RAJASTHAN WATER (AMENDMENT) RULES 1995

17 Phalguna 17, hed Regd. No. R], 2777/93 RAJASTHAN GAZETTE Extraordinary Published by Authority 8, 1995 tsday, Saka 19] 6—March 8, 1995 DEPARTM .N OF ENVIORNMENT NOT FICATION Jaipur, 8 h rvfarch, 1995 G.S.R. 131:-—In exercise gf the powers conferred by Section 64 of he Water (Prevention and Contiol of Pollution) Act, 1974 (Central Act J 6 of 1974), the State Govei•nhent after consultation with the Rajasthan State Pollution Co Itr I Board, hereby makes the following Rules further to amend the Raja 'than Water (Prevention and Control Qf Pollution) Rules, 1975 namely

1. Short title and cornmencemcnt: (i) These Rules may be the Rajasthan Wa Prevention and Control of POI uti n) Alnendment Rules, 199 (ii)_ They shall come into orce from the date ot:-ilæiTxpYxblica tion in the official Gazette

2. In clause (b) of Rul •2 f the Rajasthan Waler (Preventi and Control of Pollution) Rules, 19 hereinafter referred •to as the.id rules", for the words "Rajastha S ate Board for Prevention and Control (if Water Pollu tion" occurring n end, thc words "Rajasthan State Pollution Control Board" shall be substituted

3. In rule 5 of the said ule :-—(i) In sub-rule (i) for th expression "Rs. 50/ -'I the expression "Rs.l ()0/-" shall be su and "Rs. 15/ the expression "Rs. shall' bé Substitüted. "Rs. Gi) In sub-rule-k9ÉfÖF •xpre$$i01i "'Rs. substitu ed $(ji-" the expression 'i'Rs. 1 I pet Su>stituted. (iii)Jms -ru c (3) fo th expression "Rs. 15/ -"ethe "Rs. shall be sub tituted

4. Jn rule 6 of the said rule f 110 ving sub rule shall be substituted For sub-rule namely: "(2) The Chairtnan ay undertake tours within Rajasthan or the territories of India for outside Rajastl an within f nctions of the-board." carrying oüt th rd "appointment" •shall be i:ißerted (ii) In sub-rule (3) the w beti,veen the words 'powers in mattersof" and promotion". (iii) For sub-rule (4) .ollowing sub-rule shall be substitu ted narnely:— "(4) The Chairrnan ha I have full powers in the mar acceptance o tenders"

5. In rule 7 of the said rules for the proviso to sUb-rule (1) the following proviso shall be subs iluted, "Provided that for cr ation of the posts above the rank of Enviornmental Enginee 0k any other post equFv•alent thereto the Board shall obtain prio sa ction of the State Government" 6. In the said rules sub rules (8) and sub-rules (10) of rule 8 shall be omitted

