (2,4-dimethyl-1,3-dithiolane) |
| 590. | Sulphur trioxide | 626. | Titanium powder |
| 591. | Sulphuric acid | 627. | Titanium tetra-chloride |
| 592. | Tellurium (powder) | 628. | Toluene |
| 593. | Tellurium hexafluoride | 629. | Toluene -2,4-di-isocyanate |
| 594. | TEPP (Tetraethyl pyrophosphate) | 630. | Toluene 2,6-di-isocyanate |
| 595. | Terbufos | 631. | Trans-1,4-di chloro-butene |
| 596. | Tert-Butyl alcohol | 632. | Tri nitro anisole |
| 597. | Tert-Butyl peroxy carbonate | 633. | Tri (Cyclohexyl) methylstanny |
| 598. | Tert-Butyl peroxy isopropyl | | |

| | | | |
|------|---|------|-----------------------------|
| | 1,2,4 triazole | 647. | Trichlorophenol 2, 3, 6 |
| 634. | Tri (Cyclohexyl) stannyl- 1H-1, 2, 3-triazole | 648. | Trichlorophenol 2, 4, 5 |
| 635. | Triaminotrinitrobenzene | 649. | Trichlorophenyl silane |
| 636. | Triamphos | 650. | Trichlorophon |
| 637. | Triazophos | 651. | Triethoxy silane |
| 638. | Tribromophenol 2, 4, 6 | 652. | Triethylamine |
| 639. | Trichloro napthalene | 653. | Triethylene melamine |
| 640. | Trichloro chloromethyl silane 641. Trichloroacetyl chloride | 654. | Trimethyl chlorosilane |
| 642. | Trichlorodichlorophenylsil ane | 655. | Trimethyl propane phosphite |
| 643. | Trichloroethyl silane | 656. | Trimethyl tin chloride |
| 644. | Trichloroethylene | 657. | Trinitro aniline |
| 645. | Trichloromethane sulphenyl chloride | 658. | Trinitro benzene |
| 646. | Trichloronate | 659. | Trinitro benzoic acid |
| 666. | Turpentine 676. Vinyl toluene | 660. | Trinitro phenetole |
| 667. | Uranium and its compounds | 677. | Vinyledene chloride |
| 668. | Valino mycin 678. Warfarin | 661. | Trinitro-m-cresol |
| 669. | Vanadium pentaoxide | 679. | Warfarin Sodium |
| 670. | Vinyl acetate monomer | 680. | Xylene dichloride |
| 671. | Vinyl bromide 681. Xylidine | 682. | Zinc dichloropentanitrile |
| 672. | Vinyl chloride | 683. | Zink phosphide |
| 673. | Vinyl cyclohexane dioxide | 684. | Zirconium & compounds |
| 674. | Vinyl fluoride | 675. | Vinyl norbornene |
| | | | |

SCHEDULE 2
[See rule 2(e)(ii), 4(1)(b), 4(2) (1) and 6 (1) (b)]

**ISOLATED STORAGE AT INSTALLATIONS OTHER THAN THOSE
COVERED BY SCHEDULE 4**

- (a) The threshold quantities set out below relate to each installation or group of installation belonging to the same occupier where the distance between installation is not sufficient to avoid, in foreseeable circumstances, any aggravation of major accident hazards. These threshold quantities apply in any case to each group of installations belonging to the same occupier where the distance between the installations is less than 500 metres.
- (b) For the purpose of determining the threshold quantity of a hazardous chemical at an isolated storage, account shall also be taken of any hazardous chemical which is :-
- (i) in that part of any pipeline under the control of the occupier having control of the site, which is within 500 metres of that site and connected to it;
 - (ii) at any other site under the control of the same occupier any part of the boundary of which is within 500 meters of the said site; and
 - (iii) in any vehicle, vessel, aircraft or hovercraft, under the control of the same occupier which is used for storage purpose either at the site or within 500 metres of it;

but no account shall be taken of any hazardous chemical which is in a vehicle, vessel, aircraft or a hovercraft used for transporting it.

| S.No | Chemicals | Threshold Quantities (tonnes) | |
|--------------------|--|---|---|
| | | ¹ [For application of rules 4,5,7 to 9 and 13 to 15] | ² [For application of rule 10 to 12] |
| 1 | 2 | 3 | 4 |
| 1. | Acrylonitrile | 350 | 5,000 |
| 2. | Ammonia | 60 | 600 |
| 3. | Ammonium nitrate (a) | 350 | 2,500 |
| 4. | Ammonium nitrate fertilizers (b) | 1,250 | 10,000 |
| 5. | Chlorine | 10 | 25 |
| 6. | Flammable gases as defined in Schedule 1, paragraph (b) (i) | 50 | 300 |
| ³ [7.] | Extremely flammable liquids as defined in Schedule 1, paragraph (b) (ii) | 5000 | 50,000] |
| 8. | Liquid oxygen | 200 | 2000 |
| 9. | Sodium chlorate | 25 | 250 |
| 10. | Sulphur dioxide | 20 | 500 |
| 11. | Sulphur trioxide | 15 | 100 |
| ⁴ [12.] | Carbonyl chloride | 0.750 | 0.750 |
| 13. | Hydrogen Sulphide | 5 | 50 |
| 14. | Hydrogen Fluoride | 5 | 50 |
| 15. | Hydrogen Cyanide | 5 | 50 |
| 16. | Carbon disulphide | 20 | 200 |
| 17. | Bromine | 50 | 500 |
| 18. | Ethylene oxide | 5 | 501 |
| 19. | Propylene oxide | 5 | 50 |

¹ Substituted by Rule 10(i) (a) of the MSIHC (Amendment) Rules, 2000 notified by S.O.57(E), dated 19.1.2000 ;

² Substituted by Rule 10(i) (b), ibid;

³ Substituted entry 7 by Rule 10(ii), ibid ;

⁴ Inserted entries 12 to 27 by Rule 11 of the MSIHC (Amendment) Rules, 1994 notified vide S.O.2882,dated 3.10.1994.

