

Madhya Pradesh
Pollution Control Board



**COMPILATION
OF**

1. Madhya Pradesh State Prevention and Control of Water Pollution Board and its Committees (Meetings) Rules, 1975.
2. Water (Prevention and Control of Pollution) [Consent] Madhya Pradesh Rules, 1975.
3. Madhya Pradesh Water (Prevention and Control of Pollution) Appeal Rules, 1976.
4. Air (Prevention and Control of Pollution) Madhya Pradesh Rules, 1983
5. Classification of Industries for purposes of renewal of Consents under Water and Air Acts.

Paryavaran Parisar

E-5 Sector, Arera Colony,

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Madhya Pradesh State Prevention and Control of Water Pollution Board and its committees (Meetings) Rules 1975¹

1. Short title- These rules may be called the Madhya Pradesh State Prevention and Control of Water Pollution Board and its Committees(Meetings). Rules,1975 .
2. Definitions.-In these rules, unless the context otherwise require:-
 - (a) "Act" means the Water (Prevention and Control of Pollution)Act, 1974 (No.6 of 1974);
 - (b) "Board" means the Madhya Pradesh State Prevention and Control of Water Pollution Board constituted under sub section (1) of section 4 of the Act;
 - (c) "Chairman" means the Chairman of the Board;
 - (d) "Member Secretary" means the Member-Secretary of the Board.;
 - (e) "Member" means the member of the Board
3. Convening of Meetings of the Board. (1) A meeting of the Board shall be either ordinary or special.
 - (2) The date of every meeting shall be fixed by the Chairman.
 - (3)² Notice of every meeting specifying the time and place there-of and the business to be transacted there in shall be sent to every member under certificate of posting and exhibited at the office of the Board seven clear days before an ordinary meeting and three clear days before a Special meeting. Beside this, with the permission of the Chairman additional proposal, if any, may be brought before the committee, if it is exhibited at the appropriate time at the office of the board and at the place of the meeting.
4. Power of Chairman to call special meeting :- The Chairman may whenever he thinks fit, call a special meeting for the transaction of the business of urgent nature.
5. Place of meeting :- Every meeting of the board shall ordinarily be held in premises used as office by the board but the chairman may if he thinks fit, hold a meeting at any place in Madhya Pradesh.
6. Chairman of meeting.-At every meeting of the Board, the Chairman if present or in his absence, such one of their members as the members may elect, shall preside.
7. Quorum-(1) No business shall be transacted at a meeting of the Board unless a quorum of six members be present throughout the meeting.
 - (2) If there be no quorum present at a meeting at any time, the presiding authority shall adjourn the meeting to such hour on the following or such other further day as he may reasonably fix. A notice of such adjournment shall be fixed up at the place of the meeting adjourned, and the business which would have been brought before the original meeting had there been a quorum there at shall be brought before the adjourned meeting and may be disposed of at such meeting or at any subsequent adjourned meeting, whether there be a quorum present or not.
 - (3) A notice of adjournment exhibited at the place of the meeting adjourned on the day on which the meeting is adjourned shall be sufficient notice of the subsequent meeting.
8. Minutes of Proceedings.- Minutes of proceedings at each meeting of the Board shall be re-

1. These rules were first published in the Madhya Pradesh Rajpatra dt.29th August 1975.
2. As substiuted vide notification F-5-114/32/90 dated 4-4-91

corded in a book to be kept for the purpose and shall be confirmed in the next ensuing meeting. A copy of minutes of the proceedings shall also be circulated to all the members as far possible before the next meeting .

9. Decision of Questions by Majority of votes.- All questions brought before any meeting of the Board shall be decided by a majority of the votes of the members present and in the case of equality of votes, the presiding authority at the meeting shall have a second or a casting vote.

10. Application of Rules to meeting of Committees.- Rules 3 to 7 shall apply mutates mutandis to the meeting of the committees constituted under section 9 of the Act subject to the modification that the fixation of place of meeting shall be subject to the approval of the chairman.

**Water (Prevention and Control of Pollution)(Consent)
Madhya Pradesh Rules 1975**

No. 3881-xxxiii-75.-In exercise of the powers conferred by section 64 of the Water(Prevention and Control of Pollution) Act. 1974 (No.6 of 1974), the State Government, after consultation with the State Board for the Prevention and Control of Water Pollution, hereby makes the following rules, namely:-

1. Short title and commencement .-(i) These rules may be called the Water (Prevention and Control of Pollution) (Consent) Madhya Pradesh Rules, 1975.

(ii) They shall come into force with effect from the date of their publication in the "Madhya Pradesh Gazette".¹

2. Definitions.- In these rules, unless the context otherwise require,-

- (a) "Act" means the Water(Prevention and Control of Pollution) Act, 1974 (No. 6 of 1974);
- (b) "Board" means the Madhya Pradesh State Prevention and Control of Water Pollution Board, constituted under sub section(1) of section 4;
- (c) "Section" means the section of the Act;
- (d) "Chairman" means the Chairman of the Board;
- (e) "Member-Secretary" means the Member-Secretary of the Board;
- (f) "Member" means member of the Board nominated by the Government;
- (g) "Consent" means the sanction of the authority of the Board for the discharge of the effluent;
- (h) "Consent Fees" means the fees charged by the Board for the grant of Consent by the Board;
- (i) "Investment" means the amount of capital invested by the industry on capital works including land, machinery and equipment;
- (j) ²"Consent renewal fees" means the Consent renewal fees required to be paid annually to the Board for the discharge of sewage or trade effluent in to a stream or well.

3. Procedures-³ Any person who is discharging sewage or trade effluent in to stream or well or sewer or on land shall apply in the form appended to these rules to the Member Secretary, Madhya Pradesh Pollution Control Board.

4. Prevention and Control by the Board.- (i)In the case of the existing industries the person/ persons will make the application giving all particulars of his premises producing the effluent. The Act envisages such an application within 3 months of the constitution of the Board. This time limit may be extended by the Board from time to time according to exigencies.

(ii) In the case of improvements to the existing facilities the person/persons shall make an application for the consent of the Board which will be deemed as a new application.

(iii) In the case of new discharges the person/persons shall submit the application giving the details of the manufacturing processes etc,indicated in the Consent forms along with appliances and designs of Waste Treatment facilities that are to be provided.

(iv)The application forms may be obtained from the office of the Madhya Pradesh State Preven-

1. These rules were first published in the Madhya Pradesh Rajpatra dt 29th August, 1975.

2. As ammended vide notification No. F-121-32-90 Dt. 27.12.97

3. Substituted vide notification No. F- 116/32/dt. 31.5.91.

tion and Control of Water Pollution Board, Bhopal, on payment of Rs.5 as application form fee.

(v) The application form should be duly accompanied by the prescribed consent fee as per following schedule:-

SCHEDULE¹

Industries having an investment of -	Rs.
(1) More than 200 Crores	1,50,000.00
(2) More than 100 Crores but less than 200 Crores	1,00,000.00
(3) More than 50 Crores but less than 100 Crores	75,000.00
(4) More than 10 Crore but less than 50 Crores	60,000.00
(5) More than 3 Crore but less than 10 Crores	40,000.00
(6) More than 50 Lakhs but less than 3 Crores	10,00.00
(7) Less than 50 Lakhs	1,000.00

‘The above consent fee includes the Consent renewal Fee.¹ for the first year.’

If any applicant under any circumstances desires the refund of consent fee before the industry is established, then only, the Consent renewal fee shall be refundable.²

(vi) On receipt of the application form by the Board, the Board will have a right to examine the proposed site or existing site and ask for any such details which may not have been elaborated in the application form.

(vii) The date on which complete information connected with application form has been received by the Board shall be the date of receipt of application form for calculating the period of 4 months for the purpose of sub section (7) of section 25.

(viii) On examination by the Board the consent will be granted to the applicant with or without conditions in the form set out in the schedule appended to these rules.

(ix) The applicant shall conform to the consent given by the Board and abide by instructions that are given in the Consent.

(x) The applicant shall submit periodical information and other reports if so desired in the Consent of the Board.

(xi) Where Consent is given subject to the condition of providing measures by the applicant for treating the effluent conform to the standard, the applicant shall complete such requirements within the stipulated time .

5. Annual Renewal.-(1) The Board will have a right to revise its decision regarding the Consent .

(2) The Board may alter, modify or include any particular conditions in the Consent which has to be implemented by the applicant.

(3) In order to maintain a clean condition of the natural streams, the Board will have a right to inspect any premises and collect samples.

(4) The Board may also make surprise checks of premises and the applicant shall render all assistance desired for such officers authorised by the Board in the performance of the inspections.

(5) The applicant shall pay an annual consent renewal fees to the Board as per following schedule:¹

“A. Industries having an investment of-	Rs.
(1) More than 200 Crores	50,000.00
(2) More than 100 Crores but less than 200 Crores	40,000.00

1. As Amended vide notification F-5-121/32/90 dated 27/12/97

2. As inserted vide Notification No.13-117/32/90 dated 4-4-91

(3) More than 50 Crores but less than 100 Crores	30,000.00
(4) More than 10 Crores but less than 50, Crores	20,000.00
(5) More than 3 Crores but less than 10 Crores	15,000.00
(6) More than 50 Lakhs but less than 3 Crores	3,500.00
(7) Less than 50 Lakhs	500.00

Provided that the consent application and consent renewal application received prior to the publication of this notification, shall not be liable for the excess payment of difference of fees owing to pendency of application.

