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Environment



NEWSLETTER

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Interventions by RSPCB for Ease of Doing Business (October-December, 2023)



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Message from Chairperson

RSPCB is a statutory authority entrusted to implement various environmental laws and rules within the jurisdiction of the State of Rajasthan. With an aim to make all efforts in the best interest of the general public and the stakeholders, the State Board ensures proper implementation of the statutory, judicial and legislative pronouncements related to pollution control and environmental protection in the State and towards ensuring Quality in its endeavors.

We are delighted to share the latest Newsletter of the State Board the recent initiatives taken by RSPCB which envisages recent important policy interventions taken by the Board to streamline disposal of consent applications received in the Board and provide an easy platform to the industries for ease of doing business. This newsletter throws a glimpse of initiatives taken by the State Board from October-December, 2023.

Shikhar Agrawal
IAS
(Chairperson)



Message from Member Secretary

The State Board being the key enforcement agency for regulating industries, processes, projects, health care establishments and overseeing environmental issues is responsible to enforce provisions of environmental regulations in the State. The State Board has taken a lot of efforts in rationalizing procedures to ensure expeditious disposal of consent applications in the State Board.

In addition to this, I am pleased to the share that the State Board has also organised various capacity programmes during this period in collaboration with various reputed organizations and has adopted a Quality Policy and laid down Quality Objectives for its Laboratory Management System. I am sure that the recent interventions done by the State Board would play a significant role in improving our environment through collaborative efforts.

Vijai N.
IFS
(Member Secretary)

Harmonizing categorization of industries

Classification of industrial sectors and processes/ activities/ facilities/ projects etc as Red, Orange, Green and White, is primarily done to facilitate uniformity and objectivity in streamlining enforcement mechanism.

In order to harmonize the criteria for categorization based on the Pollution Index (PI) developed by CPCB, the State Board from time to time, issues categorization of industries and other processes operational in the State. This PI is a function of water pollution, air pollution, hazardous waste generation, fuel consumption and amount of Wastewater generation in the unit.

The purpose of categorization is to ensure that the industry is established in a manner consistent with the environmental objectives and to prompt industrial sectors to adopt cleaner technologies, ultimately resulting in generation of minimum pollutants.

With this aim, the State Board vide its orders dated 20.12.2023 and 29.12.2023 has issued revised categorization for sectors viz.

- *Restaurants*
- *Sand/ river bed material mining from river bed and its floodplains (excluding manual excavation),*
- *Fire crackers manufacturing and its bulk storage.*
- *Semi-conductor manufacturing, assembly, testing, marking, and packaging Facility (ATMP),*
- *Dredging and desilting of dams and reservoirs,*
- *Manufacturing / assembly/ recycling related processes of lithium ion batteries.*
- *Vaccine manufacturing,*
- *Solar module non-conventional energy apparatus manufacturing unit.*
- *PET bottle recycling for flakes / staple fibre.*
- *Standalone bakery/ confectionary units irrespective of capacity and using cleaner/ gaseous fuel*
- *Chanachur and laddoo from puffed and beaten rice (muri and chira).*

Earlier Restaurants > 25 seats were categorised under Orange category while the ones upto 25seats were categorized under green category. As per the revised categorization, Restaurants (standalone) have now been categorized under Green category.

Similarly, earlier all types of mining activities were covered under Red category. Whereas, now, as per the revised categorization, Sand/ river bed material mining from river bed and its floodplains (excluding manual excavation), in Standalone mining lease area upto 5 Ha in area have and Dredging and desilting of dams and reservoirs have been categorized under Orange category.

Further, as per State Board's earlier categorization, all types of fire crackers manufacturing and bulk storage units were categorized under Red Category while now with an aim to promote Green crackers manufacturing and their bulk storage units, the sector has been categorized under Orange category.

