



Rajasthan State Pollution Control Board paves way to Ease of Doing Business and promote sustainable practices in the State



Newsletter



Message from Chairperson



RSPCB is the key enforcement agency responsible for regulating industry and overseeing environmental issues in the State and is entrusted with duties to enforce provisions of Water (Prevention and Control of Pollution) Act, 1974 , Air (Prevention and control of pollution) Act, 1981, and Environmental (Protection) Act, 1986 and various acts and rules made therein.

As a regulatory department, the State Board is envisaged to provide a healthy ecosystem for sustainable entrepreneurship in the State and promote practices that keep up the spirits of Ease of Doing Business.

In order to make the procedure of obtaining consent/ authorization/ registration under various environmental regulations, the State Board has rationalized the enforcement mechanism and various procedural simplifications have been carried out.

I am sure that the recent initiatives taken by the State Board will provide entrepreneurs a better platform to establish and operate in the State in synergy with the various prevalent environmental regulations.

Shikhar Agrawal
IAS
(Chairperson)



Rajasthan State Pollution Control Board receives applications for consent/ authorization under the provisions of various environmental acts and rules for establishing/ operation of the industries in the State. Around 1800 such consent / authorization applications are received in the State Board. As per provisions of the Water (Prevention and Control of Pollution) Act, 1974, Air (Prevention and Control of Pollution) Act, 1981, e-waste (Management) Rules, 2022 and Hazardous and Other Waste (Management and Transboundary Movement) Rules, 2016, the Biomedical Waste Management Rules, 2016, the statutory timeline for disposal of consent / authorization applications received in the State Pollution Control Board is within 120 days.

After initial pre-screening of applications on the basis of checklist of documents prescribed by the Rajasthan State Pollution Control Board, these applications are dealt at concerning Regional Office/ Head Office as per delegation of power. During the processing, inspection and monitoring of potential pollution sources in the industry is carried out to assess compliance made by the industry with respect to various environmental regulations/ orders/ guidelines etc.

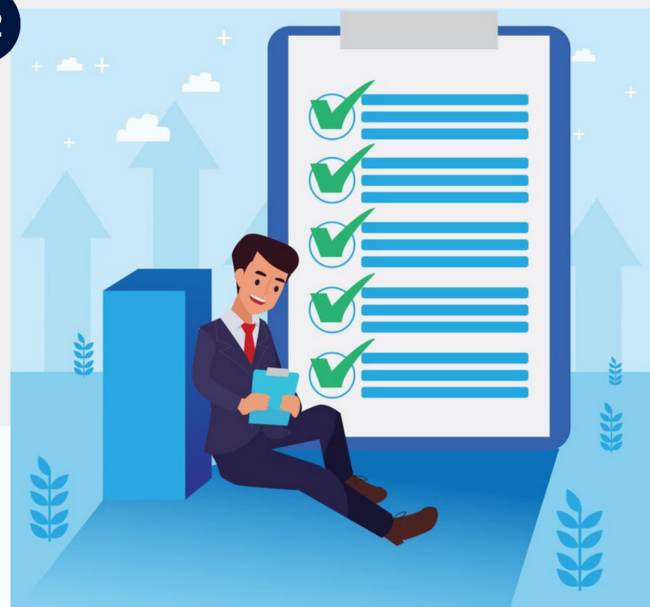
It was felt that an entrepreneur has to obtain series of clearances while establishing/ operating an industry. It was also felt that in some cases, due to regulatory reasons there is inordinate delay in processing of applications at the State Board which affects the timely establishment of the industry by the Project Proponent.

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The matter was deliberated in detail at the State Board and it was a general view that the prevailing enforcement mechanism needs to be rationalized for simplification of the process of obtaining consent/ authorization. Issues related to mandatory documents to be submitted alongwith applications, frequency of inspection of industries, delegation of power across offices of the State Board, rationalization of fee-adjustment in case of refusal of applications were reviewed in view of IT enabled online system for consent mechanism with available resources and infrastructure in RSPCB so as to expedite disposal of applications by the State Board.

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In view of above keeping up spirits of Ease of Doing Business. and with an aim to promote sustainable practices by entrepreneurs in the State, RSPCB has brought the following interventions.