B- Annual consent renewal fee and consent fee chargeable from local Bodies extracting water from natural resources and discharging effluents into streams shall be as under :-

(a) Municipal Corporation	Rs. 3,000
(b) Class AA Municipalities	Rs. 2,000
(c) Class A Municipalities	Rs. 1,000
(d) Class B Municipalities	Rs. 500
(e) Class C Municipalities	Rs. 250
(f) Minimum fee	Rs. 250

6. Inspection - With a view to keeping a constant check on the quality of effluents discharged into the natural streams the Board would keep continuous monitoring of samples at fixed points in the streams.

They may also make such surprise check and inspections and the applicant shall render all assistance for such inspections.

7. Emergencies.- In case of emergencies when the water quality of the stream suddenly deteriorates the applicant shall co-operate with the Board and if necessary close down certain operations to prevent undue pollution in the streams as a temporary measure.

SCHEDULE

[See rule 4(Viii)]

OFFICE OF THE MADHYA PRADESH STATE PREVENTION AND CONTROL OF WATER
POLLUTION BOARD, 87 MALVIYA

NAGAR, BHOPAL-3.

CONSENT FORM

No. /WPCB/ Bhopal, Dated the

Subject.- Consent to.....

for the discharge of effluent under section 25/26 of the Water (Prevention and Control of Pollution) Act 1974.

Reference .-Application No.

..... of.....

dated..... (expiry date.....)

With reference to the above application for Consent to discharge effluent in to the natural water courses under the Water (Prevention and Control of Pollution) Act, 1974. here in after referred to as the Act..... is authorised by the State Board to discharge its industrial and other effluents arising out of their premises into the local stream/river/well in accordance with the general, and special conditions as mentioned in the Annexure.

2. This Consent shall be valid for a period of 12 months only commencing from.....

Dated this day of..... 19

For and on behalf of the Madhya Pradesh State Prevention and Control of Water Pollution Board;

Seal

Member-Secretary.

enclosure: Annexure

ANNEXERE

ENCLOSURE TO REFERENCE LETTER ISSUED TO

M/s.....

VIDE CONSENT No..... /WPCB/75, Dated.....

A.- GENERAL CONDITIONS:

All discharges authorised shall be consistent with the terms and conditions of this Consent. Facility expansions, production increases, or process modifications which result in new or increased discharges of pollutants must be reported by submission of a new Consent application or if such new or increased discharges does not violate the effluent limitations specified in this Consent, by submission to the Board details of such new or increased discharges of pollutants in which case the Consent may be modified to specify effluent limitations for any pollutants not identified and limited herein. The discharge of any pollutant more frequently than or at a level in excess of that identified and authorised by this Consent shall constitute a violation of the terms and conditions of this Consent.

2. After notice and opportunity for the hearing, this consent may be modified, suspended or revoked by the Board in whole or in part during its term for cause including, but not limited to, the following:-

- (a) Violation of any terms and conditions of this Consent;
- (b) Obtaining this Consent by misrepresentation or failure to disclose fully all relevant facts;

- (c) A change in any condition that requires temporary or permanent reduction or elimination of the authorised discharge.

3. Notwithstanding para(2) above, if a toxic effluent standard or prohibition (including any schedule of compliance specified in such effluent standard or prohibition) is established for a toxic pollutant which is present in the discharge authorised herein and such standard or prohibition is more stringent than any limitation upon such pollutant in this consent, the Consent shall be revised or modified in accordance with the toxic effluent standard or prohibition that the Board may consider and the applicant shall be so notified.

4. The applicant shall allow the staff of the Madhya Pradesh State Prevention and Control of Water Pollution Board, and/or their authorised representatives, upon the representation of credentials;

- (a) To enter upon the applicant's premises where an effluent source is located or in which any records are required to be kept under the terms and conditions of this Consent;
- (b) To have access to and copy at reasonable times any records required to be kept under the terms and conditions of this Consent;
- (c) To inspect at reasonable times any monitoring equipment or monitoring method required in this Consent; or,
- (d) To sample at reasonable times any discharge or pollutants.

5. The applicant shall at all times maintain in good working order and operate as efficiently as possible all treatment or control facilities/or systems installed or used by him to achieve compliance with the terms and conditions of this Consent.

6. The issuance of this Consent does not convey any property rights in either real or personal property, or any exclusive privileges, nor does it authorise any injury to private property or any invasion of personal rights, nor any infringement of Central, State or local laws or regulations.

7. This Consent does not authorise or approve the construction of any physical structures or facilities or the undertaking of any work in any natural water course.

8. The specific effluent limitations and other pollution controls applicable to the discharge permitted herein are set forth below in specific conditions. Also set forth below are self-monitoring and reporting requirements. Unless otherwise specified, the applicant shall submit duplicate original copies of all reports to the Madhya Pradesh State Prevention and Control of Water Pollution Board. Except for data determined to be confidential, all such report shall be available for public inspection at the office of the Madhya Pradesh State Prevention and Control of Water Pollution Board. Knowingly making any false statement on any such report may result in the imposition of criminal penalties as provided for in section 42 of the Act.

B. SPECIAL CONDITIONS:

1. Initial Effluent limitations.- During the period beginning on the effective date of his consent and lasting until.....discharge from outfalls shall be limited and monitored by the applicant as specified below:

- (a) The following shall be limited and monitored by the applicant as specified:

EFFLUENT CHARACTERISTICS	DISCHARGE		LIMITATION	MONITORING REQUIREMENT
	AVERAGE Mg/1 kgs/day	MAXIMUM Mg/1 kgs/day		

*Daily//weekly/Monthly/ Trimonthly
+Grab/24 Hour. Composite.

In addition to above, discharge shall be limited and monitored as specified below;

EFFLUENT CHARACTERISTIC	DISCHARGE		LIMITATION	MONITORING REQUIREMENT
	AVERAGE Mg/1 kgs/day	MAXIMUM Mg/1 Kgs/day		

*daily/Weekly /Monthly /Trimonthly
+Grab/24 hour. Composite.

For the purpose of this sub-section , the daily average discharge is the total discharge by weight during the calendar month divided by the number of days in a month the production or commercial facility was operating. For the purpose of this sub-section the daily maximum discharge means the total discharge by weight during any calendar day.

(b) The pH shall not be less than 5.5 or greater than 9.0

2. Final Effluent Limitation.-During the period beginningand lasting until the date of expiration of this Consent ,discharge from the outfalls shall be limited and monitored by the applicant as specified below:

(a) The following shall be limited and monitored by the applicant as specified.

EFFLUENT CHARACTERISTICS	DISCHARGE		LIMITATION	MONITORING REQUIREMENT
	AVERAGE Mg/1 Kgs/day	MAXIMUM Mg/1 Kgs/day		

* dailyWeekly/Monthy/Trimonthly
+Grab/24 Hour. Composite.

Additionally, outfall shall be monitored as follows:-

(i) Flow, Temperature and Total solids-one per month;

Grab samples, Maximum discharge Temperature above upstream receiving water shall be in accordance with the standard of ISI at 40° F.

Uniform as per ISI 40° F

The temperature shall be monitored once per month on each outfall. For the purposes of this sub-section, the daily average discharge is the total discharge by weight during the calendar month divided by the number of days in the month that the production or commercial facility was operating. For the purpose of this sub-section, the daily maximum discharge, means the total discharge by weight during any calendar day.

(b) The pH shall not be less than 5.5 or greater than 9.0 for out falls. The samples are taken as monthly, grab samples.

3. Schedule of Compliance for Effluent Limitations. The applicant shall achieve compliance with the effluent limitations specified above for discharge from outfalls in accordance with the following schedule.-

- (i) Report of Progress;
- (ii) Completion of final plans by;
- (iii) Award of contract or other commitment of financing;
- (iv) Commencement of construction by;
- (v) Report of construction progress;
- (vi) Completion of construction by;
- (vii) Attainment of operational level by;

(b) The applicant shall submit to the Consent Issuing Authority the required report of progress or where a specified action is required in(a) above to be taken by a certain date, a written notice of compliance or non-compliance with each of the above scheduled dates, post marked on later than .14 days following each elapsed date. Each notice of non-compliance shall include the following information:-

- (1) A short description of the non-compliance;
- (2) A description of any action taken or proposed by the applicant to comply with the elapsed scheduled requirement without further delay;
- (3) A description of any factors which tend to explain or mitigate the non-compliance; and
- (4) An estimate of the date, the applicant will comply with the elapsed schedule requirement and assessment of the possibility that the applicant will meet the next scheduled requirement in time.

4. Compilation of Monitoring Data.-(a) Samples and measurement taken to meet the monitoring requirements specified above shall be representative of the volume and nature of monitored discharge.