| S.No | Chemicals | Threshold Quantities (tonnes) | |
|--------------------|---|---|---|
| | | ¹ [For application of rules 4,5,7 to 9 and 13 to 15] | ² [For application of rule 10 to 12] |
| 1 | 2 | 3 | 4 |
| 20. | 2-Propenal (Acrolein) | 20 | 200 |
| 21. | Bromomethane (Methyl bromide) | 20 | 200 |
| 22. | Methyl isocyanate | 0.150 | 0.150 |
| 23. | Tetraethyl lead or tetramethyl lead | 5 | 50 |
| 24. | 1,2 Dibromoethane (Ethylene dibromide) | 5 | 50 |
| 25. | Hydrogen chloride (liquefied gas) | 25 | 250 |
| 26. | Diphenyl methane di-isocyanate (MDI) | 20 | 200 |
| 27. | Toluene di-isocyanate (TDI) | 10 | 100] |
| ¹ [28.] | Very highly flammable liquids as defined in Schedule 1, paragraph (b) (iii) | 7,000 | 7,000] |
| 29. | Highly flammable liquids as defined in Schedule 1, paragraph (b) (iv) | 10,000 | 10,000 |
| 30. | Flammable liquids as defined in Schedule - 1, paragraph (b) (v) | 15,000 | 1,00,000] |

- (a) This applies to ammonium nitrate and mixtures of ammonium nitrates where the nitrogen content derived from the ammonium nitrate is greater than 28 per cent by weight and to aqueous solutions of ammonium nitrate where the concentration of ammonium nitrate is greater than 90 per cent by weight.
- (b) This applies to straight ammonium nitrate fertilizers and to compound fertilizers where the nitrogen content derived from the ammonium nitrate is greater than 28 per cent by weight (a compound-fertilizer contains ammonium nitrate together with phosphate and/or potash).

¹

Inserted entries 28, 29 and 30 by 10(iii) of the HSIHC (Amendment) Rules, 2000 notified by S.O.57(E), dated 19.1.2000.

SCHEDULE 3

[See Rule 2(e)(iii), 5 and 6(1) (a)]

LIST OF HAZARDOUS CHEMICALS FOR APPLICATION OF RULES 5 AND 7 TO 15

- (a) The quantities set-out below relate to each installation or group of installations belonging to the same occupier where the distance between the installations is not sufficient to avoid, in foreseeable circumstances, any aggravation of major-accident hazards. These quantities apply in any case to each group of installations belonging to the same occupier where the distance between the installations is less than 500 metres.
- (b) For the purpose of determining the threshold quantity of a hazardous chemical in an industrial installation, account shall also be taken of any hazardous chemicals which is :-
- (i) in that part of any pipeline under the control of the occupier have control of the site, which is within 500 metres off that site and connected to it;
 - (ii) at any other site under the control of the same occupier any part of the boundary of which is within 500 metres of the said site ; and
 - (iii) in any vehicle, vessel, aircraft or hovercraft under the control of the same occupier which is used for storage purpose either at the site or within 500 metres of if;

but no account shall be taken of any hazardous chemical which is in a vehicle, vessel, aircraft or hovercraft used for transporting it.

PART -I **NAMED CHEMICALS**

| S. No. | Chemicals | Threshold | Quantity | CAS Number |
|----------------------------------|---|--|---|-----------------------|
| | | for application of Rules 5, 7-9 and 13-15 | for application of Rules 10-12 | |
| (1) | (2) | (3) | (4) | (5) |
| GR OUP 1-TOXIC SUBSTANCES | | | | |
| 1. | Aldicarb | 100kg | | 116-06-3 |
| 2. | 4-Aminodiphenyl | 1 kg | | 96-67-1 |
| 3. | Amiton | 1 kg | | 78-53-5 |
| 4. | Anabasine | 100 kg | | 494-52-0 |
| 5. | Arseinc pentoxide, Arsenic (V) acid & salts | 500 kg | | |

| 6. | Arsenic trioxide, Arsenic (III) acid & salts | 100 kg | | |
|-----------|--|--|---|---------------|
| 7. | Arsine (Arsenic hydride) | 10kg | | 7784-42-1 |
| 8. | Azinphos-ethyl | 100kg | | 2642-71-9 |
| 9. | Azinphos-methyl | 100 kg | | 86-50-0 |
| 10. | Benzidine | 1 kg | | 92-87-5 |
| 11. | Bezidine salts | 1 kg | | |
| 12. | Beryllium (powders, compounds) | 10 kg | | |
| 13. | Bis (2-chloroethyl) sulphide | 1 kg | | 505-60-2 |
| 14. | Bis (chloromethyl) ether | 1 kg | | 542-88-1 |
| 15. | Carbophuran | 100 kg | | 1563-66-2 |
| 16. | Carbophenothion | 100 kg | | 786-19-6 |
| 17. | Chlorefenvinphos | 100 kg | | 470-90-6 |
| 18. | 4-(Chloroformyl) morpholine | 1 kg | | 15159-40-7 |
| 19. | Chloromethyl methyl ether | 1 kg | | 107-30-2 |
| 20. | Cobalt (metal, oxide, carbonates, sulphides, as powders) | 1 t | | |
| 21. | Crimidine | 100 kg | | 535-89-7 |
| 22. | Cynthoate | 100 kg | | 3734-95-0 |
| 23. | Cycloheximide | 100 kg | | 66-81-9 |
| 24. | Demeton | 100 kg | | 8065-48-3 |
| 25. | Dialifos | 100 kg | | 10311-84-9 |
| 26. | OO-Diethyl S-ethylsulphinylmethyl phosphorothiate | 100 kg | | 2588-05-8 |
| 27. | OO-Diethyl S-ethylsulphonylmethyl phosphorothiate | 100 kg | | 2588-06-9 |
| 28. | OO-Diethyl S-ethylthiomethyl Phosphorothioate | 100 kg | | 2600-69-3 |
| S. No. | Chemicals | Threshold for application of Rules 5, 7-9 and 13-15 | Quantity for application of Rules 10-12 | CAS Number |
| (1) | (2) | (3) | (4) | (5) |
| 29. | OO-Diethyl S-isoprophylthiomethyl phosphorothiate | 100 kg | | 78-52-4 |
| 30. | OO-Diethyl S-isopropylthiomethyl phosphorodithioate | 100 kg | | 3309-68-0 |
| 31. | Dimefox | 100 kg | | 115-26-4 |
| 32. | Dimethylcarbamoyl chloride | 1 kg | | 79-44-7 |
| 33. | Dimethylnitrosamine | 1 kg | | 62-75-9 |
| 34. | Dimethyl phosphoromidocynicidic acid | 1 t | | 63917-41-9 |
| 35. | Diphacinone | 100 kg | | 82-66-6 |
| 36. | Disulfoton | 100 kg | | 298-04-4 |
| 37. | EPN | 100 kg | | 2104-64-5 |