Emerging sectors such as Semi-conductor manufacturing, assembly, testing, marking, and packaging Facility (ATMP) have been categorized for the first time by the State Board. Semi-conductor manufacturing units have been categorized into Red category while Semi-conductor Assembly, Testing, Marking, and Packaging Facility (ATMP) have been categorized under Orange category. Similarly, vaccine manufacturing units have been categorized under Orange Category.

The harmonization of sectors has been done on the basis of pollution load, size of operations of the sector, consideration of usage of fuels and motivation to industries for progressive environmental management.

Rationalization of back period fees

Rajasthan State Pollution Control Board being a key enforcement agency responsible for regulating industry and overseeing environmental issues in the State, is entrusted with duties to enforce provisions of various environmental acts and rules.

However, it was observed that many units in the State are being operated without valid consent of the State Board. Such units may be in any of the following categories:

1. Unit did not get the consent renewed timely.
2. Unit never applied for consent.

Earlier, consent renewal applications by defaulter units received after expiry of consent to operate was accompanied with additional consent fee i.e. 50% of prescribed fee, if the application is made within 30 days of expiry period and 100% if the application is made after 30 days of expiry of earlier consent.

The "Back Period" mentioned in the order dated 12.01.2017 has not been clearly defined. It is therefore defined as below:

1. The period between expiry of consent to operate and date of submission of application for renewal.
2. The period between date of commencement of unit and submission of application for consent to operate in fresh cases.

In order to streamline the procedure of charging Back Period fees, the matter has been reviewed and the State Board vide its order dated 02-01-2024 has rationalized the levy of back period fees in defaulter units. It has now been decided that:

- The additional consent fee shall be charged on pro-rata basis for Back Period of a year or part thereof. Fee amount per year or part thereof shall be calculated commensurate to the applicable fee as per notification i.e. 20% (Red) or 10% (Orange) or 6.67% (Green) of the total consent fee as the case may be.
- The grant of Consent to Operate shall be considered for five (Red), ten (Orange) and fifteen (Green) years from date of submission of application.
- The grant of Consent to Operate shall be accorded to the units from date of submission of applications which have never applied for consent to operate at the State Board. The Back Period fee shall be charged from date of commissioning in such cases after proper verification of the authenticity regarding date of commissioning mentioned by the Project Proponent.
- No Environmental Compensation would be levied for the Back Period for which Consent to Operate has been regularised.
- The Back Period fee would not be charged for the period where the unit has not been in operation for a minimum period of one year or more subject to submission of adequate supporting documentary evidence by the Project Proponent.
- No Back Period fee shall be charged in one time acknowledgment cases under the Green category.
- The Back Period fee shall not be charged for violation period in case of closure directions.

Pending consent applications

Year	Pending for more than 4 months	Total Applications
2020	2711	4577
2021	1055	3662
2022	1029	3660
2023	412	2861

Modification in additional fee in case of delayed submission of consent applications

Rajasthan State Pollution Control Board has reduced the additional fee sought for delayed submission of consent applications under the provisions of Water and Air Acts from 25 % to 10 %. Further, in order to have a strict vigil for ensuring timely application of renewal and thereby operation of industries in compliance of the provisions of Water and Air Acts, it has been decided that, in cases where period of consent validity have expired, if application for renewal is made within 30 days of expiry of period of earlier consent, 50% additional fees would be sought from the units and 100% additional fees would be sought from the units, if application of renewal is made after 30 days of expiry of period of earlier consent.

Similar on these lines, the requisite period to apply for renewal of consent to operate has been squeezed from 120 days to 60 days.

Rajasthan Air/ Water Rules have been modified by the Department of Environment and Climate Change, GoR to this effect vide notification dated 06.10.2023.

This initiative has been brought with an aim to facilitate units for ensuring timely submission of consent applications at the State Board.

Exemption to Building and Construction projects from obtaining amended EC due to minor changes in conceptual plan



As per provisions of EIA Notification, 2006, Building and Construction projects require prior Environmental Clearance (EC) for projects with built up area of 20,000 sqm. and above. Ministry of Environment, Forest and Climate Change vide Office Memorandum no. IA3-22/2022-IA.III dated 05.05.2022 has issued a clarification with respect to non-requirement of Environmental Clearance due to change in conceptual plan in building and construction sector.

