



राजस्थान राज-पत्र

विशेषांक

साधिकार प्रकाशित

Regd. No. RJ. 2777/93
RAJASTHAN GAZETTE

Extraordinary

Published by Authority

फाल्गुन 17, बुधवार शाके 1916-मार्च 8, 1995

Phalguna 17, Wednesday, Saka 1916—March 8 1995

भाग 4 (ग)

उपखण्ड-I

राज्य सरकार तथा अन्य राज्य प्राधिकारियों द्वारा जारी किये गये (सामान्य आदेशों, उप-विधियों आदि को सम्मिलित करते हुए) सामान्य कानूनी नियम ।

DEPARTMENT OF ENVIRONMENT

NOTIFICATION

Jaipur, 8th March, 1995

G.S.R. 132.—In exercise of the powers conferred by Section 54 of the Air (Prevention and Control of Pollution) Act, 1981 (No. 14 of 1981), the State Government after consultation with the Rajasthan State Pollution Control Board, hereby makes the following rules further to amend the Rajasthan Air (Prevention and Control of Pollution) Rules, 1983, namely:—

1. **Short title, application and commencement.**—(i) These rules may be called the Rajasthan Air (Prevention and Control of Pollution) (Amendment) Rules, 1995.

(ii) They shall come into force from the date of their publication in the official gazette.

2. In the Rajasthan Air (Prevention and Control of Pollution) Rules, 1983, hereinafter referred to as the "said rules", Clause (d) of rule 2 shall be omitted.

3. In rule 4 of the said rules:—

(a) For the words "operating any industrial plant" the words "establishing or operating any industrial plant" shall be substituted.

(b) For the words and expression "Form I" wherever occurring, the words and expression "Form I and Form I-A as the case may be" shall be substituted.

(c) In the proviso the words "specified in schedule" shall be omitted.

4. For rule 5 of the said rules, following shall be substituted; namely:—

"5. Consent fee:—(1) Application under rule 4 shall be accompanied by the fee as mentioned in the schedule appended to these rules.

(2) An application not accompanied with the prescribed fee shall not be entertained by the Board.

(3) Consent fees shall be paid through Bank Draft payable in favour of the Member Secretary, Rajasthan State Pollution Control Board".

5. In rule 12 of the said rules, for the words and figures "The fees for each such report shall be Rs. 350/-" the words "The fees for each such report shall be such as may be notified by the State Government" shall be substituted.

6. In the said rules after Rule 12, following new rules 12-A and 12-B shall be added, namely:—

"12-A. **Direction:**—(1) any direction issued under Section 31A shall be in writing.

(2) The direction shall specify the nature of action to be taken and the time within which it shall be complied with by the person, officer or the authority to whom such a direction is given.

(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 the State Board is of the opinion that in view of the Likelihood of a grave injury to the Environment, it is not expedient to provide an opportunity of being heard, it may for reasons to be recorded in writing, issue direction without providing such an opportunity.

(4) Where the direction is for the Stoppage or regulation of electricity or water or any other service affecting the carrying on of any industry, operation or the process, a copy of the direction shall also be endorsed to the occupier of the industry, operation or process as the case may be."

"12-b. **Manner of giving notice** :—(1) The manner of giving notice under clause (b) of sub-Section (1) of Section 43 shall

be as follows namely-

- (i) The notice shall be in writing in form IX
 - (ii) The Person giving notice may send it to :—
 - (a) The member Secretary, Rajasthan State Pollution Control Board, Jaipur or (b) Any other officer authorised by the Board in this behalf.
 - (iii) Notice shall be sent by registered post with acknowledgement due.
- (2) The period of sixty days mentioned in clause (b) of sub-section (1) of Section 43 shall be reckoned from the date of its first receipt by one of the authorities mentioned above”.