(b) Following promulgation of guidelines establishing test procedures for the analysis of pollutants, all sampling and analytical methods used to meet the monitoring requirements specified above shall conform to such guidelines. Unless otherwise specified sampling and analytical methods shall conform to the latest edition of the Indian Standard specifications and where it is not specified the guidelines as per standard methods for the examination of Water and Waste Waters 18th Edition of the American Public Health Association, New York. U.S.A. shall be used.

(c) The applicant take samples and measurement to meet the monthly requirements specified above at the location indicated below:

Point of sampling:

- (i) Outfalls of waste.
- (ii) 100 meters from point of confluence, down stream river or lake.

5. Recording of Monitoring activities and Results.-(a) The applicant shall make and maintain records of all information resulting from monitoring activities required by this Consent.

(b) The applicant shall record for each measurement or samples taken pursuant to the requirements of this consent the following information:-

- (1) the date, exact place and time of sampling;
- (2) the dates on which analysis were performed;
- (3) who performed the analysis;
- (4) the analytical techniques or methods used;and
- (5) the results of all required analysis.

(c) If the applicant monitors any pollutant more frequently as is required by this Consent he shall include the results of such monitoring in the calculation and reporting, of values required in the discharge monitoring reports which may be prescribed by the Board. Such increased frequency shall be indicated on the discharge Monitoring Report form.

(d) The applicant shall retain for a minimum of 3 years all records of monitoring activities and results including all records of calibration and maintenance of instrumentation and original strip chart regarding from continuous monitoring instrumentation. This period of retention shall be extended during the course of any unresolved litigation regarding the discharge of pollutants by the applicant or when requested by the Central or State Board.

6. Report of Monitoring Results.(a) Monitoring information required by this Consent shall be summarised and reported by submitting a Discharge Monitoring Report Form duly filled in and signed, to the Board's office at the following address:-

“Madhya Pradesh State Prevention and Control of Water Pollution Board,
87, Malviya Nagar,
Bhopal-3 (Pin No. 462 003)”

(b) Each submitted Discharge Monitoring Report shall be signed as follows:-

- (i) If submitted by Corporation-by a Principal Executive Officer of at least the level of Vice-President or his duly authorised representative, if such representative is responsible for the overall operation of the facility from which in discharge described in the discharge Monitoring Report originates.
- (ii) If submitted by a partnership, by a general partner.
- (iii) If submitted by a sole proprietor, by the proprietor,
- (iv) If submitted by a Municipal, State or Central Government or other public enterprise, by a principal Executive officer, ranking elected official, Commanding officer, or other duly authorised employée.

(c) All information submitted on the Discharge Monitoring Form shall be based upon measurements and sampling carried out during the three previous calendar months. The first Discharge Monitoring Report shall be submitted for a period ending 60 days from issuance. Thereafter, reporting periods shall end on the last date of each month. The applicant shall submit a discharge Monitoring Report post marked no later than 28th day of the month following each completed reporting period.

7.Limitation of Discharge of Oil and Hazardous Substances in harmful quantities:- The applicant

shall not discharge oil in quantities defined as harmful in regulations. In addition, the applicant shall not discharge hazardous substances into natural water course in quantities defined as harmful in regulations promulgated by the Board. Nothing in this Consent shall be deemed to preclude the institution of any legal action-nor relieve the applicant from any responsibilities, liabilities or penalties to which the applicant is or may be subject to clauses.

8. Limitation of Visible Floation Solids and Foam.- During the period beginning 'date of issuance' and lasting until the date of expiration of this Consent the applicant shall not discharge floating solids or visible foam.

9. Disposal of Collected Solids.- (a) Intake Water Treatment.- Solids, Sludges, dirt, silt or other pollutants separated from or resulting from treatment of intake or supply water period to use by the applicant shall be disposed of in such a manner as to prevent any pollutant from such materials from entering any such water. Any live fish, shell fish or other animals collected or trapped as a result of intake water screening or treatment may be returned to water body habitant.

(b) Waste Water Treatment.- Solids, sludges, filter, backwash or other pollutant removed from or resulting from treatment or control of waste waters shall be disposed of in such a manner as to prevent any pollutants from such materials from entering natural water.

10. Non-compliance with Effluent Limitations.- (a) If for any reason the applicant does not comply with or will be unable to comply with any daily maximum effluent limitations specified in this consent, the applicant shall immediately notify the Consent issuing authority or his designee by telephone No. Bhopal 62143/or 62167 and provide the Consent Issuing Authority with the following information in writing within 5 days of such notification:-

- (a) Cause of non-compliance;
- (b) A description of the non-complying discharge including its impact upon the receiving waters;
- (c) Anticipated time the condition of non-compliance is expected to continue or if such condition has been corrected, the duration of period of non-compliance;
- (d) Steps taken by the applicant to reduce and eliminate the non-complying discharge; and
- (e) Steps to be taken by the applicant to prevent recurrence of condition of non-compliance.

(b) The applicant shall take all reasonable steps to minimise any adverse impact to natural waters resulting from non-compliance with any effluent limitation specified in his consent including such accelerated or additional monitoring as necessary to determine the nature and impact of the non-complying discharge.

(c) Nothing in this Consent shall be construed to relieve the applicant from civil or criminal penalties for non-compliance, whether or not such non-compliance is due to factors beyond its control such as equipment break-down, electric power failure, accident, or natural disaster.

11. Limitation of Batch Discharges:

SPECIAL CONDITIONS

12. Provision for Electric Power Failure.- The applicant shall either,

- (a) no later than.....certify in writing to the consent issuing authority that the applicant has installed or provided for an alternatic electric power sources sufficient to operate all facilities utilized by the applicant to maintain compliance with the terms and conditions of the Consent; or

- (b) no later than 30 days after the effective date of this Consent, certify in writing to the consent issuing authority that upon the reduction, loss or failure of one or more of the primary sources of electric power to any facilities utilised by the applicant to maintain compliance with the terms and conditions of this consent, the applicant shall halt reduce or otherwise Control production and/or all discharges in order to maintain compliance with the terms and conditions of this Consent.

13. Prohibition of By-pass of Treatment Facilities.- The diversion of by pass of any discharge from facilities utilised by the applicant to maintain compliance with the terms and conditions of this Consent is prohibited except.-

- (i) where unavoidable to prevent loss of life or severe property damage, or
- (ii) where excessive storm drainage or runoff would damage, any facilities necessary for compliance with the terms and conditions of this Consent. The applicant shall immediately notify the consent issuing authority in writing of each such diversion or bypass in accordance with the procedure specified above for reporting non-compliance.

14. Spill Prevention and Containment Plan.- Within 90 days of the effective date of this consent the applicant shall prepare and submit to the consent issuing authority, a Spill Prevention, containment, and Counter measure Plan for the facility covered by this Consent. Such plan shall include the following information and procedures relating to the prevention of spills and unauthorised discharges of oil and hazardous substances:-

- (a) a description of a reporting system to be used to notify immediately persons responsible for management of the facility and appropriate State and Central authorities;
- (b) a description of equipment or facilities (including overall facility) for the prevention, containment, or treatment of spills and unauthorised discharges;
- (c) a list of oil and hazardous materials used , processed or stored at the facility including the normal quantity maintained on the premises for each listed material;
- (d) a brief description of any spills or unauthorised discharges which occurred during the 36 months period preceding the effective date of this consent and subsequent measures taken by the applicant to prevent or reduce the possibility of further spills or unauthorised discharges;and
- (e) an implementation schedule for additional equipment or facilities which might be required for sub para(b) above but which are not yet operational.

15. Interim Effluent Requirements.- This Consent and the authorisation to discharge shall expire on midnight of The applicant shall not discharge after the date of expiration, The applicant shall submit such information, forms and fees as required by the Board not later than 180 days prior to the above date of expiration.

By authority of Madhya Pradesh State Prevention and Control of Water Pollution Board, Bhopal.

Member-Secretary.

"FORM"¹

(To be submitted in triplicate)

Application for consent for establishing or taking any steps for establishment of Industry/operation/process of any treatment/ disposal system for discharge, continuation of discharge under section 25 or section 26 of the Water (Prevention and Control of Pollution) Act, 1974.

(See rule 3)

From date.....

.....

To,
 The Member Secretary,
 Madhya Pradesh Pollution Control Board.
 Sir,

I/We hereby apply for Consent/Renewal of Consent under section 25 or section 26 of the Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974) for establishing or taking any steps for establishment of industry/operation process/or any treatment/disposal system to bring into use any new/alterd outlet for discharge of *sewage/trade effluent*/ to continue to discharge* sewage trade effluent* from land/premises owned by.....