| 38. | Ethion | 100 kg | | 563-12-2 |
|-----------|---|--|---|---------------|
| 39 | Fensulfothion | 100 kg | | 115-90-2 |
| 40. | Fluenetil | 100 kg | | 4301-50-2 |
| 41. | Fluoroacetic acid | 1 kg | | 144-49-0 |
| 42. | Fluoroacetic acid, salts | 1 kg | | |
| 43. | Fluoroacetic acid, esters | 1 kg | | |
| 44. | Fluoroacetic acid, amides | 1 kg | | |
| 45. | 4-Fluorobutyric acid | 1 kg | | 462-23-7 |
| 46. | 4-Fluorobutyric acid, salts | 1 kg | | |
| 47. | 4-Fluorobutyric acid, esters | 1 kg | | |
| 48. | 4-Fluorobutyric acid, amides | 1 kg | | |
| 49. | 4-Fluorobutyric acid | 1 kg | | 37759-72-1 |
| 50. | 4-Fluorocrotonic acid, salts | 1 kg | | |
| 51. | 4-Fluorocrotonic acid, esters | 1 kg | | |
| 52. | 4-Fluorocrotonic acid, amides | 1 kg | | |
| 53. | 4-Fluoro-2-hydroxybutyric acid, amides | 1 kg | | |
| 54. | 4-Fluoro-2-hydroxybutyric acid, salts | 1 kg | | |
| 55. | 4-Fluoro-2-hydroxybutyric acid, esters | 1 kg | | |
| 56. | 4-Fluoro-2-hydroxybutyric acid, amides | 1 kg | | |
| 57. | Glycolonitrile (Hydroxyacetonitrile) | 100 kg | | 107-16-4 |
| 58. | 1,2,3,7,8,9-Hexachlorodibenzo-p-dioxin | 100 kg | | 194-8-74-3 |
| 59. | Hexmethylphosphoramide | 1 kg | | 680-31-9 |
| 60. | Hydrogen selenide | 10 kg | | 7783-07-5 |
| 61. | Isobenzan | 100 kg | | 297-78-9 |
| 62. | Isodrin | 100 kg | | 465-73-6 |
| 63. | Juglone (5-Hydroxynaphthalene 1,4 dione) | 100 kg | | 481-39-0 |
| S. No. | Chemicals | Threshold for application of Rules 5, 7-9 and 13-15 | Quantity for application of Rules 10-12 | CAS Number |
| (1) | (2) | (3) | (4) | (5) |
| 64. | 4,4-Methylenebis (2-chloroniline) | 10 kg | | 101-14-4 |
| 65. | Methyl isocyanate | 150 kg | 150kg | 624-83-9 |
| 66. | Mevinphos | 100 kg | | 7786-34-7 |
| 67. | 2-Naphthylamine | 1 kg | | 91-59-8 |
| 68. | 2-Nickel (metal, oxides, carbonates), sulphides, as powers) | 1 t | | |
| 69. | Nickel tetracarbonyl | 10 kg | | 13463-39-3 |
| 70. | Oxygendisulfoton | 100 kg | | 2497-07-6 |
| 71. | Oxygen difluoride | 10 kg | | 7783-41-7 |
| 72. | Paraxon (Diethyl 4-nitrophenyl phosphate) | 100 kg | | 311-45-5 |

| 73. | Parathion | 100 kg | | 56-38-2 |
|-----------------------------------|---|--|---|---------------|
| 74. | Parathion-methyl | 100 kg | | 298-00-0 |
| 75. | Pentaborane | 100 kg | | 19624-22-7 |
| 76. | Phorate | 100 kg | | 298-02-2 |
| 77. | Phosacetim | 100 kg | | 4104-14-7 |
| 78. | Phosgene (carbonyl chloride) | 750 kg | 750kg | 75-44-5 |
| 79. | Phosphamidon | 100 kg | | 13171-21-6 |
| 80. | Phosphine (Hydrogen phosphide) | 100 kg | | 7803-51-2 |
| 81. | Promurit (1-(3,4 dichlorophenyl)-3- triazenthiocarboxamide) | 100 kg | | 5836-73-7 |
| 82. | 1,3-Propanesultone | 1 kg | | 1120-71-4 |
| 83. | 1-Propen-2-chloro-1,3diol diacetate | 10 kg | | 10118-72-6 |
| 84. | Pyrazoxon | 100 kg | | 108-34-9 |
| 85. | Selenium hexafluoride | 10 kg | | 7783-79-1 |
| 86. | Sodium selenite | 100 kg | | 10102-18-8 |
| 87. | Stibine (Antimony hydride) | 100 kg | | 7803-52-3 |
| 88. | Sulfotep | 100 kg | | 3689-24-5 |
| 89. | Sulphur dichloride | 1 t | | 10545-99-0 |
| 90. | Tellurium hexafluoride | 100 kg | | 7783-80-4 |
| 91. | TEPP | 100 kg | | 107-49-3 |
| 92. | 2,3,7,8,-Tetrachlorodibenzo-p-dioxin (TCDD) | 1 kg | | 1746-01-6 |
| 93. | Tetramethylenedisulphotetramine | 1 kg | | 80-12-6 |
| 94. | Thionazin | 100 kg | | 297-97-2 |
| 95. | Tirpate (2,4-Dimethyl-1,3-dithiolane-2-carboxaldehyde O-methylcarbamoyloxime) | 100 kg | | 26419-73-8 |
| S. No. | Chemicals | Threshold for application of Rules 5, 7-9 and 13-15 | Quantity for application of Rules 10-12 | CAS Number |
| (1) | (2) | (3) | (4) | (5) |
| 96. | Trichloromethanesulphonyl chloride | 100 kg | | 594-42-3 |
| 97. | 1-Tri (cyclohexyl) stannyl 1H-1,2,4-Triazole | 100 kg | | 41083-11-8 |
| 98. | Triethylenemelamine | 10 kg | | 51-18-3 |
| 99. | Warfarin | 100 kg | | 81-81-2 |
| GR OUP -2 TOXIC SUBSTANCES | | | | |
| 100 | Acetone cyanohydrin (2-Cyanopropan-2-ol) | 200 t | | 75-86-5 |
| 101 | Acrolein (2-Propenal) | 20 t | [200t] | 107-02-8 |
| 102 | Acrylonitrile | 20 t | 200t | 107-13-1 |

¹ Inserted by Rule14 (a to h) of MSIHC (Amendment) Rules, 1994 notified vide notification S.O.2882, dated 3.10.1994.