In similar lines, the State Board vide order dated 29.09.2023 has decided that amendment of EC would not be required in cases with minor change in built up area, floor area ratio (FAR), exterior spaces, green belts, parking, walkways, driveways, designated use of the building, number of dwelling units, height of the building, number of floors & basements and total excavation etc.

The spirit of this relief is that the project proponents making minor changes, which do not result in increase of population, shall not be asked to get EC revised before issue of consents by the State Board.

However, any addition, alteration, modification in the conceptual plant, which result in increase in pollution of any type beyond the approved level in the EC would require fresh EIA/ EMP.



Exemption of installation of own STP in Health Care Facilities if connected to public sewer

Installation of Sewage Treatment Plants (STPs) in Health Care Facilities (HCFs) having bed capacity of more than 50 beds was made mandatory by State Board order dated 20.11.2014. In year 2014, such provisions were made keeping in view of then prevalent Bio-Medical Waste (Management & Handling) Rules, 1998. Meanwhile, Hon'ble NGT has prescribed more stringent effluent standards of terminal Sewage Treatment Plants.

Consequently, the terminal Sewage Treatment Plants are being established/up-graded on advanced treatment technology to achieve such stringent effluent standards. In addition, network of sewerage lines and STPs in the State is being strengthened and expanded through various agencies.



The discharge standards have been relaxed by the State Board for the HCFs as per the discharge criteria of the HCFs.

Additionally, all Health Care Facilities (HCFs) shall install scientifically designed disinfection facility before discharging the effluent into sewer line or reuse in the premises.

The matter of effluent discharge by Health Care Facilities (HCFs) therefore has been reviewed in light of the provisions of Bio Medical Waste Management Rules, 2016, Bio Medical Waste Management (Amendment) Rules, 2018 and guidelines /toolkit /clarifications issued by the Central Pollution Control Board and it has been decided that installation of own Sewage/ Effluent treatment plant shall be mandatory in case of Health Care Facilities (HCFs) which are either connected with sewerage network without terminal sewage treatment plant or not connected to public sewers; or are either connected with Medical College/ Educational Institutions or require Environmental Clearance as per EIA Notification, 2006;

Apart from this, Health care facilities having more than 100 bed whether connected with sewerage network or not; shall also have to install own Sewage/ Effluent Treatment Plants.

As in the case of remaining Health Care Facilities which are discharging wastewater into public sewer connected to a terminal Sewage Treatment Plant need not install their own STPs with specific conditions mentioned therein.

Recruitment 2023-24

The State Board vide its advertisement dated 05.10.2023 has issued notified advertisement for the post of Law Officer- II (2 seats), Junior Scientific Officer (59 seats) and Junior Environmental Engineer (53 seats) under RSPCB recruitment 2023-24. The last date for submission of application for the respective posts was 17.11.2023.

Online written examination for the three posts were conducted on 09.01.2024 in three different shifts at 21 locations (Jaipur:14, Jodhpur: 02, Kota: 01 and Udaipur: 04) in the State.

Shortlisted candidates for document verification shall be shortly called by the State Board and accordingly, appointment orders shall be issued to the selected candidates.



Environmental Audit Scheme

- The State Board has recently launched Environmental Audit Scheme (EAS) in the State to meet long standing need for improving level of regulatory compliances. Subsequently, the State Board vide its order dated 09.12.2023 has engaged Individuals/Institutions as Environmental Auditors to carry out environmental audits of the assigned industries in the State. Under the first phase of audit, externally empanelled Environmental Auditors have been assigned 17 category highly polluting units, mines, common waste treatment and disposal facilities in the State.
- An Orientation Programme was organized by the State Board for the empanelled Environmental Auditors on 27.12.2023 at Headquarters, RSPCB, Jaipur.
- Similar on these lines, audit teams of Board officials have been constituted to carry out environmental audits of 17 category highly polluting units, common waste treatment and disposal facilities in the State.
- Details of the Environmental Audit Scheme are available at the State Board website.