The other relevant details are as below:-

1. Full name of the applicant.....
2. Nationality of the applicant.....
3. State of the applicant:
 - (a) Individual
 - (b) Proprietary concern
 - (c) Partnership firm
(whether registered or unregistered).
 - (d) Joint family concern
 - (e) Private Limited Company
 - (f) Public Limited Company
 - (g) Government Company
 - (1) State Government
 - (2) Central Government
 - (3) Union Territory
 - (h) Foreign Company
(If a foreign company, the details of registration, incorporation, etc.)
 - (i) Any other Association or Body.
4. Name, Address and Telephone Nos. of the Applicant (the full list of individuals, partners, persons, Chairman(full-time or Part-time), Managing Directors, Managing Partners ,/Directors (Full time or part time),other kinds of office bearers are to be furnished with their, period of tenure in the respective office, with telephone Nos. and address).
5. Address of the Industry:
(Survey No., Khasra No., location as per the revenue record,Village Firka, Tehsil, District,

1 As substituted by notification No. F-116-32 dated 31-5-91.

* Strike out what is not applicable.

Police Station or SHO, jurisdiction of the First-class Magistrate).

6. Details of commissioning etc:-
 - (a) Approximate date of the proposed commissioning of work.
 - (b) Expected date of production:
7. Total number of employees expected to be employed.
8. Details of licence, if any obtained under the provisions of Industrial Development Regulation Act, 1951.
9. Name of the person authorised to sign this form (the original authorisation except in the case of individual/proprietary concern is to be enclosed).
10.
 - (a) Attach the list of all raw materials and chemicals used per month.
 - (b) Licensed Annual capacity of the Factory/Industry.
11. State daily quantity of Water in kilolitres utilised and its source (domestic/Industrial/process/boiler/cooling/others).
12.
 - (a) State the daily maximum quantity of effluents and mode of disposal (sewer or drains or river).
Also attach analysis report of the effluents. Type of effluent, quantity in kilolitres, Mode of disposal.
 - (i) Domestic.
 - (ii) Industrial.
 - (b) Quality of effluent currently being discharged or expected to be discharged.
 - (c) What monitoring arrangement is currently there or proposed.
13. State whether you have any treatment plant for industrial, domestic or combined effluents.
Yes/No
If yes, attach a description of the process of treatment brief.
Attach information on the quality of treated effluent vis-a-vis the standards.
14. State details of solid wastes generated in the process or during waste treatment.
Description..... Quantity..... method of collection-..... Method of disposal.
15. I/We further declare the information furnished above is correct to the best of my /our knowledge.
16. I/We hereby submit that in case of change either of the point of discharge or quantity of discharge or its quality, a fresh application for CONSENT shall be made and until such consent is granted no change shall be made.
17. 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 outlet/discharge if to be continued thereafter.
18. I/We undertake to furnish any other information within one month of its being called by the State Board.
19. I/We enclose herewith cash receipt no./bank draft no.....dated.....
for Rs.....(Rupees.....)
in favour of the Madhya Pradesh State Prevention and Control of Water Pollution Board, Bhopal,
as fees payable under section 25 of the Act,

Yours faithfully

Madhya Pradesh Water (Prevention and Control of Pollution) Appeal Rules 1976.¹

No. 2332-5015-xxxii-76— In exercise of the powers conferred by sub-section (1) and clause (M) of subsection (2) of section 64 read with sub-section (3) of section 28 of the Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974), the State Government in consultation with the Madhya Pradesh State Prevention and Control of Water Pollution Board, hereby makes the following rules, namely:-

1. Short title— These rules may be called the Madhya Pradesh Water (Prevention and Control of Pollution) Appeal Rules, 1976.

2. Definitions— In these rules, unless the context otherwise requires,-

- (a) "Act" means the Water (Prevention and Control of Pollution) Act, 1974 (No. 6 of 1974)
- (b) "appellate authority" means the appellate authority constituted under section 28;
- (c) "Board" means the Madhya Pradesh Prevention and Control of Pollution Board constituted under sub-section (1) of section 4;
- (d) "Form" means a form appended to these rules;
- (e) "Member Secretary" means the Member Secretary of the Board;
- (f) "Section" means a section of the Act.

3. Fee- The fee payable for an appeal under section 28 shall be Rs. 1,000.²

4. Memorandum of appeal- (1) Every appeal shall-

- (a) be in writing;
- (b) Specify the name and address of the appellant;
- (c) Specify the date of the order against which it is made;
- (d) Specify the date on which the order was communicated to the appellant;
- (e) Contain a clear statement of facts;
- (f) Specify the grounds on which the appeal is preferred;
- (g) State precisely the relief prayed for; and
- (h) Be signed and verified by the appellant or an agent duly authorised by him in writing in this behalf the following form, namely;

"I..... the appellant named in the above memorandum of appeal/his authorised agent do hereby declare that what is stated there in is true to the best of my knowledge and belief."

.....
Signature

(2) The memorandum of appeal shall be accompanied by:-

- (a) an authenticated copy of the order against which the appeal is preferred;
- (b) a copy of the application made under section 25 or 26 as the case may be;
- (c) any document relevant to the appeal ;
- (d) a satisfactory proof of payment of the fee prescribed under rule 3:-

(3) As far as possible, the memorandum of appeal shall be-

1. These rules are first published in the Madhya Pradesh Rajpatra dt. 30th July, 1976.

2. As substituted vide notification No F-3437-11-12-87- XXXII Dated 5-7-89

- (a) In form I , where the appeal relates to matters covered by sub-section (5) of section 28:
and
- (b) In form-II, where the appeal relates to matters not covered by sub-section(5) of section 28.

(4) The memorandum of appeal shall be in quadruplicate and shall either be presented to the appellat authority by the appellant or his authorised agent or sent to such authority by registered post. When the memorandum of appeal is presented by an agent duly authorised by the appellant it shall be accompanied by a duly stamped letter of authority appointing him-as such.

(5) On receiving the memorandum of appeal, the appellate authority shall endorse there on the date of its presentation and the name of the appellant or his duly authorised agent, as the case may be, presenting it.

5. Fixing the date of hearing and power to call for the record- (1) The appellate authority shall as so on as may be after the memorandum of appeal is filed, fix a date for hearing of the appeal and give intimation of the same to the appellant and the Member-Secretary in such manner as it deems fit. A copy of the memorandum of appeal along with its enclosures shall also be sent to the Member-Secretary.

(2) The appellate authority shall call for the record of the case from the Member- Secretary, if necessary.

(3) Where the material on record is insufficient to enable the appellate authority to have a definite conclusion may take additional evidence or call for such further material from the appellant or the Member Secretary as thinks fit. Such material shall form part of the record.

(4) Where, on the date fixed for hearing or any date to which hearing of the appeal may be adjourned, the appellant or his duly authorised agent does not appear when the appeal is called for hearing, the appeal may be dismissed or may be decided exparte.

(5) Where, an appeal is dismissed under sub-rule(4) The appellant may within 30 days from the date of dismissal of the appeal, apply to the appellate authority for the restoration of the appeal and if it is shown to the satisfaction of the appellate authority that the appellant had not received intimation of the date of hearing of the appeal or was prevented by any sufficient cause from appearing when the appeal was called for hearing, the appellate authority may restore the appeal on such terms as it thinks fit.

6. Order to be in writing .— The order for the appellate authority shall be in writting and shall state the points for the determination, the decision there on and the reasons for the decision.

7. Supply of copy of order to the appellant and the Board. - Copy of the order passed in appeal shall be supplied free of cost to the appellant. Copy of the order shall also be sent to the Member-Secretary.

FORM 1

[See sub - rule 4(3) (a)]

Form of appeal under section 28 of the Water (Prevention and Control of Pollution) Act, 1974,
(No 6 of 1974)

To,

The President,
Appellate Authority,
Constituted under section 28 of the
Water (Prevention, and Control of Pollution) Act, 1974.
The appeal of

Resident of

Ward No..... Tahsil.....

district.....showeth as follows:-

(i) Under section 25/26 of the Water (Prevention and Control of Pollution) Act, 1974, (No. 6 of 1974), the appellant has been granted consent subject to the conditions mentioned in the consent order in respect of the Plant/Corporation / Municipality/Notified Area Committee noted-bellow:-

- (a) Name of Plant/
Corporation/Municipality/Notified Area Commette
- (b) Place-
- (c) Ward No.
- (d) Name of the Street-
- (e) Urban Area-
- (f) District:-

A copy of the consent order in question is attached hereto.

(ii) The Grounds on which the appellant relies for the purposes of this appeal are as follows-

(iii) The appellant, therefore, Prays that:-

*The unreasonable condition No.....

Conditions Nos.....

should be treated as annulled or it/they should be substituted by such other condition/conditions as appears to reasonable.

OR

The unresonable condition No.....conditions Nos to be varied in the following manner;

Dated...

Signature.....

Occupation.....

Address.....

Form of Verification

I.....the appellant named in the above memorandum of appeal/his authorised agent do hereby declare that what is stated there in is true to the best of my knowledge and belief.

Date.....

Signature.....

Occutpation.....

Address.....

FORM-II

[See sub-rule 4 (3) (b)]

Form of appeal under section 28 of Water (Prevention and Control of Pollution) Act, 1974 (No 6 of 1974).

To,

The President,
Appellate Authority,
Constituted under section
28 of the Water (Prevention
and Control, of Pollution)
Act, 1974.

The appeal of..Resident of

Ward No.....