| 103 | Allyl alcohol (Propen-1-ol) | 200 t | | 107-18-6 |
|-----------|--|--|---|---------------|
| 104 | Alylamine | 200 t | | 107-11-9 |
| 105 | Ammonia | 50 t | 500t | 7664-41-7 |
| 106 | Bromine | 40 t | ¹ [500t] | 7726-95-6 |
| 107 | Carbon disulphide | 20 t | 200t | 75-15-0 |
| 108 | Chlorine | 10 t | 25t | 7782-50-5 |
| 109 | Diphneyl ethane di-isocynate (MDI) | 20 t | ¹ [200t] | 101-68-8 |
| 110 | Ethylene dibromide (1,2-Dibromoethane) | 5 t | ¹ [50t] | 106-93-4 |
| 111 | Ethyleneimine | 5 t | | 151-56-4 |
| 112 | Formaldehyde (concentration <90%) | 5 t | ¹ [50t] | 50-00-0 |
| 113 | Hydrogen chloride (liquified gas) | 25 t | 250t | 7647-01-0 |
| 114 | Hydrogen cyanide | 5 t | 20t | 74-90-8 |
| 115 | Hydrogen fluoride | 5 t | 50t | 7664-39-3 |
| 116 | Hydrogen sulphide | 5 t | 50t | 7783-06-4 |
| 117 | Methyl bromide (Bromomethane) | 20 t | ¹ [200 t] | 74-83-9 |
| 118 | Nitrogen oxides | 50 t | | 11104-93-1 |
| 119 | Propyleneimine | 50 t | | 75-55-8 |
| 120 | Sulphur dioxide | 20 t | 250t | 7446-09-5 |
| 121 | Sulphur trioxide | 15 t | 75t | 7446-11-9 |
| 121 | Tetraethyl lead | 5 t | ² [200t] | 78-00-2 |
| 123 | Tetra methyl lead | 5 t | ¹ [100t] | 75-74-1 |
| 124 | Toluene di-isocynate (TDI) | 10 t | | 584-84-9 |
| S. No. | Chemicals | Threshold for application of Rules 5, 7-9 and 13-15 | Quantity for application of Rules 10-12 | CAS Number |
| (1) | (2) | (3) | (4) | (5) |

GROUP 3-HIGHLY REACTIVE SUBSTANCES

| | | | | |
|-----|--|----------------|-------|-----------|
| 125 | Acetylene (ethyne) | 5 t | | 74-86-2 |
| 126 | a. Ammonium nitrate (1) b. Ammonium nitrate in form of fertilizer (2) | 350t 1250 t | 2500t | 6484-52-2 |
| 127 | 2,2 Bis (tert-butylperoxy) butane) (concentration >70%) | 5 t | | 2167-23-9 |
| 128 | 1, 1-Bis(tert-butylperoxy) cyclohexane (concentration > 80%) | 5 t | | 3006-86-8 |
| 129 | tert-Butyle proxyacetate (concentration ≤70%) | 5 t | | 107-71-1 |
| 130 | tert-Butyle peroxy isobutyrate (concentration >80%) | 5 t | | 109-13-7 |
| 131 | Tert-Butyl peroxy isopropyl | 5 t | | 2372-21-6 |

¹ Inserted by Rule 14 (a to h) of MSIHC (Amendment) Rules, 1994 notified vide notification S.O.2882, dated 3.10.1994.

| | carbonate (concentration $\geq 80\%$) | | | |
|--------------------------------------|---|--|---|---------------|
| 132 | Tert-Butyl peroxyxymaleate (concentration $\geq 80\%$) | 5 t | | 1931-62-0 |
| 133 | Tert-Butyl peroxyipivalate (concentration $\geq 77\%$) | 50 t | | 927-07-1 |
| 134 | Dibenzyl peroxydicarbonate (concentration $\geq 90\%$) | 5 t | | 2144-45-8 |
| 135 | Di-sec-butyl peroxydicarbonate (concentration $\geq 80\%$) | 5 t | | 19910-65-7 |
| 136 | Diethyl peroxydicarbonate (concentration $\geq 30\%$) | 50 t | | 14666-78-5 |
| 137 | 2,2-dihydroperoxypropane (concentration $\geq 30\%$) | 5 t | | 2614-76-08 |
| 138 | di-isobutyl peroxide (concentration $\geq 50\%$) | 50 t | | 3437-84-1 |
| 139 | Di-n-propyl peroxydicarbonate (concentration $\geq 80\%$) | 5 t | | 16066-38-9 |
| 140 | Ethyene oxide | 5 t | 50t | 75-21-8 |
| 141 | Ethyl nitrate | 50 t | | 625-58-1 |
| 142 | 3,3,6,6,9,9 Hexamethyl - 1,2,4 5-tert oxacyclononane (concentration $\geq 75\%$) | 50 t | | 22397-33-7 |
| 143 | Hydrogen | 2 t | 50 t | 1333-74-0 |
| S. No. | Chemicals | Threshold for application of Rules 5, 7-9 and 13-15 | Quantity for application of Rules 10-12 | CAS Number |
| (1) | (2) | (3) | (4) | (5) |
| 144 | Liquid Oxygen | 200 t [2000t] | | 7782-41-7 |
| 145 | Methyl ethyl ketone peroxide (concentration $\geq 60\%$) | 5 t | | 1338-23-4 |
| 146 | Methyl isobutyl ketone peroxide (concentration $\geq 60\%$) | 50 t | | 37206-20-5 |
| 147 | Peracetic acid (concentration $\geq 60\%$) | 50 t | | 79-21-0 |
| 148 | Propylene oxide | 5 t [50t] | | 75-56-9 |
| 149 | Sodium chlorate | 25 t | | 7775-09-9 |
| GR OUP 4-EXPLOSIVE SUBSTANCES | | | | |
| 150 | Barium azide | 1 [100] kg | | 18810-58-7 |
| 151 | Bis(2,4,6 -trinitrophenyl) amine | 50 t | | 131-073-7 |
| 152 | Chlorotrinitro benzene | 50 t | | 28260-61-9 |
| 153 | Cellulose nitrate (containing 12.6% Nitrogen) | 50 t | | 9004-70-0 |
| 154 | Cyclotetramethyleneteranitramine | 50 t | | 2691-41-0 |
| 155 | Cyclotrimethylenetiraniramine | 50 t | | 121-82-1 |

| | | | | |
|-----|--|------------|-----|------------------------|
| 156 | Diazodinitrophenol | 10 t | | 7008-81-3 |
| 157 | Diethylene glycol dinitrate | 10 t | | 693-21-0 |
| 158 | Dinitrophenol, salts | 50 t | | |
| 159 | Enthylene glycol dinitrate | 10 t | | 628-96-6 |
| 160 | 1-Gyanyl-4-nitrosaminoguanyl-1tetrazene | 1 [100 kg] | | 109-27-3 |
| 161 | 2, 2, 4, 4, 6, 6, -Hexanitositibene | 50 t | | 20062-22-0 |
| 162 | Hydrazine nitrate | 50 t | | 13464-97-6 |
| 163 | Lead azide | 1 [100 kg] | | 13424-46-9 |
| 164 | Lead Styphnate (Lead 2,4,6-trinitroresorcinoxide) | 50 t | | 15245-44-0 |
| 165 | Mercury fulminate | 10 t | | 20820-45-5 628-86-4 |
| 166 | N-Methyl-N,2,4,6-tetranitroaniline | 50 t | | 497-45-8 |
| 167 | Nitroglycerine | 10 t | 10t | 55-63-0 |
| 168 | Pentacrythritol tetra nitrate | 50 t | | 78-11-5 |