Sanction of funds to JDA for pumping stations and pipe line for Sanganer Textile Area

In compliance with minutes of meeting dated 08.08.2023 of committee constituted by National Green Tribunal (NGT) held under the Chairmanship of Chief Secretary, Govt. of Rajasthan in the matter of Hon'ble NGT O.A. no. 558/2022 Salman Qasmi Vs State of Rajasthan dated 12.04.2023 under the chairmanship of Chief Secretary, Government of Rajasthan, wherein it was decided that RSPCB would provide half of the cost for the work of pumping station at bypass and laying down to be done for remaining pipelines and execution of this work would be done by Jaipur Development Authority (JDA).

Subsequently, a sanction of Rs 5,87,50,000/- (Five Crore Eighty-Seven Lakh Fifty Thousand only) has been accorded to JDA for construction of pumping stations and laying 11 KM of remaining sewer pipe line for CETP at Sanganer Industrial Area, Jaipur.

Sanction of funds for upgradation of CETP Pali

In compliance of meeting of State Level Approval Committee (SLAC) under amended scheme of Establishment of integrated CETP and upgradation of existing CETP's dated 17.08.2023, RSPCB and RIICO have to jointly bear cost of upgradation of CETP Pali. The total Grant in-aid of Rs 75 crores is to be released to CETP, Pali. In this regard, RSPCB has released first installment of Rs 9.375 Crores to CETP Pali under the scheme for upgradation of CETP Unit-IV.



Rationalization of Checklist of documents in case of HCFs less than 50 beds

The State Board vide its order dated 28.08.2023 had rationalized the checklist of documents required to be submitted with application for consent to establish/ operate and authorization under the provisions of Water and Air Acts, wherein "Certificate/ Building Plan approved by the competent authority or map certified by a Registered Architect, in case of HCFs, Building, Construction, Group Housing projects" was a mandatory document.

However, it was observed that issues were faced by HCFs with lesser bed capacities and with an aim to facilitate the smaller Health care establishments, the State Board vide order dated 10.11.2023 has decided that HCFs with bed capacity less than 50 beds in the absence of Certificate/ Building Plan approved by the competent authority or map certified by a Registered Architect, State Board shall also consider self-declaration certificate for building plan for processing of consent applications.



Revision of charges of collection/ sampling/ monitoring / analysis of samples

The State Board had prescribed charges for collection/ sampling/ monitoring/ analysis of water/ waste-water/ air/ noise/ hazardous/ soil samples in 2011 for all these facilities for State Board laboratories established under the provisions of Section 17 of the Water (Prevention and Control of Pollution) Act, 1974 and the Air (Prevention and Control of Pollution) Act, 1981.

Looking at current testing and analytical facilities and further augmentation in accreditation of the State Board laboratories by reputed accreditation bodies, the State Board vide its order dated 15.12.2023 has revised charges of collection/ sampling/ monitoring/ analysis of environmental samples. in line with CPCB.

As per the latest order, in case of research work/ projects of any recognized University/ Engineering College/ Other Educational Institution, if the samples are analyzed by the State Board and the State Board is allowed to share the data of analysis by the concerning agency, in such case the State Board will charge only 25% of the prescribed charges to enhance the data bank of the State Board.

Further, in case of sampling and analysis of the environmental samples related to the sponsored joint project of the State Board with any Department /Institution Organization, no charges will be applicable. The work shall be carried out free of cost with prior approval of the Member Secretary.

In cases where RSPCB is assigning any project on payment basis to other Institution Department/ Organization/NGO's / Consultant and it is availing the facilities of RSPCB labs then agency shall pay for the collection and analysis charges as prescribed.