7. For rule 13 of the said rules, following shall be substituted; namely:—

“13. Qualification for Government or State Board Analyst:—A person shall not be qualified for appointment or recognised as a Government analyst or a Board analyst as the case may be under sub-section (1) or sub-section (2) of Section 29 of the Act unless he is a:—

- (1) Graduate in science from a recognised university with five years experience in laboratory engaged in environmental investigation, testing or analysis; or
- (2) Post graduate in science or a graduate in engineering or a graduate in medicine or equivalent with two years experience in a laboratory engaged in environmental investigation, testing or analysis; or
- (3) Post graduate in environmental science from a recognised university with two years experience in a laboratory engaged in environmental investigation: testing or analysis.

8. In the said rules for the existing expression “Rajasthan State Board for Prevention and Control of Water Pollution” wherever occurring, in Form numbers from II to VII, the expression “Rajasthan State Pollution Control Board” shall be substituted.

9. In the said rules for Form-I, the following shall be substituted; namely:—

FORM—I

APPLICATION FOR CONSENT TO ESTABLISH
(TO BE SUBMITTED IN TRIPLICATE)

(See rule 4)

Application for consent to establish industrial plant under Section 21 of the Air (Prevention & Control of Pollution Act, 1981.

Dated:

From :-----

To :-----

Sir,

I/We hereby apply for Consent Under Section 21 of the Air (Prevention & Control of Pollution Act, 1981 for establishing the industrial Plant owned by-----The relevant details are as Follows :-

PART-I, General :

- (a) Name of Industry:
- (b) Address
- (c) Location (also enclose copy of Land allotment/Land Conversion order and site map.
- (d) Category of Industry (Red/Orange/others)
- (e) Scale of Industry (Large/Medium/Small)

PART-II, Surrounding Details :

- (a) Area of land proposed to be acquired (in Square Meter)
- (b) Which of the following Features exist within 25 kms.of the Site:
 - (i) Human Settlement (Specify Population)
 - (ii) Forest/Sanctuary/National Park/Hill Resort/ National Monument
 - (iii) Nallah/Stream/River/Pond/Lake/Dam/any other water body.
 - (iv) Industries, Specify.

PART-III, Process Details :

- (a) Manufacturing Process with flow diagram

(b) Details of Raw Materials, Products, By Products and their Storage Capacity

| S. No. | Particulars | Name | Nature | Quantity (Unit/day) |
|--------|---------------------|------|--------|---------------------|
| (i) | Raw Materials | | | |
| (ii) | Products | | | |
| (iii) | By Products | | | |
| (iv) | Hazardous Chemicals | | | |
| (c) | Energy Consumption | | | |
| (d) | Details of Fuel | | | |

| S. No. | Plant/Auxiliary Machines Where Fuel is Used | Name and Quantity (TPD) Coal/diesel/other (Specify) |
|--------|---|---|
| (i) | | |
| (ii) | | |
| (iii) | | |

PART-IV, Water Pollution (Process-wise) :

- (a) Water Consumption Per day
 - (i) Boiler/Cooling/Industrial Spray/ Mining
 - (ii) Domestic
 - (iii) Industrial Process
- (b) Total waste water generation per day
- (c) Total waste water discharge per day
- (d) Water balance
- (e) Indicate waste water and sludge characteristics, before and after treatment --(physical/chemical)
- (f) Type of treatment proposed to be adopted (enclose details, design and schematic diagram)
- (g) How do you propose to discharge the waste water (specify mode of disposal)
- (h) What method do you propose to adopt for treatment, handling and disposal of sludge.

PART-V, Details of Air pollution :

| S. No. | Stack attached to plant | Stack details | | | Volume (NM ³ /hr) | Pollution concentration | |
|--------|-------------------------|---------------|----------|---------|------------------------------|-------------------------|------------------------------|
| | | Temp. (°c) | Dia. (m) | ht. (m) | | SPM | Others (Mg/NM ³) |
| (i) | | | | | | | |
| (ii) | | | | | | | |
| (iii) | | | | | | | |

Note:—Enclose lay out plan indicating location of each stack.