¹ Substituted by Rule 11(i) of the MSIHC (Amendment) Rules, 2000 notified vide S.O.57(E), dated 19.1.2000.

| S. No. | Chemicals | Threshold | Quantity | CAS Number |
|-----------|---|---|-----------------------------------|------------------------|
| | | for application of Rules 5, 7-9 and 13-15 | for application of Rules 10-12 | |
| (1) | (2) | (3) | (4) | (5) |
| 169 | Picric acid, (2,3,6-Trinitrophenol) | 50 t | | 88-89-1 |
| 170 | Sodium picramate | 50 t | | 831-52-7 |
| 171 | Styphnic acid (2,4,6-Trinitroresorcinol) | 50 t | | 82-71-3 |
| 172 | 1,3,5-Triamino-2,4,6-Trinitrobezene | 50 t | | 3058-38-6 |
| 173 | Trinitroaniline- | 50 t | | 26952-42-1 |
| 174 | 2,4,6-Trinitroanisole | 50 t | | 606-35-9 |
| 175 | Trinitrobenze | 50 t | | 25377-32-6 |
| 176 | Trinitrobenzoic acid | 50 t | | 35860-50-5 129-66-8 |
| 177 | Trinitrocresol | 50 t | | 28905-71-7 |
| 178 | 2,4,6-Trinitrophenitole | 50 t | | 4732-4-3 |
| 179 | 2,4,6-Trinitrotoluene | 50 t | 50 t | 118-96-7 |

¹
[PART II]

**CLASSES OF SUBSTANCES AS DEFINED IN PART – I, SCHEDULE –1
AND NOT SPECIFICALLY NAMED IN PART –I OF THIS SCHEDULE**

| 1 | 2 | 3 | 4 |
|--|--|----------|----------|
| GRO UP 5 - Flammable substances | | | |
| 1. | Flammable Gases | 15t | 200t |
| 2. | Extremely flammable liquids | 1000t | 5000t |
| 3. | Very highly flammable liquids | 1500t | 10000t |
| 4. | Highly Flammable liquids which remains liquid under pressure | 25t | 200t |
| 5. | Highly Flammable liquids | 2500t | 20000t |
| 6. | Flammable liquids | 5000t | 50000t] |

- (1) This applies to ammonium nitrate and mixtures of ammonium nitrate where the nitrogen content derived from the ammonium nitrate is greater than 28% by weight and aqueous solutions of ammonium nitrate where the concentration of ammonium nitrate is greater than 90% by weight.
- (2) This applied to straight ammonium nitrate fertilizers and to compound fertilizers where the nitrogen content derived from the ammonium nitrate is greater than 28% by weight (a compound fertilizer contains ammonium nitrate together with phosphate and/or potash).

¹

Substituted by Rule 11(ii) of the MSIHC (Amendment) Rules, 2000 notified by S.O.57(E), dated 19.1.2000.

SCHEDULE -4

(See Rule 2(h) (i)

1. Installation for the production, processing or treatment of organic or inorganic chemicals using for this purpose, among others;
 - (a) alkylation
 - (b) Amination by ammonolysis
 - (c) carbonylation (d) condensation
 - (e) dehydrogenation
 - (f) esterification
 - (g) halogenation and manufacture of halogens
 - (h) hydrogenation
 - (i) hydrolysis
 - (j) Oxidation
 - (k) Polymerization
 - (l) Sulphonation
 - (m) desulphurization, manufacture and transformation of sulphur containing compounds
 - (n) nitration and manufacture of nitrogen containing compounds
 - (o) manufacture of phosphorous-containing compounds
 - (p) formulation of pesticides and of pharmaceutical products
 - (q) distillation
 - (r) extraction
 - (s) solvation
 - (t) mixing
2. Installation for distillation, refining or other processing of petroleum or petroleum products.
3. Installations for the total or partial disposal of solid or liquid substances by incineration or chemical decomposition.
4. Installations for production, processing, ¹[use] or treatment of energy gases, for example, LPG, LNG, SNG.
5. Installation for the dry distillation of coal or lignite.
6. Installations for the production of metals or non-metals by a wet process or by means of electrical energy.

SCHEDEULE -5
(See Rules, 2(b) and 3)

| S. No. | Authority(ies) with legal backing | Duties and corresponding Rule |
|-----------|--|---|
| (1) | (2) | (3) |
| 1. | Ministry of Environment and Forests under Environment (Production) Act, 1986. | 1. Notification of hazardous chemicals as per Rules 2(e)(i), 2(e) (ii) & 2(e) (iii) |
| 2. | Chief Controller Imports & Exports under Import & Exports (Control) Act, 1947. | Import of hazardous chemicals as per Rule 18 |

¹ Inserted by Rule 12 of the MSIHC (Amendment) Rules, 2000 notified vide S.O.57(E), dated 19.1.2000.

| | | |
|----|---|---|
| 3. | Central Pollution Control Board or State Pollution Control Board ¹ [or Committee] under Environment (Protection) Act, 1986 as the case may be. | <p>(1) Enforcement of directions and procedures in respect of isolated storage of hazardous chemicals, regarding-</p> <ul style="list-style-type: none"> (i) Notification of major accidents as per Rules 5(1) and 5(2) (ii) Notification of sites as per Rules 7 to 9. (iii) Safety reports in respect of isolated storages as per Rule 10 to 12. (iv) Preparation of on-site emergency plans as per Rule 13. <p>(2) Import of hazardous Chemicals and enforcement of directions and procedures on import of hazardous chemicals as per Rule 18.</p> |
| 4. | Chief Inspector of Factories appointed under the Factories Act, 1948. | <p>Enforcement of directions and procedures in respect of industrial installations and isolated storages covered under the Factories Act, 1948, dealing with hazardous chemicals and pipelines including inter-state pipelines regarding-</p> <ul style="list-style-type: none"> (i) Notification of major accidents as per Rule 5(1) and 5 (2). (ii) Notification of sites as per Rules, 7 to 9. (iii) Safety reports as per Rules, 10 to 12. (iv) Preparation of on-site emergency plans as per Rule 13. <p>Preparation of off-site emergency plans in consultation with District Collector or District Emergency Authority as per S. No. 9 of this schedule.</p> |