Upgradation of RSPCB Management Information System (MIS 2.0)

The State Board has an Online Management Information System for applications submitted to the Board. All its working assigned under various sets including Consent Management, Laboratory Management Sampling etc. since 2007. Over the years there have been continuous improvement/changes in the system. A need was felt, due to continuous upgradation in technology by the State Board to reimage the system and to make a more robust and user friendly platform. Accordingly, State Board has moved forward for complete make-over of RSPCB MIS which is being termed as MIS 2.0. After initial tendering process as per RPPP Rules, the contract has been awarded to M/s 3i Infotech Limited in for Design, Development, Implementation and Maintenance of Integrated E-Governance Solution for Rajasthan State Pollution Control Board covering end-to-end business processing under various Acts and Rules.

Currently, the Software Requirements Specification (SRS) has been prepared. Now, process of module development is being done by the agency through System Design Document (SDD) is consultation with the State Board.

Clarification regarding requirement of land conversion in case of sector specific guidelines issued by the State Board

The State Board vide order dated 28.08.2023 has issued checklist of documents to be submitted with the applications of Consent to Establish and Consent to Operate under Water and Air Acts (except for acknowledgement cases), wherein requirement of taking land conversion documents has been dropped.

Previously, the State Board has issued sector specific guidelines such as Hotels/ Marriage Gardens/ Restaurant/Banquet Halls, Stone Crushers and Mineral Grinding, etc. wherein documents related to land conversion were mandatory.

It has been further clarified by RSPCB that in accordance with checklist of documents issued on 28.08.2023, land conversion documents shall not be insisted upon even when State Board had issued sector specific guidelines stating that land conversion documents were mandatory and all Regional Officers have been directed to process consent applications in accordance with checklist of documents to be submitted with the applications of Consent to Establish and Consent to Operate under Water and Air Acts (except for acknowledge cases) issued dated 28.08.2023.

Integrated Resource Recovery Park at Jaipur

- A first of its kind Integrated Resource Recovery Park at Tholai, Jamwaramgarh, Jaipur is being established by RIICO in technical assistance of RSPCB.
- Work of basic infrastructure like road, water, sewage network etc. being done by RIICO. Development works i.e. Survey & Demarcation; levelling of Land; Road & CD works amounting Rs. 5.98 Cr. is under progress. An expenditure of Rs. 4.16 Cr. has already been incurred in the development of this Park.
- 100 plots of different sizes have been planned in the park by RIICO.
- The work of allotment /auction of plots being done by RIICO. So far, offers for allotment issued for 7 plot sizes of 5000, 2000, 1000 sq m. Apart from this, auction of 20 plots under process.
- Sh Vijai N., Member Secretary, RSPCB and Dr Monali Sen, Joint Secretary, Department of Environment and Climate Change, Government of Rajasthan represented the State's Holistic Approach to combat Climate Change and Promotion of Circular Economy (Rajasthan) and Integrated Resource Recovery Park at CoP 28 held at Dubai from 01.12.2023 to 04.12.2023.

Mechanism for disposal of plant and machinery after seizure of plant manufacturing banned Single-Use Plastic (SUP) items

Ministry of Environment and Forest & Climate Change has banned identified Single Use Plastic items w.e.f 01.07.2021. Accordingly, the State Board had issued closure directions and seized units manufacturing of banned Single-Use Plastic (SUP) items in the State.

The matter regarding disposal of the machinery used for manufacturing of banned Single-Use Plastic (SUP) items after the de-sealing/un-seizure of the plant has been reviewed by the State Board and mechanism for disposal of plant and machinery after seizure of plant manufacturing banned Single-Use Plastic (SUP) has been laid down vide State Board order dated 08.01.2024.

As per the order the following procedure shall be adopted for the de-sealing/un-seizure and disposal of the plant & machinery:

• Continuation of Plant Operation:

- 1.The Project Proponent (PP) can continue the operation of the plant by submitting a proposal for manufacturing unbanned items.
- 2.PP shall apply for consent from the State Board to operate the plant for the production of these unbanned items.

