



Rajasthan State Pollution Control Board

Headquarter, 4, Institutional Area, Jhalana Doongri, Jaipur-302004

Phone : 0141-5159699,5159604 e-mail : member-secretary@rpcb.nic.in

Toll Free Help Line No. : 18001806127 Ext. 7

F.14(5)Adm/RPCB/Plg/ 2367 - 2400

Dated: 27-11-2015

Office Order

Projects or activities mentioned in the Schedule appended to the EIA Notification, 2006 require prior Environmental Clearance (EC). Carrying out such projects / activities or expansion or modernization without prior EC or EC amendment has been considered as violation of EC. Such violation cases are to be dealt strictly as per the procedure laid down in the EIA Notification dated 14/03/2017 and 08/03/2018. These notifications deal with cases in which provisions of EIA notification, 2006 has been violated by an activity/project which was carried out once and is still ongoing and in such cases consent is not to be granted till EC is obtained from the competent authority.

However, the State Board is in receipt of some consent applications cases, whereby the PP has executed/ carried out those activities for a short period and caused EC violation by not seeking prior EC, but has now completely discontinued those activities and requested for grant of consent for the non EC requiring activity and it is noted that such cases are not covered explicitly under the above-mentioned notifications.

The matter has been examined in detail in light of provisions of EIA Notification, 2006 and various orders passed by the Hon'ble Supreme Court/NGT time to time.

The following procedure shall be adopted to decide such applications:-

Step1:- Assessment of environment damage:

- A. The project proponent will be asked to submit details of the activities which were carried-out during the period of EC violation along with details of emissions, effluents and hazardous waste generated/dischARGE in prescribed format.
- B. Concerned Regional Officer will verify the same and will examine whether prima facie there is a gross violation or environmental damage due to discharge of air emission, effluents or hazardous waste in the environment during operation of the unit when it did not have a valid EC.
- C. Regional Officer will forward his recommendation as to whether detailed study for environmental damage assessment, preparation of remedial plan and Natural and Community Resource Augmentation Plan is warranted or not.
- D. Thereafter, Head Office will examine the report so received from R.O. and will decide regarding requirement of detailed study any further or not.
- E. In case the State Board decides that a detailed study is to be done the project proponent will be asked to submit detailed study for environmental damage assessment, preparation of remedial action plan and Natural and Community Resource Augmentation Plan to the RSPCB Head quarter.
- F. Step 2:- Legal prosecutions against the PP shall be filed for such EC violation in all cases under the provisions of the EIA Notification dated 14/03/2017 and 08/03/2018.

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Step3:- Env. Compensation as deemed appropriate shall be imposed by the RSPCB Head Quarter where detailed study is not warranted. In case of project/activities which require detailed study, Env. Compensation will be imposed after receipt of the detailed report from the P.P.

Step 4:- PP shall submit an affidavit that he shall not continue or carry-out any activity which is in violation of the provisions of EIA Notification, 2006 and any direction/order passed by Hon'ble Supreme Court/NGT/ MoEF & CC etc. in this matter shall be strictly complied with, else the consent shall be revoked by the Board without any notice.

Step 5:- After deposition of the Env. Compensation imposed, Legal prosecution and the affidavit mentioned at step (4) above, consent as per merits shall be considered by the Board imposing the following specific condition:-

"That this consent is being issued subject to any directions/orders passed by Hon'ble Supreme Court/NGT/ MoEF&CC etc. in this matter and PP shall be bound to comply with them".

This bears approval of the competent authority.


(Shailaja Deval)
Member Secretary

F.14(5)Adm/RPCB/Plg/ 2367 -2400

Dated: 27-11-2019

Copy to following for information and necessary action please:-

1. Secretary, MoEF & CC, Govt. of India.
2. Chairperson, RSPCB, Jaipur.
3. Chairperson, SEIAA, Jaipur.
4. Member Secretary, SEAC, Jaipur.
5. Group Incharge, SWMC/HOP/Planning/BMW/Hazardous/ Textile/ CPP/ MUID/Plastic/ Mines, SCMG&DS/ CD&Project/ EC/VTR/DF RSPCB, Jaipur.
6. Regional Officer, Regional Office, RSPCB, Jaipur (South)/ Jaipur (North)/ Alwar/ Bhiwadi/ Balotra/ Bharatput/ Bhilwara/ Bikaner/ Jodhpur/ Pali/ Kota/ Chittorgarh/ Kishangarh/ Sikar/ Udaipur.
- ✓ 7. Group Incharge (IT), to upload on Board website.
8. Master File.


Member Secretary