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A. “GREEN-CHANNEL” SYSTEM

- In order to encourage adoption of sustainable practices by industries/ processes/ mines/ health care facilities, etc, and keeping spirit of ease of doing business, RSPCB has decided to simplify the process for renewal of Consent to Operate through introduction of “Green-Channel” system vide order dated 04.09.2023.
- The “Green-Channel” system a compliance based fast-track clearance mechanism for renewal of consent to operate. Approval for renewal of Consent to Operate of Green Channel “unit/entity” shall be accorded by concerned Group-Incharge/Regional Officer of the State Board within 7 days on the basis of compliance status observed during latest / previous inspections/ sampling/ monitoring. This “Green Channel” System shall become effective for all Consent to Operate applications with effect from 15.09.2023 and would be used for application yet to be disposed as well as to be received.



B. REVISION IN INSPECTION FREQUENCY

- Earlier, industries with smaller investments and lesser pollution loads were kept at par with industries having higher investments and higher pollution load. The inspection/ monitoring/ sampling frequency has been reviewed taking in consideration, the scale of project, pollution load of the sector, possibility of using technology and available manpower vide order dated 24.08.2023.
- Inspection/ monitoring/ sampling frequency in sectors such as textile, health care facilities, cement plants, power plants, mines, common waste treatment facilities have been specifically rationalized.
- Units that are being supervised on real time basis under Online Continuous Emission/ Effluent Monitoring Systems have been relaxed in terms of inspection frequency. Further, the frequency has been revised on the basis of scale/ capacity/ category of the project, higher the scale/ capacity/ category, more would be the frequency of inspection since the pollution load is anticipated to be higher in such cases.
- In addition to this, as a huge relief to the entrepreneurs, it has been decided to send joint team of technical and scientific officers during inspection, so that a unit is not visited very often by the State Board for inspection and sampling/ monitoring separately.

C. Delegation of Powers to Regional Offices

- With an aim to ensure expeditious disposal to pave way for Ease of Doing Business, the powers for grant, refusal and revocation of Consent to Establish/ Operate under the provisions of the Water (Prevention and Control of Pollution) Act, 1974/ Air (Prevention and Control of Pollution) Act, 1981, Authorization under the Hazardous Waste Management (Handling and Trans-boundary Movement) Rules, 2016, Authorization under the Bio-Medical Waste (Management and Handling) Rules, 2016, and Plastic Waste Management Rules, 2016 have been delegated to Regional Officers of the State Board particularly for most of Micro, Small and Medium Enterprises.
- It was also observed that proponent has to often move between Head Office and Regional Office in case of issuance of directions of refusal/ revocation to them. The matter related to issuance of closure directions was also reviewed, and it has been decided vide order dated 28.08.2023 that the powers to issue directions to industry under Water and Air Acts have been delegated to Regional Officers for which they are competent to grant/ refuse/ revoke consent to establish/ operate. They shall also be the competent authority to revoke directions issued by them.

D. Rationalization of Checklist of documents

- As per the statutory requirement, the scope of the "consent" granted by the State Board is limited to control of pollution and compliances of standards laid down. Whether an industry has been set-up or proposed to be set up after due permissions from other competent authority needs to be examined by the concerned agency/ department and not SPCB. Industries are required to submit documents alongwith the application of Consent to Establish/ Operate under Water and Air Acts. Some of these documents are not directly related to mandate of Pollution Control Board.
- In view of this, the checklist of documents, that are required to be uploaded/submitted while applying for Consent to Establish and/or Consent to Operate under the Water (Prevention and Control of Pollution) Act, 1974 and Air (Prevention and Control of Pollution) Act, 1981, has been reviewed and revised as per the statutory requirement of the State Board.
- Documents such as land ownership, environmental clearance, clearance from National Board for Wildlife, Aravali Notification, building plan, wherever required have been rationalized to provide aid to the project proponents in obtaining consent from the State Board without much hassle.

E. Expansion of monitoring network of laboratories in the State

- With an aim to expand network of laboratory engaged in testing of air/ noise/ water/ waste water/ soil/ hazardous samples, acceptance of reports of other laboratories has been permitted by the State Board vide order dated 25/08/2023.
 - Earlier the State Board accepted reports from only MoEF-CC approved laboratories which has now been expanded to laboratories accredited by NABL in accordance with ISO/ IEC 17025:2017, laboratories of Rajasthan State & Central Government/ PSUs/ Boards/ Corporations/ Government Engineering Colleges in the State for the purpose of self-verification of compliances.
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- This initiative would assist the project proponents to get their environmental samples analyzed/ tested at any of these laboratories as per its desire and submit to State Board for compliance verification purposes.

