

# **CITIZEN CHARTER**

## **KARNATAKA STATE POLLUTION CONTROL BOARD**

This citizen's charter emphasises the Karnataka State Pollution Control Board's (KSPCB) commitment to work for a cleaner and greener Karnataka. This is part of our endeavour to improve our responsiveness to the needs and demands of the citizens and other stakeholders in a transparent manner. The sheer span and the scope of work of KSPCB is immense. Through this charter, we are attempting to identify some of the areas of interface between KSPCB and its stakeholders and make commitments in terms of the time and the quality of services we render. This charter is meant to be a dynamic document and has been first published in 2004. Since then many new legislations have been introduced, Government of Karnataka has come out with citizen service guarantee scheme "SAKALA" and based on the feedback and our own efforts to constantly set newer and higher standards for delivery of services, we revise this charter now.

### **The Vision we have is**

..... towards a cleaner and greener Karnataka.

### **Our Mission**

We are committed to Pollution Free Environment for better quality of life through:

- Effective implementation of laws;
- Creating awareness among the public; and
- Co-operation with our stakeholders.

### **The Basic Goal we want to achieve is:**

Improved quality of life for everyone and better Karnataka to live in.

### **The Environmental Outcomes, we aim for are:**

- Clean air for every one;
- Improved and protected inland and coastal waters; and
- Restored, protected land with healthier soils;

### **The changes we work for:**

- Synergising with the corporate sector for a "greener" business world by online with "Ease of Doing Business" initiative.
- Sustainable management of natural resources with emphasis on the process of reduce, recycle, reuse.
- Increased interaction with Resident Associations, voluntary Organisations and Academic Institutions.

## **Who We Are and What We Do**

The Karnataka State Pollution Control Board is constituted under Section 4 of the Water (Prevention and Pollution Control) Act, 1974. The KSPCB enforces the pollution control laws in Karnataka. The Board plays a major role in promoting a better quality of life for everyone by preventing pollution. KSPCB is headed by a full-time Chairperson and assisted by a Member Secretary and has a working strength of 334.

All policy decisions are taken by the Board, Board meeting is held at least once in 3 months to take decisions.

The Board is following a three tier structure with Head Office, 10 Zonal Offices and 44 Regional Offices spread across the state. The Head Office, besides policy making is providing support to the Zonal and Regional Offices. The Zonal and Regional Offices enable the Board to discharge its duties in close proximity to the stakeholders. The Board has established one Central Environmental Laboratory in Bangalore and 8 well equipped Environmental Laboratories at Major Districts for analysis of samples of Water, Wastewater, Ambient Air, Stack emissions etc. The Zonal Offices are headed by the Senior Environmental Officer and Regional Offices are headed by Environmental Officer.

## **Our work**

The Board has a wide range of responsibilities derived from various enactments of law touching on almost every aspect of the environment. The Board aims to deliver integrated environmental management, but the stakeholders often see only a part of the Board work, relating to a particular function or an environmental issue. The Board's work covers the following areas:

- Enforcing laws for Prevention & Control of pollution.
- Environmental quality monitoring.
- Responding to pollution incidents.
- Awareness creation and Capacity building of the Stake holders
- Advice to Government on the environmental pollution control matters.

Further details on the extent of the Board work can be found on the Board's website <https://www.kspcb.gov.in/>

## **Legislations enforced by the Board**

The Board enforces the following legislations to protect the environment by prevention of pollution.

- The Water (Prevention & Control of Pollution) Act, 1974;
- The Air (Prevention & Control of Pollution) Act, 1981;
- The Public Liability Insurance Act, 1991
- The Environment (Protection) Act and Rules, 1986

The following Rules and Notifications have been published under the Environment (Protection) Act, 1986 which is being implemented by the State Board.