7. In rule 17 of the said Iles.-t' (i) In sub-rule (1) for the ords 'tin the month of October of each year for approv •l" he words and figures "before 31st. Decernber of each ear for approval" shall be substituted. e following sub-rule shall be substituted (ii) For sub-rule. (2) t namely:— "(2) After approval of he budget estimates by the Board, four copies Öf the approved budget proposals with copies of furnished to •the State Governrnem schedules shall forthwith". 8. För rule 21 of th said rules, the following rule shall be substituted; namely: "21. The fund of the Board shall be operated by the Member Secretary of the Board or by tan'y other officer of •the Board who may be so empowered, subject .to such,conditions as may be laid do n, by the State Board." 9. In rule 22 of the sai rules for the words and figures "the 15th May each year.} -the word and figures "the 30th of September each Shall be 10. In the said rules af er rule 25, following néiyv rule 2SA shall be added; namely:— "25A. Qualificatuorvf r overnment or State Board Analyst:—A not be qualified for appiontment or person- shall recognised as (Q) vernment analyst or a Board analyst as 1995 the case rnay be u Äder sub-see (2) or sub-sectiion (3) of sec 53 of the Act, unl s he is a:— (a) Graduate s ience from a recognised university with five years xperience in laboratory, engaged in environ en al investigation, testing or analyyis; or (b) Post graduate in science or a graduate in engineering or a gra u te in rnedicjne or equivalent with two years expe ience in a -laboratory, engaged in environmen al investigation, testing or analysis; or (c) Post gra ua e in environmental science froni a recögnisfd niversity with two years experience in a laboratö y ngaged in environmental investigation, testing o at alysis. 11. rule 27 of the satd r Iles: (d) For the words "stream Or well" wherever occurring, the words V'stream or well or se er or on land" shåll be substituted. (b) For the vv.ords "from ny plant" the wordst "from any plant or outlet" shall be substi uted. i2. For rule 29 of the siid ules, the following shäll be substituted; tit*mekv:— "-29. (1) Application o co sent—An applica tion for obtaining the consent of -the tate Board. (a) For st blishing or taking any steps for establishi g any ilidåstry, operation or process or any t ea nnent and disposal system, or any extension Or addition thereto, which is likely to discharge sewage or trade effluent into a stream or we I o sewer or on land cunder section 25 of the Aqt o (b) For bri into use any new br altered oAtlQt for the di ch rge of sewage or trade effluen-t into a strea or well or sehver or on land under Section 25 oft e ct or (c) For ma in any new discharge of sewage- or trade effluent il to a strearn or. well or sewer or on land under sec ion 25 of the Act or for continuing the existing d Scharge of sewage or trade effluent into a stream or well or sewer or on under section 2 Of the Act shall be made to the State Boardin

Form No. XIII or Form No. XIII-A as-the case may e. (2) Such applica tio s all be accompanied bv the fees as prescribed in Sch du e I V. 8, 1995 (3) An application not acc méanied with the prescribed fee shall not be entertained by he Board. (4) The Fee shall be paid t rough Bank Draft payable in favour Of the Member Secreta y, Rajasthan State Pollution Control Board, Jaipur

13. In the said rules afte rule 30, followin• new rules 30-A and 30'B shall be added, nainely:—30-A Directions. (1) Any direction issued under section 33 A shall be in writing. (2) The direction shall sp • cify the nature of action tc be taken and the time within w ich it shall be complied with by the person, officer or t e authority to whom such direction is gi ven. (3) The person, officer or authority to whom any direction is sought to be issued, shall be granted an opportunity of being heard. Provided that where th State Board is of the opinion that in view of the likelihood of a grave inju y to the environment, it is not expedient to provide an opportunity of being heard, it may for xeasons: to be recorded in writing, issue irection without providing such an opportunity. (4) VVhere the directi n is for the stoppage or regulation of electricity or wa tek or any other service affecting the carrying on of any industFY', operation or process, a copy of the direction shall alyo be endorsed to the occupier of the industry, operatio ot process. 30-B. Manner of givi g notices. (1) the manner of givi ig notice under clause (b) of sub-section (1) of section 49 .shall bé as follows; namely:— (i) The notice Sha I be in writing in

Form No. XV (ii) The persovt gtving noticé may send it to (ä) The Member Secretary, xajasthan State Pollution Control Board, Jaipur or (9 Any other officer authorised by the Board in this beh If. (iii) Notice s all be sent by registered post with acknowled ement due. (2) The period of sixty days men tioned in i clæ se (b) of sub-section (1) o section 49 shall. be reckoned fr •m the date of its first receip by one of the authorities mentioned above. the existing expression "State Board for 14. In the said rule ft) Preventio Control of ter Pollution" wherever occurrin(Y in Form Nose I to XII and XIV the e •pression "Rajasthan State Pollution Control Board" shall be substitu ted. 8