Tahsil..... District.....

showeth as follows:-

(I) Under section 27 of the Water (Prevention and Control of Pollution) Act, 1974, (No. 6 of 1974).

*The appellatant has been refused consent.

OR

The consent has been withdrawn by the Board in respect of the Plant/Corporation/Municipality/
Notified area Committee noted below:-

- (a) Name of the plant
Corporation Municipality
Notification Area Committee.
- (b) Place-
- (c) Ward No.-
- (d) Name of the Street-
- (e) Urban Area-
- (f) District-

A copy of the order in question is attached hereby.

The appellatant being aggrieved by the aforesaid order prays that the said order be set aside on,
amongst others the following ground/grounds, namely:-

Strike out which is not applicable.

Signature..
Occupation..
Address.....

date.....

Form of verification

I.....the appellatant named in the above
memorandum of appeal/his authorised agent do hereby declare that what is stated there in is true to the
best of my knowledge and belief.

Singature.....
Occupation.....
Address.....

Dated..

**Air (Prevention and Control of Pollution)
Madhya Pradesh Rules, 1983.¹**

Bhopal, the 24th September 1983

No. 3368-xxxii.- In exercise of the powers conferred by Section 54 of the Air(Prevention and Control of Pollution) Act, 1981(14 of 1981). the State Government in consultation with the Madhya Pradesh Pradushan Nivarn Mandal. hereby makes the following rules, namely:-

1. Short title and commencement.- (1) These rules may be called the Air (Prevention and Control of Pollution) Madhya Pradesh Rules, 1983

(2) They shall come into force on the date of their publication in the Madhya Pradesh Gazette.¹

2. Definitions.- In these rules unless the context otherwise requires:-

- (a) "Act" means the Air (Prevention and Control of Pollution) Act 1981 (No.14 of 1981).
- (b) "Appellant" means any person aggrieved by and appealing against an order made by the State Board under Section 30 Section 21, or Section 22 of the Act.
- (c) "Appellate Authority" means the appellate Authority constituted by the Government of Madhya Pradesh under sub-section (I) of Section 31 of the Act.
- (d) "Consultant" means and includes any person whose services, technical or otherwise, may be obtained by the Chairman to conduct the affairs of the Board.
- (e) "Form" means a form appended to these rules,
- (f) "Furnace" means any structure or installation where any form or type of fuel is burnt on otherwise a high temperature higher than ambient is maintained.
- (g) "Premises" means any building structure or property used for industrial or trade purposes where pollution occurs.
- (h) "State Air Laboratory" means a Laboratory established or specified as such under Section (1) of Section 28.
- (i) "Section" means a section of the Act.
- (j) "State Board Laboratory" means a Laboratory established or recognised as such under sub-section(2) of Section 17.
- (k) Words any expressions used but not defined in these rules shall have the meaning as defined in the Air (Prevention and Control of Pollution) Act, 1981 (No 14 of 1981).

3. Salaries, allowances and other conditions of service of the Chairman and members of the Board under sub-section(7) of Section 7. Salaries, allowances and other conditions of the service of the Chairman and other members shall be the same as provided in rules 3 and 5 of the Water (Prevention and Control of Pollution) Madhya Pradesh Rules, 1975. In addition, the Chairman of the Board shall be paid Rs. 500 per month as special pay for the additional responsibility imposed on him .

4. Procedure for Transaction of Business.- Procedure for transaction of business of the Board and its committees shall be the same as provided in the Madhya Pradesh State Prevention and Control of Water Pollution Board and its Committees (Meeting) Rules, 1975.

5. Fees and allowances to be paid to such members of the Committee of the Board who are not members of the board under sub-Section (3) of Section 11-(1) A member of the Committee constituted under subsection 3 of Section 11 who is not a member of the Board shall be entitled to such fees and allowances as provided in rules 5 and 6 of the Water [Prevention and Control of Pollution] Madhya

1. These rules were published in the Madhya Pradesh Raja patra dt. 24th September 1983.

Pradesh Rules, 1975.

(2) Notwithstanding anything in sub-rule (1) if such person is a Government servant or employee in a Government undertaking, he shall be entitled to travelling and daily allowances, only at the rates provided under the relevant rules applicable to him.

6. Fees and allowances to be paid for temporary association of persons under sub-Section (3) of Section 11.- (1) If the person associated with the Boards, under sub-section (1) of Section 12 happens to be nonofficial, he shall be entitled to get fees and allowances at the rates mentioned in rule 6 of the Water (Prevention and Control of Pollution) Madhya Pradesh Rules, 1975.

2. Notwithstanding in Sub-rule (1) if such person is a Government servant or employee in a Government undertaking he shall be entitled to travelling and daily allowances only at the rates provided under the relevant rules applicable to him.

7. Terms and conditions of service of the Member Secretary of the State Board.- The salaries, allowances and other conditions of service of the Member Secretary shall be the same as provided under rule 4 of the Water (Prevention and Control of Pollution) Madhya Pradesh Rules, 1975.

In addition, the Member Secretary of the Board shall be paid Rs. 300 per month as special pay for the additional responsibility imposed on him.

8. Powers and Duties of the Member Secretary.- Powers and duties of the Member-Secretary shall be the same as provided under rule 9 of the Water (Prevention and Control of Pollution) Madhya Pradesh Rules, 1975.

9. Appointment of Consultant under sub-Section (5) of Section 14.- For the purposes of assisting the Board in the performance of its functions, the Board may appoint a Consultant for a period not exceeding 6 months:

Provided that the Board may extend the period of appointment from time to time up to one year:

10. Power to terminate appointment.- Notwithstanding the appointment of the consultant for a period, under rule 9, Board shall have the right to terminate appointment of the consultant before the expiry of the period of appointment if in the opinion of the Board this becomes desirable subject to the payment of salary and allowance for the unexpired term of this appointment.

11. 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 by the Board or otherwise to any person other than the Board without written permission of the Board.

12. Duties and functions of the consultant.- The consultant shall discharge such duties and perform such functions as are assigned to him by the Board/Chairman.

13. Application for consent under sub-section (2) of the Section 21.- (1) An application for obtaining the consent of the Board for bringing into use any new or altered chimney for emission into atmosphere or for continuing an existing emission from chimney into atmosphere shall be made to the Board in Form 1.

(2) Application as provided in the proviso to sub-section (2) of Section 21 shall be made within a period of four months from the date of publication of these rules in the "Madhya Pradesh Gazette".

(3) Such application should be accompanied by a fee as provided for industries in rule 4 of the Water (Prevention and Control of Pollution) (Consent) Madhya Pradesh Rules, 1975.

(4) Any application not accompanied by the prescribed fees shall not be entertained by the Board.

(5) The prescribed fees shall be paid through Bank Draft in favour of the Board as may be prescribed

(6) Renewal of consent- For renewal of consent the same rule will apply as are prescribed vide rule 5 of Water (Prevention and Control of Pollution) Consent (M.P) Rule 1975.¹

14. Procedure for making enquiry into application for consent under subsection (3) of Section 21.

(1) On receipt of an application for consent under Section 21 of the Board may depute any of its officers accompanied by as many assistants as may be necessary to visit and inspect any place or premises under the control of the applicant or the occupier, 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 such officer may consider necessary. Such officer may, for that purpose inspect any place or premises, where emission from the Chimney or fugitive emission from any location from the premises of the industry as also any control devices installed in said premises. Such officers may, for that purpose, inspect any place or premises under the control of the applicant or occupier, and may require the applicant to furnish to him any plans, specifications or other data relating to control equipment or systems of any part there of that 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 II. The applicant shall furnish to such officer all information and provide all facilities to conduct the inspection.

(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 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 Board.

15. Submission of information by the occupier under sub-section(1) of Section 23.- An officer incharge of industrial plant or occupier of the premises from where due to an accidental breakdown of some processes or installations or otherwise, an emission occurs or is apprehended to occur in excess of the standard laid down by the Board shall forthwith intimate the fact of such occurrence to all or any one of the Board, District Collector, Sub-Divisional Magistrate, nearest Police Authority and the nearest Officer of the Local Authority including Panchayat, Public Health Department and department of Industry.

16. Manner of taking samples under sub-Section(1) of Section 26.- (1) The Board or any officer empowered by it in this behalf shall have the power to take for the purpose of analysis samples of air or emission from any chimney flue or duct, plant or vessel or any other sources and outlets, stationary or mobile under sub-section (1) of Section 26. The occupier of the premises shall provide all necessary facilities for sampling of air or emission from any chimney, flue or dust, plant or vessel or any other sources and outlets, stationary or mobile as may be specified by the Board or any Officer empowered by it in this behalf. The occupier of the premises shall provide all necessary facilities for access to the sampling place as may be specified by the Board or any officer empowered by it in this behalf.

(2) The procedure used for sampling air or emission from any chimney, flue or duct, plant or vessel or any other sources and outlet, Stationary or mobile, the instruments used for sampling and the methods of measuring air pollutants shall be such as may be specified by the Board to suit the situation.

17. Form of notice under sub-section(3) of Section 26.- A notice under sub-section(3) of section 26 shall be in form III.