PART- VI, Sludge/ Solid wastes/hazardous waste (process--wise) and their proposed treatment :

- Total quantity of wastes
- Nature of wastes
- Method proposed for treatment & disposal

PART-VII, Other types of pollution :

- Is your industry likely to cause noise pollution? If so, what measures are proposed to be taken ?
- Is your industry likely to cause any other pollution? If so, what measures are proposed to be taken?

PART-VIII, Management of pollution control :

- Give details of the organisational set up proposed for pollution control and monitoring .

PART-IX, Cost of pollution control Measures :

- Total capital expenditure proposed for pollution control
- Annual recurring expenditure
- Has any financial outlay been proposed in the project Report for pollution control measures/ If so, mention the cost.

1. I/we declare that the information furnished above is correct to the best of my/our knowledge.

2. I/We undertake to furnish any other information within one month of its being called by the State Board.

I/We enclose herewith bank Draft No. dated.
for Rs. (Rs. in words) in favour of the Member
Secretary, Rajasthan State Pollution Control Board payable under Section
21 of the Act.

Yours faithfully,

Signature.

Name.

Designation.

Applicant

10. In the said rules after Form I, following new Form I-A, Shall be
added, namely:-

FORM I—A

APPLICATION FOR CONSENT TO OPERATE

(TO BE SUBMITTED IN TRIPLICATE)

(See rule 4)

Application for consent to operate industrial plant or for causing
emission or continue to cause emission under section 21 of the Air
(Prevention & Control of Pollution) Act, 1981.

Dated :

From :

.....
.....

To :

.....
.....

Sir,

I/We hereby apply for Consent/renewal of Consent
under Section 21 of the Air (Prevention & Control of pollution) Act, 1981
for operating industrial plant or to begin to make new discharge of
emission/to continue to discharge emission from industrial plant owned
by The relevant details are as follows :-

PART 'A' GENERAL

1. Full Name of the owner/Occupier :

2. Name, address, telephone numbers and fax of the applicant. The list of individuals, partners, Chairman (Full time or part time), Managing Director/Manager (Full time or part time) and other office bearers with their telephone nos. and addresses.

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

4. Category and scale of Industry.

(a) Red/Orange/Others.

(b) Large/ Medium/Small.

5. Number of employees within factory premises and in the Colony.

6. Water Consumption (KLD)

(a) Boiler/Cooling/ Industrial Spary/ Mining

(b) Domestic

(c) Industrial process.

7. Raw material

Name

Quantity (TPD)

(a)

(b)

(c)

8. Products and by-products

Name

Quantity (DPD)

Product

By Product

(a)

(b)

(c)

9. Installed capacity of the plant. (unit/annum)

10. Date of commissioning.

11. Storage capacity of raw materials/products/by-products

Items

Quantities

(Tons/Cubic meter)

(a) Raw materials

(b) Products

(c) By-products

12. Management plan.

(a) Maintenance schedule of control equipment or effluent treatment plant .

(b) Particulars of environmental Cell/Laboratory

13. Details of licence, if any, obtained under the provisions of the Industrial (Development and Regulations) Act, 1951.

PART ' B ' PERTAINING TO AIR POLLUTION

14. Sourcess of air pollution

15. Fuel consumption

Name of Fuel

Quantity(TPD)

(a)

(b)

(c)

16. Stack details

Stack No.Attached

to be

Not to be

to plant

Monitored

monitored

(a)

(b)

(c)

17. Details of those stacks which are required to be monitored :—

| Stack No. | Attached to plant | Ht.(m) | Dia(m) | Temp (C°) | Vel. (m/s) |
|-----------|-------------------|--------|--------|-----------|------------|
| (a) | | | | | |
| (b) | | | | | |
| (c) | | | | | |

18. Control equipments :—

| Stack No. | Type of control Equipment | Capital Cost (in Lacs) | Recurring Cost (Rs./Annum) |
|-----------|---------------------------|------------------------|----------------------------|
| (a) | | | |
| (b) | | | |
| (b) | | | |