FORM NO. XII APPLICATION FÖR CONS •N cro BE SUBMITTED IN (See rule 9) 1995 403 X [11, the following shall bc TO ESTABLISH [PLICATE) Application for consent to es ab iSh industry, operation or process or any treatment and disposal system•under section 25/26 of the Water (Preve.ntion and Control of Pollution Act, 1974. From• Dated To, Sir, I/ We hereby apply for co eti t under section 25/26 of the water (Prevention and Control of Pollutio+t) Act 1974 (No. 6 of 1974) for stablishing or taking any steps for establishment of industry/ operation/ process or any treatment/ disposal systfm on land/ premises owned The other relevant details are as by below:— PART-I, General: Name of a. b. Address nd allotment/ land conversion c. Location (also enclose copy order and site-map) d. Category of Industry (Red/ rat ge/Others) e. Scale of Industry (Large/ Mediu / Small). f. Whether the unit would gen€rat hazardous waste as defined in the Hazardous Wastes (Management and Rules, 1989. If so, the Category No. PART-11, Surrounding Details•. •a. Area of land proposed to be cquired (in meter). b. which of the following features »cist within 25 kms. of the site: (i) I-luman setlement (spe ify population) (ii) Forest/Sanctuary/National Park/ Hill Resort/ National Monument. (iii) Nallah/Stream/Ri er pond/ Lake/ Dam/ any other water body. (iv) Industries, specify. g, n995 PART'III, Process Detail a. Manu facluring process wit flow diagranÄ. Details of Raw Materi Is, Pr_oducts, By Products and Storage S.No. (ii) (iv) SNO. (ii) (iii) dapa ci•ly:— Par.ticulars Raw Ma Products Bv Products } 2rdous Cheniicals c. Energy constunption d. Détails of F-uel ame 3 Na ture 4 Quantity (unit/ day) 5 +laht/ Au-xiliary achines where Fugl i; yséd' 2. Name and quantity(TPD) Coal; Diesel ot-her (Specify) 3: PART-TV, Water pollution Process-wise): a. Water consuunption p r . (i) Boiler/C0Q.ling./.l dustrjal spray/Mining; (ii) Donwsstic. (iii.) Industrial •proce ö.: Total waste water gel eraz,tiofi per dåYe c. Total waste watpr dis harge Pér day. d. Water balance, • e. Indicate. waste wate and sludge characteristics, before and after trea tment-(phy ical/chemical). f, Type of trea tl.nenl• roposed to be •adopted (enclose details, design and schemati diagram). g. How do you propo c to discharge the waste water (specify mode of disposal). •h. What. method do yo propose to adopt for treatment, handling & disposal of sludg . 8, 1995 PART-V, Details of Air Pollutants Stack 5No. attached VOIumé Stack Details M3/hr) Temp: Dia 40S Concentra tion Others (Mg/NM3) to plant (COY (jii) NOTE:—Enclose lay out plan indic ting location of each stack. PÄRT-VI, Sludge/S01id Waste/Ha ardous Waste (Process-wise) and their proposed tr atment. a. Total quantity of wastes (kg/ ay) b. Nature of wastes c. Method P.roposed.f.or treatment & disposal. PART-VIIti Other types of : d. Is •your industéy' likely to Cause noise pollution? If so' what méasü-reg are proposed to be tak sn? b. is your industry likely to cause at y other pollution? If sonwhat measures are proposed to be tak n? PART-VIII; Management of pollution. a. Give details: of rthc Otgahåsa tiOfiaI •let .11 p;proposéd 'fqrpöllu tipn control' and PART-IX, Cost of pollu tion a. Total capital expenditur(propose for pdllution.-contröl.' b. Annual recurring expenditüre.' c. I-las any financial outlay been ,pr posed in Project Report Jorzpöl!ufion qqnlrpl measures?. I .so, mention.the gost. 1. I/ declare that the informatton furnished aboveis correct to of my/our knowledge.- her information- within one 2. I/INe undertake to furnish; any of its being called by the Stale Board. I/VVe enclose herewith Bank Draft N Dated -for Rs. {Rs. in words----------r----------) in av ur of the Member Secretary, State Pollution Control Board, pa ablé under Section 25/26 of Act. Yours faithfüfiy,' ignature Name 'signation Applicant 8, 199 16. In the said rules after orm No. *11.1, following new form No. XIII-A shall be added, namely:— FOR N .XIII-A APPLICATION FOR CONSENT TO OPERATE (TO BE SUBMI ED IN TRIPLICATE) (Se rule 29) Applica tion for consent o discharge or continue to discharge *wage or trade effluent under S clion 25/26 of the Water (Prevention & Control of Pollulion) Act, 1974. Date Sir, I/ We hereby apply fo Consent/ Renewal of Consent under E•ction 25 or Sectioru 26 of the ater (Preven tion & Control of Pollution) Act; 1974-(No. 6 Of 1974) for bri into use any new/al:tered outlet or for discharge of sewage/ trad -effluent. or to continue to discharge sewage/ trade effluent on land/ remises owned bv The other relevant details are as •follows: PART-A, GENERAL 1. Full Name of the Name, address, tele ho numbers and fax of the applicmt