• Sale of Machinery to Units Manufacturing Unbanned Items :

- 1.If the PP proposes to sell the machinery, it should be sold only to units engaged in the manufacturing of unbanned items.
- 2.The purchasing unit must submit a declaration affirming their engagement in the production of unbanned items and having valid consent/authorization from the State Board.
- 3.The purchasing unit is required to obtain consent to establish and operate for expansion from the State Board.

• Sale of Machinery to Future Units Manufacturing Unbanned Items :

- 1.If the PP intends to sell machinery to a unit that is yet to be established and plans to manufacture unbanned items, a declaration from that unit is necessary.
- 2.The purchasing unit must submit a commitment to obtain consent to establish and operate from the State Board before establishment and operation.

• Alternative for un-seizure of the Plant Closure without Suitable Buyers :

- 1.If the PP decides to close the plant and cannot find suitable and interested units for the machinery, then they should:
- 2.Submit a Bank Guarantee of Rs. 5 Lacs or equivalent to the cost of plant & machinery, whichever is higher.
- 3.Provide an affidavit regarding the sale/disposal of machinery to units engaged in manufacturing unbanned items/ authorized scrap dealers.
- 4.Inform the State Board about the compliance as per the affidavit along with documentary evidence for the release of the submitted bank guarantee.

Strengthening and restructuring of RSPCB

Looking at shortage of manpower at the State Board and to ensure compliances of various statutory obligations, the State Board strengthened its strength across its technical, scientific and ministerial cadres. As a result, the total sanctioned strength at RSPCB, SEIAA & SEAC was increased from 687 seats (as on 01.04.2023) to 808 seats(as on 01.10.2023).

This not only facilitated large scale promotions of 91 officials at various levels but also paved way in disposal of various statutory compliances by RSPCB, SEIAA and SEAC. A new Regional Office at Behror has also been accorded principal approval.

₹51 Board Meeting of RSPCB

151st Board Meeting of the State Board was organized on 14th September, 2023 at Headquarters, RSPCB under the chairmanship of Sh Shikhar Agrawal, Chairperson, RSPCB alongwith various nominated and ex-officio members of the State Board. The following important decision taken during meeting are as under :-

- Approval for establishment of 15 Continuous Ambient Air Quality Monitoring Stations (CAAQMS).
- Approval for procurement of Air Quality Monitoring Vehicle for Laboratories of RSPCB.
- Approval for proposal for Research Study in the field of Early Warning and Decision Support for Air Quality Management in Jaipur.
- Land allotment and building construction of Paryavaran Sankul.
- Sanction of funds of Rs. 100.00 Cr. as share of the Board under the scheme for establishment of integrated CETPs and Up-gradation of Existing CETPs.
- Approval for Restructuring and Expansion of the Rajasthan State Pollution Control Board.
- Approval for inclusion of posts created by Department of Environment for SEIAA and SEAC in Cadre Strength of the State Board.
- Approval for procurement of land and construction of building for 10 newly established Regional Offices.
- Approval for providing funding for establishment of STP's in major hospitals and medical colleges of the state.

NABL Accreditation of RSPCB laboratories / Quality Controls

RSPCB currently has a Central Laboratory in Jaipur and 13 Regional Laboratories across the State for monitoring of environmental sample.

As of now, Central Laboratory, Jaipur has been accredited for evaluation of 46 parameters of environmental samples by NABL and Regional Laboratory, Bhiwadi has been accredited for 11 environmental parameters. It is worthy to mention that Central laboratory, Jaipur has now applied for renewal of certification for 252 parameters and Regional Laboratory, Udaipur has also applied for accreditation for 134 environmental parameters. State Board is pursuant in getting all its laboratories accredited by NABL and with this aim a 4 day workshop was organized for Board Officials at the Head Office regarding Capacity Building for ISO-IEC 17025: 2017, in association with Dr S.K.Tyagi, Retd Additional Director, CPCB.