¹

Inserted by Rule 13(i) of the MSIHC (Amendment) Rules, 2000 notified vide S.O.57(E), dated 19.1.2000.

| S. No. | Authority(ies) with legal backing | Duties and corresponding Rule |
|-------------------|---|---|
| (1) | (2) | (3) |
| 5. | Chief Inspector of Dock Safety appointed under the Dock Workers (Safety, Health and Welfare) Act, 1986. | <p>Enforcement of directions and procedures in respect of industrial installations and isolated storages dealing with hazardous chemicals and pipelines¹[inside a port covered under the Dock Workers (Safety, Health and Welfare) Act, 1986] regarding-</p> <ul style="list-style-type: none"> (i) Notification of major accidents as per Rules 5(1) and 5(2). (ii) Notification of sites as per Rules 7 to 9. (iii) Safety reports as per Rules 10 to 12. (iv) Preparation of on-site emergency plans as per Rule 13. (v) Preparation of off-site emergency plans in consultation with District Collector or District Emergency Authority as per S. |

| | | |
|----|---|--|
| | | No.9 of this Schedule. |
| 6. | Chief Inspector of Mines appointed under the Mines Act, 1952 | Enforcement of directions and procedures in respect of industrial installations and isolated storages dealing with hazardous chemicals ^{2[***]} regarding - (i) Notification of major accidents as per Rules 5(1) and 5(2). (ii) Notification of sites as per Rules 7 to 9. (iii) Safety reports as per Rules 10 to 12. (iv) Preparation of on-site emergency plans as per Rule 13. (v) Preparation of off-site emergency plans in consultation with District Collector or District Emergency Authority as per S. No.9 of this Schedule. |
| 7. | Atomic Energy Regulatory Board appointed under the Atomic Energy Act, 1972. | ³ [Enforcement of directions and procedures regarding :- (a) Notification of major accidents as per rule 5(1) and 5(2) (b) Approval and Notification of Sites as per rule 7; (c) Safety report and safety audit |

¹ Substituted by Rule 13(ii) of the MSIHC (Amendment) Rules, 2000 notified vide S.O.57(E), dated 19.1.2000;

² Omitted by Rule 13(iii), ibid;

³ Substituted by Rule 13(iv), ibid.

| S. No. | Authority(ies) with legal backing | Duties and corresponding Rule |
|--------|-----------------------------------|-------------------------------|
| (1) | (2) | (3) |

| | | |
|----|---|--|
| | | <ul style="list-style-type: none"> (d) reports as per rule 10 to 12; (e) Acceptance of On-site Emergency plans as per rule 13; (f) Assisting the District Collector in the preparation of Off-Site emergency plans as per serial number 9 of this Schedule] |
| 8. | Chief Controller of Explosives appointed under the Indian Explosive Act and Rules, 1983 | <p>Enforcement of directions and procedures as per the provisions of</p> <p>¹ [(i) The Explosives Act, 1884(4 of 1884) and the rules made thereunder, namely:- (a) The Gas Cylinders Rules, 1981;</p> <p>(b) The Static and Mobile Pressure Vessel (Unified) Rules, 1981;</p> <p>(c) The Explosive Rules, 1984</p> <p>(ii) The petroleum Act, 1934 (30 of 1934) and the Rules made thereunder, namely;</p> <p>(a) The Petroleum Rules, 1976;</p> <p>(b) The Calcium Carbide Rules, 1987];</p> <p>² [and in respect of Industrial installation and isolated storages dealing with hazardous chemicals and pipelines including inter-state pipelines regarding : -</p> <ul style="list-style-type: none"> (a) Notification of major accident as per rule 5; (b) Approval and notification of sites as per rule 7; (c) Safety report and safety audit reports as per rules 10 to 12; (d) Acceptance of On-site Emergency plans as per rule 13; (e) Assisting the District Collector in the preparation of Off-Site emergency plans as per serial number 9 of this Schedule.] |

¹ Substituted by Rule 15 of the MSIHC (Amendment) Rules, 1994, notified vide S.O.2882, dated 3.10.1994.

² Inserted by Rule 13 (v) of the MSIHC (Amendment) Rules, 2000 notified vide S.O.57(E), dated 19.1.2000.

| S. No. | Authority(ies) with legal backing | Duties and corresponding Rule |
|-----------|---|--|
| (1) | (2) | (3) |
| 9. | District Collector or District Emergency Authority designated by the State Government | Preparation of off-site emergency plans as per Rule 14 |

| | | |
|--------------------|--|---|
| ¹ [10.] | ² [CENTRE FOR ENVIRONMENT AND EXPLOSIVE SAFETY (CEES), Defense Research and Development of Organisation (DRDO). Department of defence Research & Development, Ministry of Defence] | Enforcement of directions and procedures in respect of laboratories, industrial establishment and isolated storages dealing with hazardous chemicals in the Ministry of Defence] |
|--------------------|--|---|

¹ Substituted by Rule 13(vi), of the MSIHC (Amendment) Rules, 2000 notified vide S.O.No.57(E), dated 19.1.2000.

² Inserted by G.S.R.584(E), dated 9 June, 1990.

SCHEDULE -6

[See Rule 5(1)]

INFORMATION TO BE FURNISHED REGARDING NOTIFICATION OF A MAJOR ACCIDENT

Report number
of the particular accident.

1. General data

- (a) Name of the site
- (b) Name and address of the manufacturer
(Also state telephone/telex number)

- (c) (i) Registration number
 (ii) Licence number
 (as may have been allotted under any status applicable to the site,
 e.g. the Factories Act)
 (d) (i) Nature of industrial activity (Mention what is actually manufactured, stored
 etc.)
 (ii) National Industrial Classification, 1987 at the four digit level.

| | | | |
|----------------------|----------------------|----------------------|----------------------|
| <input type="text"/> | <input type="text"/> | <input type="text"/> | <input type="text"/> |
|----------------------|----------------------|----------------------|----------------------|

2. Type of major accident

Fire Emission of dangerous substance Explosion

Substance(s) emitted

3. Description of the major accident

- (a) Date, shift and hour of the accident
- (b) Department/Section and exact place where the accident took place
- (c) The process/operation undertaken in the Department/section where the accident took place.
 (attach a flow chart if necessary)
- (d) The circumstances of the accident and the dangerous substance involved

4. Emergency Measures taken and measures envisaged to be taken to alleviate short term effects of the accident.

5. Causes of the major accident.

Known (to be specified)

6. Not Known

Information will be supplied as soon as possible

7. Nature and extent of damage

- (a) Within the establishment - casualties
 Killed

.....Injured
 Poisoned

Persons exposed to the major accident
 material damaged danger is still present danger no longer exists.