2. The list of individu Is, partners, Chairman (Fu)l lime or Part time), Managing D rector/ Manager (Full time or Part time) & other officc bearers with their telephone nos.and addresses

3. Name and Address of the Unit.and its Location

4. Category and scale o Industry.(a) Red/ Orange/O hers (b) Large/ Medium Small Number of emplo eeÅ within factory premises and in tk

5. Colony. Raw material Name (a) (b) Quantity (TPD) 7. Products and by-prpducts (TPD) Product quhntity By-product quantity Name (a) (b) (c) b. Installed capacity f Ine plant.

9. Date of 10.gapacity Of. r-aWi•V materials Item eka w maféiiais (b) Product (c) By-produ'et- V}. Managennent plan. 1995 prodåédk/Uy-pF6ducts Storage Quan tity 407 Mäil'itääånée or effluent treatnnent plant. (b) Pårliculars of environmen!al cell/ Laboratory 12. pe!alls q).fligence, if any, c,btaine under the provisions of the Iådliå+iåi "hiååibix)•• PART-13, •Pertaining-tdSéWåge fåå•é 13.' Water consumpti(ji-t; Sotii-eé%- Cifboi1eF7CodliiiÉ r5s% 14._ Waste water ténefätiofi Source (Specify 0 (a) (b) onßdi:mijtioh•: (KLD) -i (c) W'\fllu'éiit' details) • :eh;.. kåjftype Pftg.&f (e) Cost of treatmeht plant (d) Re urrinz cost of maintenan e (e) Performance of treatmen pl nt with respect to standards laid doWh%y€he Boarde part-C, P.értaining .tchazüdous :waste a d hazardous chemicals. 16: (9) Tot?! qnnNWißfrenerati n (g/day): (b) Nature of hazardous wa te, as defined under the Environment (Protecti01) Act, 1986. (See the Hazardous (Management anå Handling) Rules, 1989).: Mode of storage __A7, S, 1995 ithin the plant, method of disposal and any other infor ation sought by the State Board. (a) Hazardous Che ica s as defined under the Environment (iProtection) Act, 1986 (See the M.anufacture, Storage and Im- prt of Hazardous hemicals Rules, 1989). (b) Whether any iso ated storage iS involved ? if yes, enclose details. (c) Whether emerg plans are prepared for taking- (i) on site meas res (ii)off site meas res. B/ We declare that nformation furnished above is correct to the best of my/ ur nowledge. 19'. L/ We hereby subm t that in case of. change either of the point orthe quantity of ischarge or its quality, a fresh application for consent shall be made and until such consent is granted, no change shall b made. l/We hereby agr t submit to the State Board an applica- tionfor renewal o consent one month in advance of the date of expiry of the onsented period for outlet/ discharge, if to be continued therleafter. I/ we undertake t furnish any other information wi.thin one 21 month of-its bein l/We enclose her .for Rs.. in favour o Polluti(3n Co the Act. • called by the State Board. with Bank Draft No dated .