F. Inclusion of new sectors in White Category

- White category industries are those which are non-polluting in nature and exempted from consent mechanism of RSPCB.
- Initially, the State Government had introduced White category vide notification dated 26.05.2016 wherein 47 sectors were identified under white category.
- As per Hon'ble Chief Minister's Budget Announcement 2023-24 – the total list of white category has been expanded upto 104 sectors as of August, 2023.

G. Streamlining of fees in case of refusal of consent applications:

- Earlier, in cases of refusal of application for Consent to Operate, the entire consent fee (specified for 5/10/15 years) deposited by the project proponent was forfeited by the State Board and project proponents had to deposit entire fee with subsequent applications.
- The matter was reviewed and it has been decided that in case of refusal of Consent to Operate applications, only 20% of the total applicable fee shall be forfeited and the balance 80% shall be shown as advance fee credited in the MIS account of the project proponent, which shall be utilized at the time of subsequent application, to be made within a period of 30 days after refusal.

H. Streamlining procedure for merger of multiple CTOs

- It was observed by the State Board that many units in the State are currently having more than one Consent to Operate (CTO) due to various reasons like implementation of project in phases, expansion or addition of utilities/sources of pollution at different time. Such multiple CTOs for one unit not only cause inconvenience to the Project Proponent but also increase work load of the State Board.
- In order to promote ease of doing business and to reduce work load of the Board, the State Board has streamlined the procedure, synchronize validity of consents, to merge multiple CTOs of a unit into one CTO at the time of renewal/issue of consent to operate.

I. Launch of Environmental Audit Scheme in Rajasthan

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. To meet the long-standing need for improving level of regulatory compliances, State Board has launched Environment Audit Scheme (EAS).

Applicability of EAS

- All 17 category of highly polluting industries.
- All common facilities i.e. Common Effluent Treatment Plants, Common Treatment, Storage and Disposal Facilities for Hazardous Waste including incinerators and pre-processing facilities, Common Biomedical Waste Treatment Facilities, other common facilities, Municipal Sewage Treatment Plants and Common Primary Treatment Plants.
- Grossly Polluting Industries.
- All large scale industries.
- All industries covered under EIA Notification, 2006 except hotels, health care facilities, township projects and mines up to 25 ha.
- Mines having lease area more than 25 ha.
- Recyclers of e-waste and Hazardous waste including Battery and Tyre waste.

Key Highlights of EAS

- Environment Auditors (EAs) empanelled by RSPCB would take up Environmental Audit under this scheme.
- Interested academic and research institutions and individuals may apply for empanelment under the scheme on RSPCB portal.
- Institutions offering post-graduation courses in Environmental Engineering or Environmental Science or Environment Management and individuals having Masters degree in Engineering/ Technology/ Sciences and having age more than 25 years as on 01.01.2024, may apply for empanelment.
- EAs would be required to use in-house laboratory, accredited by MoEF-CC/ NABL or laboratories approved by RSPCB for testing /monitoring.
- Remuneration of Rs. 12000 per person day would be payable to EAs.
- Monitoring, sampling and analysis charges shall be paid extra as per rates approved by RSPCB.
- In cases where units are found using sustainable practices and compliance levels are good, such cases may be recommended for GreenCo Rating Scheme/ or any other award scheme run by the Board.



LIFE
Lifestyle for
Environment



Message from Member Secretary

We are pleased to present the latest Newsletter by Rajasthan State Pollution Control Board which envisages recent important policy interventions taken by the State Board to promote of Ease of Doing Business.

Efforts are being made keeping the interest of the general public and the stakeholders at large, so that the enforcement mechanism is streamlined for the sustainable practices by the entrepreneurs in the State.

I am sure that the recent procedural modifications done by the State Board would play a significant role in streamlining issues faced earlier by the entrepreneurs while obtaining consents/ authorization/ registration from the State Board and provide an easy platform in doing business.

Vijai N.
IFS
(Member Secretary)



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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Rajasthan State Pollution Control Board

4, Institutional Area, Jhalana Doongri,
Jaipur- 302004 Phone – 0141-2716802

Email - member-secretary@rpcb.nic.in, envishubrspcb@gmail.com
Helpline No. - 0141-2716877