- (b) Outside the establishment
 casualties.
 Killed

.....Injured
 Poisoned

- Persons exposed to the major accident..... material
damaged
- damage to environment the danger is still present
- the danger no longer exists
8. Data available for assessing the effects of the accident on persons and environment.
9. Steps already taken or envisaged
- (a) to alleviate medium or long term effects of the accident
(b) to prevent recurrence of similar major accident (c) Any other relevant information.

SCHEDEULE -7
[See Rule 7(1)]

INFORMATION TO BE FURNISHED FOR THE NOTIFICATION OF SITES

PART -I

Particulars to be included in a notification of a site

1. The name and address of the employer making the notification.
2. The full postal address of the site where the notifiable industrial activity will be carried on.
3. The area of the site covered by the notification and of any adjacent site which is required to be taken into

account by virtue of b(ii) of schedule 2 and 3.

4. The date on which it is anticipated that the notifiable industrial activity will commence, or if it has already commenced a statement to that effect.

5. The name and maximum quantity liable to be on the site of each dangerous substance for which notification is being made.

6. Organisation structure namely organisation diagram for the proposed industrial activity and set up for ensuring safety and health.

7. Information relating to the potential for major accidents, namely-

- (a) identification of major accident hazards;
- (b) the conditions or the events which could be significant in bringing one about;
- (c) a brief description of the measures taken.

8. Information relating to the site namely-

(a) a map of the site and its surrounding area to a scale large enough to show any features that may be significant in the assessment of the hazard or risk associated with the site,-

- (i) area likely to be affected by the major accident.
- (ii) Population distribution in the vicinity.

(b) a scale plan of the site showing the location and quantities of all significant inventories of the hazardous chemicals;

(c) a description of the process or storage involving the hazardous chemicals and an

indication of the conditions under which it is normally held;

(d) the maximum number of persons likely to be present on site.

9. The arrangement for training of workers and equipment necessary to ensure safety of such workers.

PART -II

Particulars to be included regarding pipeline-

1. The names and address of the persons making the notification.
2. The full postal address of the place from which the pipeline activity is controlled, addresses of the places where the pipeline starts and finishes and a map showing the pipeline route drawn to a scale of not less than 1:400000.
3. The date on which it is anticipated that the notifiable activity will commence, or if it is already commenced a statement to that effect.
4. The total length of the pipeline, its diameter and normal operating pressure and the name and maximum quantity liable to be in the pipeline of each hazardous chemical for which notification is being made.

SCHEDULE -8

[See Rule 10(1)]

INFORMATION TO BE FURNISHED IN A SAFETY REPORT

1. The name and address of the person furnishing the information.
2. Description of the industrial activity, namely-
 - (a) site,
 - (b) construction design,

- (c) protection zones explosion protection, separation distances,
 - (d) accessibility of plant,
 - (e) maximum number of persons working on the site and particularly of those persons exposed to be hazard.
3. Description of the processes, namely -
- (a) technical purpose of the industrial activity,
 - (b) basic principles of the technological process,
 - (c) process and safety -related data for the individual process stages,
 - (d) process description,
 - (e) Safety-related types of utilities.
4. Description of the hazardous chemicals, namely -
- (a) chemicals (quantities, substance data, safety-related data, toxicological data and threshold values),
 - (b) the form in which the chemical may occur on or into which they may be transformed in the event of abnormal conditions,
 - (c) the degree of purity of the hazardous chemical.
5. Information on the preliminary hazard analysis, namely-
- (a) types of accident
 - (b) system elements or events that can lead to a major accident,
 - (c) hazards,
 - (d) safety-relevant components.
6. Description of safety -relevant units, among others;
- (a) special design criteria,
 - (b) controls and alarms,
 - (c) special relief systems,
 - (d) quick-acting valves,
 - (e) collecting tanks/dump tank, (f) sprinkler system, (g) fire fighting etc.
7. Information on the hazards assessment, namely-
- (a) identification of hazards ,
 - (b) the cause of major accidents,
 - (c) assessment of hazards according to their occurrence frequency,
 - (d) assessment of accident consequences, (e) safety systems, (f) known accident history.

8. Description of information or organizational systems used to carry on the industrial activity safety, namely-
 - (a) maintenance and inspection schedules,
 - (b) guidelines for the training of personnel,
 - (c) allocation and delegation of responsibility for plant safety,
 - (d) implementation of safety procedure.
9. Information on assessment of the consequences of major accidents, namely-
 - (a) assessment of the possible release of hazardous chemicals or of energy,
 - (b) possible dispersion of released chemical,
 - (c) assessment of the effects of the releases (size of the affected area, health effects, property damage)
10. Information on the mitigation of major accidents, namely -
 - (a) fire brigade,
 - (b) alarm systems,
 - (c) emergency plan containing system of organisation used to fight the emergency, the alarm and the communication rules guidelines for fighting the emergency, information about hazardous chemicals, examples of possible accident sequences,
 - (d) coordination with the District Emergency authority and its offsite emergency plan,
 - (e) notification of the nature and scope of the hazard in the event of an accident,
 - (f) antidotes in the event of a release of a hazardous chemical.

SCHEDULE -9

(See Rule 17)

SAFETY DATA SHEET

1. CHEMICAL IDENTITY

| Chemical Name | Chemical Classification |
|---------------|-------------------------|
| Synonyms | Trade Name |

| Formula | C.A.S.No | U.N. No.: | |
|--------------------------|------------------------------|-----------------------|------------|
| Regulated Identification | Shipping Name Codes/Lable | Hazchem No.: | |
| Hazardous Waste | | | |
| | I.D. No.: | | |
| Hazardous Ingredients | C.A.S. No. | Hazardous Ingredients | C.A.S No.: |
| 1. | 3. | | |
| 2. | 4. | | |

2. PHYSICAL AND CHEMICAL DATA

| Range/Point °C | Physical State | Appearance | Boiling |
|---------------------------|------------------------------------|------------|---------|
| Melting/Freezing Point °C | Vapour Pressure | Odour | |
| | @ 35 °C mm/Hg | | |
| Density | Solubility in Water at 30°C Others | | Vapour |
| (Air=1) | | | |
| Specific Gravity | pH | | |
| Water =1 | | | |