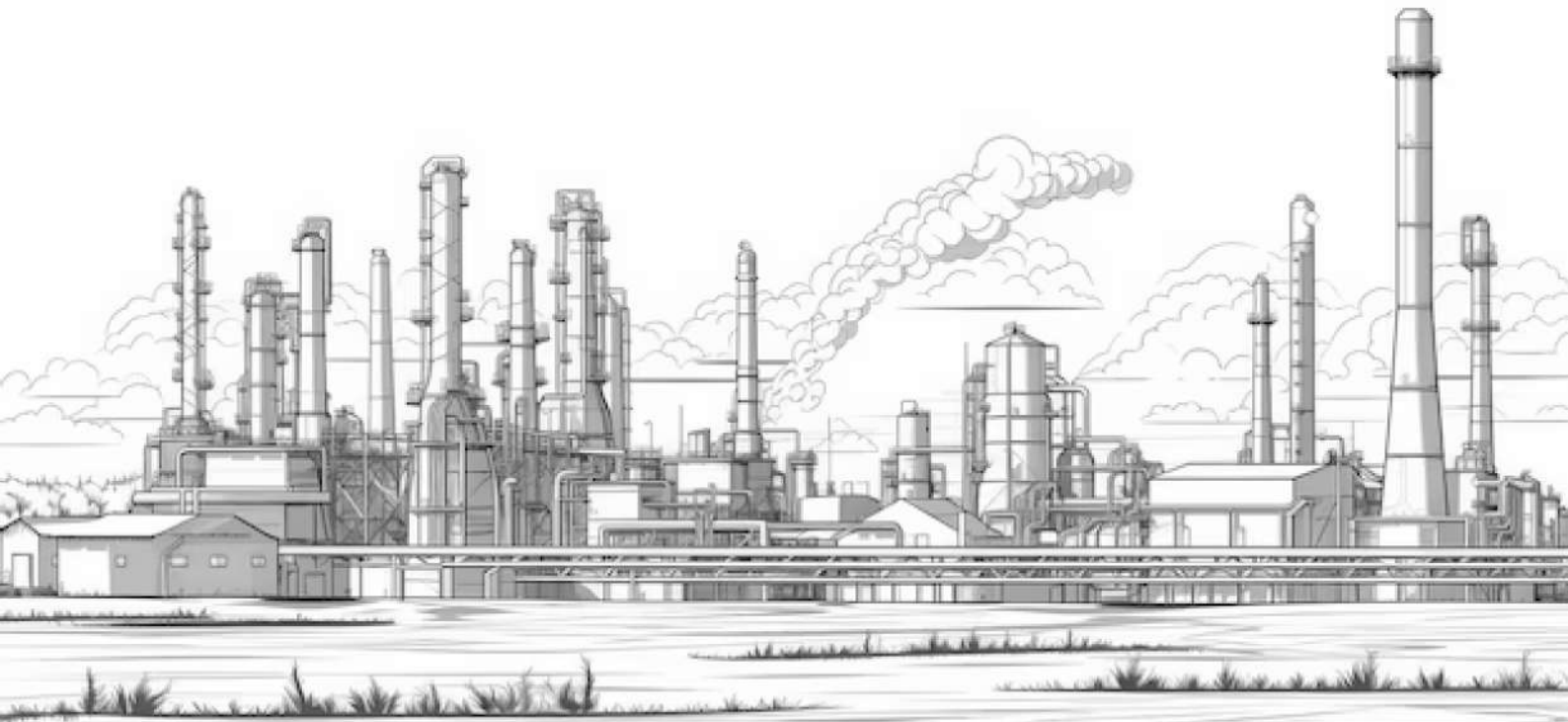


In this regards, a Hand's on training/Capacity building Programme was also conducted in Head Office, RSPCB for Regional Laboratory In-charges.

An oath of Quality has also been taken, in accordance & Quality Bharat, Viksit Bharat Mission, at Head office, RSPCB on the occasion of Republic Day celebration on 26 Jan. 2024.



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For more details on these initiatives visit our website :-

<https://environment.rajasthan.gov.in/content/environment/en/rajasthan-state-pollution-control-board.html>



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