1. As inserted vide notification No 4029/284/32/85 dated 6-8-85 of the State Govt.

18. Form of report of Board analyst under sub-section(1) of Section 27.- The Board analyst shall submit to the Board a report of the result of analysis in triplicate in form IV.

19. Function of the State Board Laboratory under Sub-section (3) of section 27 and under sub-section 2.(b) of Section 28.- The State Air Laboratory shall cause to be analysed any samples of air or emission received by it from any officer authorised by the Board for the purpose and the findings shall be recorded in triplicate in Form V.

20. Qualifications of Government/State Board Analyst under Section 29.- The qualification for the Government /State Board analyst shall be atleast II class M.Sc. in Basic Sciences/Life Sciences/ Earth Sciences with three years experience in Environmental Quality Management.

21. Memorandum of appeal under sub-section (3) of Section 31.- (1) Every appeal against an order passed by the State Board under Section 20, Section 21 or Section 22 shall be filed by the aggrieved party in Form VI.

(2) Every aggrieved person preferring an appeal shall do so separately in his own name and no joint appeal made on behalf of more than one person shall be entertained by the appellate authority,

(3) (a) Every appeal shall:-

- (i) be in writing,
- (ii) Specify the name and address of the applicant and the date of the order appealed against.
- (iii) Specify the date on which the order appealed against was communicated to the appellant,
- (iv) Contain a clear statement of facts of the case and grounds relied upon by the aggrieved person in support of the appeal,
- (v) State precisely the relief prayed for, and
- (vi) be signed and verified by the appellant or an agent duly authorised by the appellant in writing in this behalf.

(b) Every appeal shall be accompanied by:-

- (i) An authenticated copy of the order against which appeal is made,
- (ii) A copy of the application made under section 20,21 or under section 22 as the case may be,
- (iii) any document related to the appeal, and
- (iv) a satisfactory proof of the payment of the fee prescribed.
- (c) A fee of Rupees, one thousand¹ shall be deposited by every appellant in the office of the appellate authority and an authenticated copy of the receipt obtained therefor shall be annexed to every appeal. No appeal, which is not accompanied with the aforesaid copy of the receipt shall be entertained by the appellate authority.
- (d) Every memorandum of Appeal shall be submitted in quadruplicate and shall either be presented to the appellate Authority by the appellant or his authorised agent in person or sent to such authority by registered post. When the Memorandum of Appeal is presented by an agent duly authorised by the appellant, it shall be accompanied by a letter of authority written on a stamped paper or the value as required by law, appointing him as such an agent.
- (e) On receipt of the Memorandum of Appeal, the appellate authority shall endorse there on the date of its presentation or receipt by post and the name of the appellant or his duly authorised agent presenting it, as the case may be.

22. Procedure to be followed by the appellate authority in dealing with and disposal of the Appeal

1. As amended vide Notification No F-11-12-87/32 dt 30-6-89

under sub-section (3) of Section 31.- (1) The Appellate authority shall, as soon as may be after the Memorandum of appeal is filed before it, fix a date for hearing of the Appeal and give intimation of the same to the appellant and the Member Secretary in Form VII. While giving such intimation to the Member-Secretary, a copy of the Memorandum of Appeal together with its enclosures shall also be sent to the Member Secretary and he shall be called upon to send to the Appellate Authority all the relevant records connected with the matter relating to the appeal;

(2) Where the material on record is insufficient to enable the appellate Authority to come to a definite decision it may take additional evidence and call for such further material from the appellant or the Member Secretary as it deems fit. Such material shall form part of the record, but not before the party other than that from whom such record has been given an opportunity to peruse such record, itself against anything contained there in which is detrimental to the interests of that party.

3. Where on the date fixed for hearing or any date to which the hearing of the appeal may be adjourned, the appellant or his duly authorised agent does not appear when the appeal is called for hearing, the appeal shall be liable to be dismissed.

(4) Where an appeal is dismissed under sub-rule (3) the appellant may, within 30 days from the dismissal of the appeal, apply to the appellate authority for the restoration of the appeal and if it is shown to the satisfaction of the appellate authority that the appellant had not received intimation of the date of hearing of the appeal or was prevented by any cause, sufficient in the opinion of the appellate authority, from appearing when the appeal was called for hearing, the appellate authority may restore the appeal on such terms as it thinks fit.

(5) The order passed by the appellate authority on the appeal be in writing and shall state clearly the points before it for determination of the decision thereon and the reasons for the decision.

(6) A copy of the order passed in appeal shall be supplied by the appellate authority free of cost to the appellant and a copy thereof shall also be sent to the Member -Secretary.

23. Form of Budget estimates under Sections 34 and 36:- The form in which and time within which the budget and accounts may be prepared and forwarded to the Government shall be the same as specified in rule 20 and 21 of the Water (Prevention and control of Pollution) Madhya Pradesh Rules, 1975.

24. Form of annual report under Section 35.-The report in respect of the year last ended giving a true and full account of the activities of the Board during the previous financial year will be as provided in Rule 29 of the Water(Prevention and Control of Pollution) Madhya Pradesh Rules, 1975.

25. Consent Register:- The Board will maintain a register containing particulars of Industrial Plant to which consent has been granted under section 21 in Form VIII.

26. It is hereby declared that for any item not specifically dealt with in these rules, the corresponding provisions of the Water (Prevention and Control of Pollution) Madhya Pradesh Rules, 1975. shall apply.

27. Directions:¹

- (1) Any direction issued under Section 31-A shall be in writing.
- (2) The direction shall specify the nature of action to be taken and time within which it shall be complied with by the person, officer of the authority to whom such direction is given.
- (3) The person officer or an authority to whom any direction is sought to be issued shall be served with a copy of the proposed direction and shall be given an opportunity of not less than 15 days from the date of service of notice to file with an officer designated in this

1. As inserted vide Notification No F-11-8-86 - XXXII dt 29-7-91 of the State Govt.

behalf, the objections, if any, to the issue of the proposed direction.

- (4) Where the proposed direction is for the stoppage or regulation of electricity or water or any other service affecting the carrying on of any industry, operation or process and is sought to be issued to an officer or an authority, a copy of the proposed direction shall also be endorsed to the occupier of the industry, operation or process as the case may be, and objections, if any, filed by the occupier with an officer designated in this behalf shall be dealt with in accordance with the procedure under sub-rule (3) and (5) of this rule.
 - (5) The State Board shall within a period of 45 days from the date of receipt of the objections if any, or from the date up to which an opportunity is given to the person officer or authority to file objections, whichever is earliest consider the objections, and for reasons to be recorded in writing, confirm, modify or decide not to issue the proposed direction.
 - (6) In case where the State Board is of the opinion that there is likelihood of a grave injury to the environment and it is not expedient to provide an opportunity to file objections against the proposed direction, it may for reasons to be recorded in writing issue direction without providing such an opportunity.
 - (7) Every notice or direction required to be issued under this rule shall be deemed to be duly served-
 - (a) Where the person to be served is a Company the document is addressed in the name of the Company at its registered office or at its principal office or place or business and is either-(i) sent by registered post; or (ii) delivered at its registered office or at the principal office or place of business;
 - (b) Where the person to be served is an officer serving Government, if the document is addressed to the person and a copy there of is endorsed to his Head of the Department and also to the Secretary to the Government, incharge of the Department in which, for the time being the business relating to the Department in which the officer is employed is transacted, and is either- (i) sent by registered post; or (ii) is given or tendered to him.
 - (c) in any other case, if the document is addressed to the person to be served and -
 - (i) is given or tendered to him; or (ii) if such person cannot be found, is affixed on some conspicuous part of his last known place of residence or business or is given or tendered to some adult member of his family or is affixed on some conspicuous part of the land, or building, if any to which it relates; or (iii) is sent by registered post to that person.
- Explanation.- For the purposes of this sub-rule-
- (a) "Company" means any body corporate and includes a firm or other association of individuals;
 - (b) "a servant" is not a member of the family.

28. Manner of giving notice:

The manner of giving notice under clause (b) of sub-section (I) 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) Board; and (b) Ministry of Environment and Forests (represented by the Secretary, Government of Madhya Pradesh)
- (iii) Notice shall be sent by registered post with acknowledgement due; and
- (iv) Period of sixty days mentioned in clause (b) of sub-section 43 shall be reckoned from the date of its first receipt by one of the authorities mentioned above"

FORM-1¹

(seerule 13)

Application for consent for emission/ continuation of emission under Section 21 of the Air (Prevention and Control of Pollution) Act, 1981.

Dated.....

From.....

.....

To

The Member Secretary,
Madhya Pradesh Pollution Control Board

.....

Sir,

I/ We hereby apply for CONSENT/RENEWAL OF CONSENT under Section 21 of the Air (Prevention and Control of Pollution) Act, 1981 to bring into use a new /altered "stack for the discharge of emission/to begin to make new discharge of emission / to continue to discharge emission" from stack in industry owned by.....