3. FIRE AND EXPLOSION HAZARD DATA

| Flammability | Yes/No | LEL % | Flash Point °C | Auto ignition Temperature °C |
|------------------------------|--------|---|--------------------|----------------------------------|
| TDG Flammability | | UEL % | Flash Point °C | |
| Explosion Sensitivity Impact | | Explosion Sensitivity to Static Electricity | | Hazardous Combustion to Products |
| Hazardous Polymerisation | | | | |
| Combustible Liquid | | Explosive Material | Corrosive Material | |
| Flammable Material | | Oxidiser | Others | |
| Pyrophoric Material | | Organic Peroxide | | |

4. REACTIVITY DATA

Chemical
Stability

Incompatibility
With other Material

Reactivity

Hazardous Reaction
Products

5. HEALTH HAZARD DATA

Routes of
Entry

Effects of
Exposure/Symptoms

Emergency
Treatment

TLV(ACGIH) ppm mg/m³ STEL ppm mg/m³

Permissible
Exposure Limits ppm mg/m³ Odour threshold ppm mg/m³
LD₅₀ LD₅₀

NEPA

| Hazard | Health | Flammability | Stability | Special Signals |
|--------|--------|--------------|-----------|--------------------|
|--------|--------|--------------|-----------|--------------------|

6. PREVENTIVE MEASURES

Personnel
Protective
Equipment

Handling and
Storage
Precautions

7. EMERGENCY AND FIRST AID MEASURE

Fire Extinguishing
Media
FIRE

Special Procedures

EXPOSURE Unusual Hazards

First Aid Measures

Antidotes/Dosages SPILLS

Steps to be taken

Waste Disposal Method

8. ADDITIONAL INFORMATION / REFERENCES

9. MANUFACTURER / SUPPLIER DATA

Name _____
of Firm _____ Contact Person in Emergency _____

| Mailing Address | Local Bodies Involved |
|-----------------|-----------------------|
|-----------------|-----------------------|

Telephone/Telex Nos **Standard Packing**

Table 1. (Continued) Temperature and Density Data (Ref. 6)

Other.

10. DISCLAIMER

Information contained in this material data sheet is believed to be reliable but no representation, guarantee or warranties of any kind are made as to its accuracy, suitability for a particular application or results to be obtained from them. It is upto the manufacturer/seller to ensure that the information contained in the material safety data sheet is relevant to the product manufactured/handled or sold by him as the case may be. The Government makes no warranties expressed or implied in respect of the adequacy of this document for any particular purpose.

SCHEDULE -10

[See Rule 18(5)]

FORMAT FOR MAINTAINING RECORDS OF HAZARDOUS CHEMICALS IMPORTED

1. Name and address of the Importer:
 2. Date and reference number of issuance of permission to import hazardous chemicals:
 3. Description of hazardous chemicals: (a) Physical form:

- (b) Chemical form:
 - (c) Total volume and weight (in kilogram's/ Tones)
- 4 Description of purpose of Import:
5. Description of storage of hazardous chemicals:
 - (a) Date:
 - (b) Method of storage

Note: Published in the Gazette No.787, dt.27.11.1989.
All correction made in the terms of corrigendum No.S.O.115(E), dt.5.2.1990 published in the Gazette No. 59 dt.5.2.1990.

1
[SCHEDELE -11]

[See Rule 13(1)]

DETAILS TO BE FURNISHED IN THE ON-SITE EMERGENCY PLAN

1. Name and address of the person furnishing the information.
2. Key personnel of the organization and responsibilities assigned to them in case of an emergency
3. Outside organization if involved in assisting during onsite emergency:
 - (a) Type of accidents
 - (b) Responsibility assigned
4. Details of liaison arrangement between the organizations.
5. Information on the preliminary hazard analysis:
 - (a) Type of accidents
 - (b) System elements or events that can lead to a major accident
 - (c) Hazards
 - (d) Safety relevant components

¹ Inserted by Rule 16 of the MSIHC (Amendment) Rules, 1994 notified by S.O.2882, dated 3.10.1994.

6. Details about the site:

- (a) Location of dangerous substances
- (b) Seat of key personnel
- (c) Emergency control room

7. Description of hazardous chemicals at plant site:

- (a) Chemicals (Quantities and toxicological data)
- (b) Transformation if any, which could occur.
- (c) Purity of hazardous chemicals.

8. Likely dangers to the plant.

9. Enumerate effects of:

- (i) Stress and strain caused during normal operation:
- (ii) Fire and explosion inside the plant and effect if any, of fire and explosion outside.

10. Details regarding:

- (i) Warning, alarm and safety and security systems.
- (ii) alarm and hazard control plans in line with disaster control and hazard control

planning, ensuring the necessary technical and organizational precautions;

- (iii) Reliable measuring instruments, control units and servicing of such equipments.
- (iv) Precautions in designing of the foundation and load bearing parts of the building.
- (v) Continuous surveillance of operations.
- (vi) maintenance and repair work according to the generally recognized rules of good engineering practices.

11. Details of communication facilities available during emergency and those required for an off-site emergency.
12. Details of fire fighting and other facilities available and those required for an off-site emergency.
13. Details of first aid and hospital services available and its adequacy.

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[SCHEDULE 12
[See Rule 14(1)]

DETAILS TO BE FURNISHED IN THE OFF-SITE EMERGENCY PLAN

1. The types of accidents and release to be taken into account.
2. Organisations involved including key personnel and responsibilities and liaison arrangements between them.

3. Information about the site including likely locations of dangerous substances, personnel and emergency control rooms.
4. Technical information such as chemical and physical characteristics and dangers of the substances and plant.
5. Identify the facilities and transport routes.
6. Contact for further advice e.g. meteorological information, transport, temporary food and accommodation, first aid and hospital services, water and agricultural authorities.
7. Communication links including telephones, radios and standby methods.

¹ Inserted by Rule 16 of the MSIHC (Amendment) Rules, 1994 notified by S.O.2882, dated 3.10.1994.

8. Special equipment including fire fighting materials, damage control and repair items.
9. Details of emergency response procedures.
10. Notify the public.
11. Evacuation arrangements.
12. Arrangements for dealing with the press and other media interests.
13. Longer term clean up.]

Note: Principal rules were published in Gazette of India vide Notification S.O. 966(E), dated 27.11.1989. Amending rules were published vide GSR No.681, dated 9.6.1990, S.O.115 (E), dated 5.2.1990, S.O.2882, dated 3.10.1994 and S.O.57 (E), dated 19.1.2000.