19. Composition of gases

| Stack No. | Observed Values | | | | Norms | | | |
|-----------|-----------------------|-----------------|-----|-------|-----------------------|-----------------|-----|-------|
| | (mg/NM ³) | | | | (mg/NM ³) | | | |
| | SPM | SO ₂ | NOX | Other | SPM | SO ₂ | NOX | Other |
| (a) | | | | | | | | |
| (b) | | | | | | | | |
| (c) | | | | | | | | |

Part-C, Pertaining to hazardous waste and hazardous chemicals :

20. (a) Total quantity of generation (kg/day) :

(b) Nature of hazardous waste as defined :

under the Environment (Protection)

Act, 1986. [See the Hazardous Wastes

(Management and Handling) Rules, 1989].

(c) Mode of storage within the plant,:

method of disposal and any other

information sought by the State Board

21. (a) Hazardous Chemicals as defined under :

the Environment (Protection) Act, 1986

(See the Manufacture, Storage and

Import of Hazardous Chemicals Rules, 1989)

(b) Whether any isolated storage is

involved, if yes, enclose details

(c) Whether emergency plans are

prepared for taking -

(i) On-site measures

(ii) Off-site measures

22. I/We declare that the information furnished above is correct to the best of my/our knowledge .

23. I/We hereby submit that in case of a change either of the point, or the quantity of emission or of its quality, a fresh application for consent shall be made and until such consent is granted no change shall be made .

24. I/We hereby agree to submit to the State Board an application for renewal of consent one month in advance of the date of expiry of the consented period for stack emission, if to be continued thereafter.

25. I/We undertake to furnish any other information within one month of its being called by the State Board .

I/We enclose herewith Bank Draft No. dated.for Rs. (Rs. in Words)in favour of the Member Secretary, Rajasthan State pollution Control Board, payable under Section 21 of the Act.

your,s Faithfully

Signature

Name

Designation

Date

APPLICANT

11. in the said rules, after Form VIII, following new FORM IX shall be added: namely :-

FORM IX

(See rule 12 B)

FORM OF NOTICE

By Registered A/D.

From (1)

.....
.....
.....

To

.....
.....
.....

Notice under Section 43 (1) (b) of the Air (Prevention & Control of Pollution) Act, 1981.

Whereas an offence under the Air (Prevention & Control of Pollution) Act, 1981 has been committed/is being committed by (2)

I/We hereby give notice of 60 days under Section 43 (1) (b) of the Air (Prevention & Control of Pollution) Act, 1981 of my/our intention to file a complaint in the court against (2) for violation of Section (S) of the Air (Prevention & Control of Pollution) Act, 1981 .

In support of my/our notice. I/We are enclosing the following documents (3) as evidence of proof of violation of the Air (Prevention & Control of Pollution) Act, 1981.

.....
Signature (s)

place:

Dated:

Explanations

(1) In case the notice is given in the name of company, documentary evidence authorising the person to sign the notice on behalf of the company shall be enclosed to this notice. Company for the purpose, means company defined in explanation to Section 4 of the Air (Prevention & Control of Pollution) Act, 1981.

(2) Here give the name and address of the alleged offender. In case of manufacturing processing/operating unit, indicate the name/location nature of activity etc.

(3) Documentary evidence shall include, photographs/technical reports/health reports of the area etc. for enabling enquiry into the alleged violation/offence.

(4) In the said rules, following schedule shall be added; namely:—

SCHEDULE

(See rule 5)

| S.No. | Scale of industry | Capital investment | Consent Fee (in rupees) | |
|-------|-------------------|---------------------|-------------------------|----------------|
| | | | Fee to establish | Fee to operate |
| 1. | Large | More than 5 crores | 5,000 | 2,500 |
| 2. | Medium | 65 lacs to 5 crores | 2,000 | 1,000 |
| 3. | Small | Less than 65 lacs | 500 | 250 |

By Order of the Governor

ललित कोठारी

Secretary to the Government.