The relevant details are as below:-

- (1) Full name of applicant, designation with address and telephone No.
- (2) Names of full-time Directors with addresses and telephone No.
- (3) Full factory address (with name of plot/premises) and telephone No.
- (4) Date of commissioning of factory or proposed date of commissioning of factory.
- (5) Capital investment made(Rs.in lakhs).
- (6) Total No, of employees.
- (7) (a) Licensed Annual Capacity of the factory.
(b) Attach a brief description of the manufacturing process along with a flow diagram and the position of corresponding stack on the plot plan.
- (8) State the number of boilers, heaters, furnaces installed in the factory along with their capacity, type/quantity of fuel used, and the emissions from the stacks.
- (9) Stack details:-
 - (a) Number of stacks
 - (b) *Natural draft/ ID Fan/FD Fan.
 - (c) Material of construction of stack
 - (d) Stack height:
 - (i) Above Ground level (Meters) -
 - (ii) Aabove factory Room (Meters)
- (10) Attach information on air pollution control equipment in respect of each of the stacks listed in item 9 above.
 - (a) Name of equipment

- (b) Existing or proposed and for which pollutant and date of installation
 - (c) Reduction efficiency guaranteed by the manufacturer.
 - (d) Quantity and Quality of current / expected emission.
 - (e) Whether the industry works in general shift or shifts or round the clock.
 - (f) What monitoring is being done or proposed.
- (11) Attach information on compliance of emissions with respect to the standard.
- (12) I / we declare that the information furnished above is correct to the best of my / our knowledge.
- (13) I / we, hereby submit that in case of change either of the point of the emission or its quality, a fresh application for consent shall be made and until such consent is granted, no emissions shall be made.
- (14) 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 there after.
- (15) I / we undertake to furnish any information within one month of its being called by the State Board.
- I / we enclose herewith Cash Receipt No. Bank Draft No. dated
for Rs. (Rupees.....) in favour of the Madhya Pradesh Pollution
Control Board as has been payable under Section 21 of the Act.

Yours Faithfully

.....
Signature of Applicant

Note 1. Any applicant knowingly giving incorrect information on suppressing any information Pertaining there to shall be liable to be punished under the Act.

2. * Shrike out which is not relevant.

FORM II

[see sub-Rule (2) of Rule 14]

MADHYA PRADESH PRADUSHAN NIWARAN MANDAL

Notice of Inspection

Chairman

Member Secretary.....

Shri.....

No.....

Dated.....

To

.....
.....

Take notice that for the purpose of enquiry under section 21, of the Air (Prevention and Control of Pollution), Act, 1981, the following officers of the State Board namely:-

(i) Shri.....

(ii) Shri.....

(iii) Shri.....

and the persons authorised by the Board to assist them shall inspect. any systems of your Industrial Plant.

Any other parts there of or pertaining thereto under management control on 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.

Copy to.-

1.

2.

3.

By order of the Board,

Member Secretary

FORM III

[See Rule 17]

MADHYA PRADESH PRADUSHAN NIWARAN MANDAL BHOPAL

Notice of intention to have sample analysed

To.

Take notice that it is intended to have analysed the sample of Air emission from your premises which is being taken to day the day of..... 19..... from(1)

Name and designation of the person
who takes the sample

(1) Here specify the stack, chimney or any other emission outlets.

To

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

FORM IV

Report by the State Board analyst

(See Rule 18)

Report No.....

Dated the

I hereby certify that I, (1)..... State Board analyst duly appointed under sub-section 3 of section 26 of the Air (Prevention and Control of Pollution) Act, 1981. received on the (II)..... day of..... 19..... from (III)..... 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 (IV) and declare the result of the analysis to be as follows:-

(V).....
.....

The condition of the seals, fastening and container on receipt was as follows:-

.....
.....

Signed this..... day of..... 19.....

Address.....
.....
.....
.....

signature
State Board Analyst

To

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

- (i) Here write the full name of the State Board Analyst.
- (ii) Here write the date of receipt of the sample.
- (iii) Here write the name of the Board or person or body of persons or officer from whom the sample was received.
- (iv) Here write the date of analysis.
- (v) 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

Report by the Government Analyst

(See Rule 19)

Report No.....

Dated the.....

I hereby certify that I (I).....Government analyst duly appointed under sub section of section 27 of the Air (Prevention and Control of Pollution) Act, 1981. received on the (II).....day of.....19.....from (III).....a sample offor analysis.

The Sample was in a condition fit for analysis reported below:-

I further certify that I have analysed the afore mentioned sample on (IV)and declare the result of the analysis to be as follows:-

(V).....

Signed this.....day of.....19.....

Signature
Government Analyst

Address

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

To

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

-
- (i) Here write the full name of the Government Analyst.
 - (ii) Here write the date of receipt of the sample.
 - (iii) Here write the name of the Board or person or body of persons or officer from whom the sample was received.
 - (iv) Here write the date of Analysis.
 - (v) Here write the details of the analysis and refer to the method of analysis. If the space is not edequete the details may be given on a seperate sheet or paper.

FORM VI

Form of appeal under section 31 of the Air (Prevention and Control of Pollution)

Act, 1981 (No. 14 of 1981)

(See Rule 21)

*Before.....

(Here mention the name and designation of the authority)

Appellate Authority constitute under Section 31 of the Air (Prevention and Control of Pollution) Act, 1981 (14 of 1981).

Memorandum of appeal of Shri.....

.....(Appellant).

Vs

Madhya Pradesh Pradushan Niwaran Mandal.

(Respondent)

The Appeal of Shri.....

Resident of

District.....

against the order

Date.....

passed by the Madhya Pradesh Pradushan Niwaran Mandal under Section 20/21/22 of the Air (Prevention and Control of Pollution) Act, 1981. showeth as follows:

(1) Under Section 20/21/22 of the Air (Prevention and Control of Pollution) Act, 1981 (14 of 1981) the appellant has been granted consent subject to the condition mentioned in the consent order in respect of the ... Company/Corporation/Municipality/Notified Area Committee, etc, noted below:-

- (a) name of the Plant/Company/Corporation/Municipality/Notified Area Committee.
- (b) Place
- (c) District
- (d) Name of the street and
- (e) District.

A copy of the consent order in question is attached hereto.

(2) The facts of the case are as under;

(Here briefly mention the facts of the case).

(3) The grounds on which the appellant relies for the purpose of this appeal are as below:-

(Here mention the ground on which appeal is made)

- 1.
- 2.
- 3.
- 4.

(4) In the light of what is stated above, the appellant respectfully prayed that-

- (a) The unreasonable condition (s)..... imposed should be treated as unapplied or it/ they should be constituted for such other condition(s) it appears to be responsible.

OR

- (b) The unreasonable condition (s) should be varied in the following manner:-

[Here mention the manner in which the condition (s) objected]

An amount of Rs.....as fee for this appeal has been paid vide receipt No.....dated.....an authenticated copy of which is attached in proof of payment.

.....
Signature of the Appellant

Name in block letters.....

Occupation.....

Address.....

Date.....

Verification

I.....(appellant's name) in the above memorandum of appeal/or duly authorised agent do/does hereby declare that what is stated therein is true to the best of my knowledge and belief and nothing has been hidden thereunder.

Signature.....

Name.....

(in block letters)

Occupation.....

Address.....

.....

.....

Dated.....

*Strike out what is not applicable.

FORM VII

Form of Notice

(See Rule 22)

Before I.....(here mention the name and designation of the authority) Appellate Authority as constituted under Section 31 (1) of the Air (Prevention and Control of Pollution) Act, 1981 (14 of 1981).

In the matter of appeal No.19.....filed under Section 31 of the Air (Prevention and Control of Pollution) Act, 1981 (14 of 1981) by Shri.....(Here mention the Name and address of the Appellant).

Whereas Shri. has filed before this Authority a Memorandum of Appeal against the Order.....dated.....passed by the Madhya Pradesh Pradushan Nvaran Mandal under Section 20/21/22 of the Act.

And whereas under sub-section (4) of Section 31 of the Act, this Authority is required to give to the parties an opportunity of being heard.

Now therefore, please take notice that this authority has fixed.....as the date of hearing of the aforesaid appeal. The hearing shall take place atAM/Pm.

On that date in the office of the Board at Bhopal you are here by called upon to appear before this Authority at the appointed time and date and place , either in person or through a duly authorised agent, and explain your case. Please take notice that failure on your part to appear on the day of hearing either in person or through a duly authorised agent, without sufficient cause to the satisfaction of this Authority will make your appeal liable to be dismissed or decided ex-parte.

Given under the hand and Seal of the Appellate authority at.....
.....this.....day.....

FORM VIII

(See Rule 25)

Under rule 25 the following shall be the form of the register to be maintained in respect of consents to be issued under Section 21 of the Air (Prevention and Control of Pollution) Act, 1981.

I. General:

(a) Consent is issued to:

(Corporation, Company, Govt. Agency Firm etc.)

(b) Postal Address.

II. Location of plant or facilities (Latitude and Longitude must be to the nearest of 15 seconds):

(a) Nearest City..... District.....

(b) Latitude.....Longitude.....

(c) Is it located in air pollution control area Yes/No

If yes, identification of Air Pollution Control area.

III. Type operation or Process:

(a) name of the operation or process.