(Rs. in Words the Member Secretary. Rajasthan State trol Board, payable undef Section 25/26 of Yours Fai thrully Signatures .. Name Designation APPLICANT 8, 1995 409 17. In the said rules, after For No. XV shall be added, a FORM N (see rule From (1) No. XIV, the following new Form ely:—- xv 0B) By Regd. Post A. D. Notice under Section 49 1)( ) of the Water (Prevention and Control of Pollution) Act, 1974. Whereas an offence under t e ater (Prevention and Control of Pollution) Act, 1974 has been committe / is being committed by (2) l/ We hereby give noticeof 6() ay$ under section 49 (1) (b) of the Water (Prevention & control* of Pollution) Act '1974 of my/ our intention file a complaint in the court again t (2). . . . . .for violation of section (s) of the Water (P evention and Control of Pollution) Act, 1974. In support of my/ our notice, I/ We are enclosing the following documents (3) as evidence of proof of viola tion of the Water (Prevention and Control of Pollution) Act, 1974 Place, Date, Explanation:— (Signature (s) (1) in case of the notice s given in the name of a company, documentary evidenc authorising the sign the notice on behalf of th company shall be enclosed •to this notice. Company or this purpose means a Company defined- in explapat on to Section 47 of the Water (Prevention and contrbl of Pollution) Act, -1974. (2) Here give the name a address of the alleged offender. In case of a manufa turing/processing/operating unit, Indicate the name/ loc • tion/nature of activity etc. include photographs/ (3) Documentary e id nce shall Technical reports, h alth reports of the area etc. for enabling enquiry into he alleged violation/offence. 8, 1995 18. In the said fer scl edule Ill following schedule shall be substituted, namely— SCHE ULE 111 (See ul 32) RAJASTHAN POLLUT ON CONTROL BOARD JAIPUR ANNUAL REORT FO THE FINANCIAL YEAR M RCH 31, 19 ARIL 19T frttroductio CHAPTER-I. CHAPTER-2. CHAPTER-3. CHAPTER-4. GAPTER-5. CHAPfER-6. CAPTER-7. CHAPTER-8. CHAPTER-9. CHAPTER-IU CHAPTER-11.1 CHAPTER-11.2 CHAPTÉR-12. 94APTER-B. CHAPTER-14. Constitu ti o ehanges th Meeting of decisions t Committe md their a Monitorin quali of the Board ificluding rein. he Board with major ken therein. constituted by the Bpard tivities. Network for air, water and Present stc tus Of environment, environ mental pr blems and counter measures. Environm ntäl Research. Environm nt I Training. Environm • ntal Awareness and public participat on. Environm ntal.standårds including tinw• schedule or their enforcement. Prosecuti ns aunched and convictions secured f r environmental- pollution Direction given for closure of polluting industria units. Finance and Accounts of the Board. Annual p an •of followingyear. Any 0th important matter dealt with the State oard. 8, 1995 411 1. 2. 3. 4, 5. 6

7. Members of the Board Organisation Chart Staff Strength including r gruitment. Publications Training Courses/Sem na s/Workshops organised or attended Consents to establish i dustries, operations &

proces$es issued / refused. Consents to operat dustries operations & processes issued/ refused. 19. bn the said rules after sche ul Ill following newschedule IV shall added, namely:— SCHED LE (See rule 29) s No. SLAB: AVERAGE WATER CONSENT FEES FEES TO ESTABLISH 1. 2. 3. 4

5. CONSUMPTION PERD Y (In Kilo Liters) 50 or'below More than 50 but upto 20 More -than 200 but upto I ()0 More than 1000 but upto C), More than10()0() and aboye Government en 00 500 2000 5000 1 oooo 20000 (In Rupees) FEES TO OPERATE 250 ooo 2500 5000 10000 By Order of the Governor, *ant) Secretary to the Government.al Press. Jaipur.