(b) Schedule identification number.

IV. Consents classification

(a) Proposed

(b) Now operating

(c) Modification of the existing emission source

(d) Location change

(e) Ownership change

(f) Present consent order Number, if any

Yes

No

	Yes	No
(a) Proposed	<input type="text"/>	<input type="text"/>
(b) Now operating	<input type="text"/>	<input type="text"/>
(c) Modification of the existing emission source	<input type="text"/>	<input type="text"/>
(d) Location change	<input type="text"/>	<input type="text"/>
(e) Ownership change	<input type="text"/>	<input type="text"/>
(f) Present consent order Number, if any	<input type="text"/>	<input type="text"/>

V. Implementation Dates

(a) In the case of proposed industries
operation expected to begin (day) (month) (year)

(b) Air Pollution Control equipment and admission to be installed standards achieved by.

.....
(day) (month) (year)

VI. Emission Standards :

Emission source Number (from plot plan) (1)	Air Pollutant emitted (2)	Emission rate Kg/hour or standard/See (3)

VII. Consent conditions, if any:

FORM-IX¹

(See rule 28)

FORM OF NOTICE

By Regd. Post A.D.

From :

Shri.....
.....
.....

To

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

Notice under clause (b) of sub-Section(1) of Section 43 of the Air (Prevention and Control of Pollution) Act, 1981.

I/Wehereby give notice of 60 days under clause (b) of sub-section (1) of Section 43 of the Air (Prevention and Control of Pollution) Act, 1981 of my/our intention to file a complaint in the court against (2)..... for violation of Section (3)of the Air (Prevention and Control of Pollution)Act, 1981.

In support of my/our notice, I am/we are enclosing the following documents(3) as evidence of proof of violations of the Air(Prevention and Control of Pollution) Act, 1981.

Place.....

Date.....

.....
.....
signature(s)

Explanation.-

- (1) In case the notice is given in the name of a company, documentary evidence authorising the person to sign the notice on behalf of the company shall be enclosed to this notice, Company for this purpose means a Company defined in explanation to/Section 42 of the Air (Prevention and Control of Pollution)Act. 1981.
- (2) Here give the name and address of the alleged offender. In case of a manufacturing/processing operation 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.”

1. As inserted vide Notification No F-11-8-86-XXXII dated 29-7-91 of state Govt.

अन्य सूचनाएँ

मध्यप्रदेश प्रदूषण नियंत्रण बोर्ड
पर्यावरण परिसर, ई-5, सेक्टर,
अरेरा कालोनी, भोपाल

भोपाल, दिनांक 7 जनवरी 1995

क्र. 289.- जल तथा वायु (प्रदूषण निवारण तथा नियंत्रण) अधिनियमों के तहत उद्योगों — स्थानीय निकायों को दूषित जल या वायु निस्सारण हेतु राज्य बोर्ड की सम्मति प्राप्त करनी होती है. यह सम्मति प्रथम बार बारह माह के लिये होती है और उसके बाद प्रति वर्ष उसका नवीनीकरण किया जाना होता है. कुछ उद्योगों से यह मांग रही है कि प्रतिवर्ष के नवीनीकरण की व्यवस्था के बजाय कुछ अधिक समय के लिये नवीनीकरण किया जाय ताकि इस दिशा में किये जाने वाले प्रयत्नों में लगने वाले समय में बचत हो.

इस दृष्टि से राज्य बोर्ड द्वारा इस सुझाव पर विचार किया गया है और निर्णय लिया गया है कि यद्यपि अति प्रदूषणकारी उद्योग जिन्हें लाल रंग की श्रेणी में जाना जाता है, के मध्यम/वृहत उद्योगों के लिये प्रतिवर्ष का नवीनीकरण आवश्यक रहेगा पर (क) अल्प प्रदूषणकारी जिन्हें नारंगी की श्रेणी में जाना जाता है तथा (ख) अप्रदूषणकारी जिन्हें हरी श्रेणी में जाना जाता है के मध्यम वृहत उद्योगों के सम्मतियों का नवीनीकरण एक ही बार में अधिकतम तीन वर्ष की अवधि के लिये निम्न शर्तों के अधीन किया जा सकेगा :-

1. फीस पूर्ण अवधि की जमा करनी होगी.

2. किसी प्रकार का उत्पाद/उत्पादन प्रक्रिया/दूषित जल की मात्रा/उत्सर्जन की मात्रा/ईंधन की मात्रा/प्रक्रिया आदि में कोई परिवर्तन नहीं किया जायेगा.

क्र.	श्रेणी	लघु उद्योग	मध्यमवृहत उद्योग
1.	लाल (प्रदूषणकारी)	1 वर्ष	1 वर्ष
2.	नारंगी (अल्प प्रदूषणकारी)	3 वर्ष	3 वर्ष
3.	हरा (अप्रदूषणकारी)	3 वर्ष	3 वर्ष

उद्योग से उपरोक्तानुसार अवधि के लिये आवेदन एवं शुल्क प्राप्त होता है तो उपरोक्त अवधि के लिये सम्मति नवीनीकरण इस शर्त पर जारी किया जायेगा कि इस दौरान उद्योग द्वारा किसी प्रकार का उत्पाद/उत्पादन प्रक्रिया/दूषित जल की मात्रा/उत्सर्जन की मात्रा/ ईंधन की मात्रा/ प्रक्रिया इत्यादि में कोई परिवर्तन नहीं किया जायेगा। यदि किसी प्रकार का कोई परिवर्तन होता है, तो उद्योग को नई सम्मति प्राप्त करनी होगी. पर्यावरण की दृष्टि से विशेष परिस्थिति में किसी उद्योग की श्रेणी में परिवर्तन अथवा सम्मति अवधि में संशोधन करने के अधिकार अध्यक्ष को होंगे.

Categorisation of Industrial Units

A. Red Category :

1. Aluminium Smelter
2. Caustic Soda
3. Cement
4. Copper smelter
5. Distillery

6. Dye and Dye intermediate
7. Fertilizer
8. Integrated Iron and Steel
9. Tanneries
10. Pesticide
11. Petrochemicals
12. Basic drugs & pharmaceuticals
13. Pulp and Paper
14. Oil refinery
15. Sugar
16. Thermal Power Plant
17. Zinc Smelter
18. Textile Units
 - (a) Man Made Fibre
 - (b) Textile industries excluding Spinning & weaving steam agers stentering & felt calendering curing and pad finishing.
19. Hotels having more than 100 bed capacity and all Hotels located adjoining water bodies.
20. Vegetable Products Industries.
 - (a) Fermentation including Breweries
 - (b) Vegetable refined oil Vanaspati ghee.
 - (c) Malt manufacturing Units
21. Engineering and Metalurgical Industries.
 - (a) Other Ferrous Non-ferrous Metallurgical
 - (b) Industries, having electroplating picklin anodising, phosphatising, galvanising operations.
 - (c) Induction, cupola furnace, Arc Furnace.
22. Mining of Major Minerals & Ore processing industries;
23. Coking and Carbonization of coal;
24. Following category of Chemical and hazardous industries:
 - (a) Acid/ Alkalies
 - (b) Chemical industries discharging waste water and air pollutants.

- (c) Soap Detergent Lubricating oil & grease manufacturing units.
- (d) CPW Units.
- (e) Industrial and refrigerant Gases Manufacturing Units.
- (f) Resin and plastics
- (g) Pigment, its dyes and intermediates except dry mixing.
- (h) Asbestos manufacturing and processing units.
- (i) Insecticides, Herbicides, Fungicides (Basic manufacturing unit)
- (j) Vinyl Sulphone Ester and all derivatives of H, "K" "G" acids etc.

25. Clinker grinding units

26. Lime kilns

B. Orange Category

1. Glue and Gelatines.
2. Pesticides, drugs and pharmaceutical formulation units.
3. Mineral grinding units
4. paints, enamels and varnishes
5. Bone crushing units
6. Stone crusher, brick kilns, lime kilns and hydrated lime manufacturing units.
7. Marble and Granite cutting units including stone polishing.
8. Refractory, insulation and ceramic unit.
9. Soft drinks manufacturing units.
10. Battery processing units.
11. Paper Board and units producing paper from waste paper using

Hydropulper.

12. Wool Scouring units.
13. Acetylene (Synthetic)
14. Carpet processing units.
15. Fibre glass production and processing.
16. Rolling mills and metal ingots processing units.
17. Tyre and Tube manufacturing units.
18. Solvent extraction plant, Milk processing.
19. Metal finishing, painting and annealing unit excluding metal and machine fabrication.
20. Shoe making with mechanised process
21. Food processing units including confectionery.
22. All hazardous chemical industries except the ones which are mentioned in red Category.
23. Processing of Paddy, Rice, Maize Baley etc.

III. Others Category:

(a) All other industries which are not covered under. The Red or 'Orange' Categories shall fall under Green Category.

Note : In specific cases depending on Environmental status of particular Industry/type of industry, Chairman shall have power to take decision regarding categorisation and also to take decision regarding amending the consent renewal period.

प्रदीप बैनर्जी
सदस्य सचिव