- The Hazardous and Other Waste (Management & Transboundary Movement) Rules 2016.
- The Manufacture, Storage and Import of Hazardous Chemical Rules, 1989 amendment 2000.
- Rules for the Manufacture, Use, Import, Export and Storage of Hazardous Micro-organism, Genetically Engineered Organisms or Cells, 1989 Rules.
- The Environment Impact Assessment (EIA) Notification, 2006.
- The Bio-Medical Waste Management Rules, 2016 and its amendments.
- The Noise Pollution (Regulation & Control) Rules, 2000; amendment 2002 & 2006.
- The Solid Waste Management Rules, 2016.
- The Batteries (Management and Handling) Rules, 2001, amendment 2010.
- The E-Waste Management Rules, 2016 and its amendments.
- The Plastic Waste Management Rules, 2016.
- The Construction and Demolition Waste Management Rules, 2016.
- The Karnataka Regulation of Stone Crusher (Amendment) Act, 2013.
- Fly Ash Notification, 1999 and 2008.

### **Consents, Authorizations and Registrations Processes.**

Any activity that results in discharge of effluents and emissions requires prior consent from the Board under the provisions of Water Act and Air Act. The three major steps involves, entrepreneurs approaching us under the applicable Act. We consider their application for issue of consents/authorisations/registration. The entrepreneurs shall adhere to the conditions stipulated in the Consent Order/Authorisation/Registrations issued.

Non adherence to our consent/authorisation/registration conditions will compel us to initiate legal action.

We constantly update our knowledge in legislation and technology to issue consents, authorisations and registration under various Acts and Rules. Our service includes review of application for consents/ authorizations/ registration and issue of consents/ authorization/ registration with conditions or their refusal in case of non-compliances. Our conditions are binding, practicable and is activity specific.

We issue various conditional consents and authorizations/ Registration to allow industries/organizations to:

- Discharge effluents;
- Discharge emissions;
- Dispose hazardous waste;
- Dispose biomedical waste; and
- Dispose Solid waste.

- Dispose Construction & Demolition waste
- Dispose e-waste.
- Dispose Plastic Waste

The details of the procedure and applications for Consents/Authorization are available in our website <http://kspcb.gov.in>. All the consent/ authorization/ registration forms can be downloaded from our website.

Board has categorized industrial sectors into 4 categories based on Pollution Index Criteria (As per directions issued by CPCB)

1. Red : Industrial Sectors having Pollution Index score of 60 and above.
2. Orange: Industrial sectors having Pollution Index score of 41 to 59.
3. Green : Industrial sectors having Pollution Index score of 21 to 40.
4. White : Industrial sectors having Pollution Index score up to 20.

Based on capital investment the size of industrial sectors/organizations are classified as below.

Category	Capital Investment
Micro	Upto Rs.25 lakhs
Small	Upto Rs.5 Crores
Medium	Rs.5 to 10 Crores
Large	More than Rs.10 Crores

There are 3 types of consents, viz Consent To Establishment (CTE) has to be obtained prior to establishment of an industry/ industrial sector/ organizations. Consent To Operate (CTO) has to be obtained prior to commission of Operation, Process or Production and for continuation of discharge of emission and effluents. Consent To Expansion (CTExp) when an industry/industrial sector expands/ modifies/ changes products or processes.

### **Initiatives under Ease of Doing Business - Business Reform Action Plan for States.**

As part of e-governance initiative of Government of Karnataka & in compliance to Ease of Doing Business (EODB) of Business Action Reforms Plan 2018, DIPP, Government of India, the Karnataka State Pollution Control Board (KSPCB) has simplified its procedures and made the online processes for obtaining Consent to Establish & Consent to operate under the Water (Prevention and Control of Pollution) Act, 1974, Air (Prevention and Control of Pollution) Act, 1981 and authorization under the Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016.

The following are the highlights of the online procedures:

- Introduction of e-sign digital signature for the applicants to eliminate the need to submit physical copy of the application from December 2018.
- Uploading provision for self attested relevant documents (in pdf format) by the applicant in XGN software including photo ID proof of the occupier such as Voters ID/ PAN card/ Passport/ Driving Licence (any one document in pdf format) in order to ensure the authenticity of the applicant.

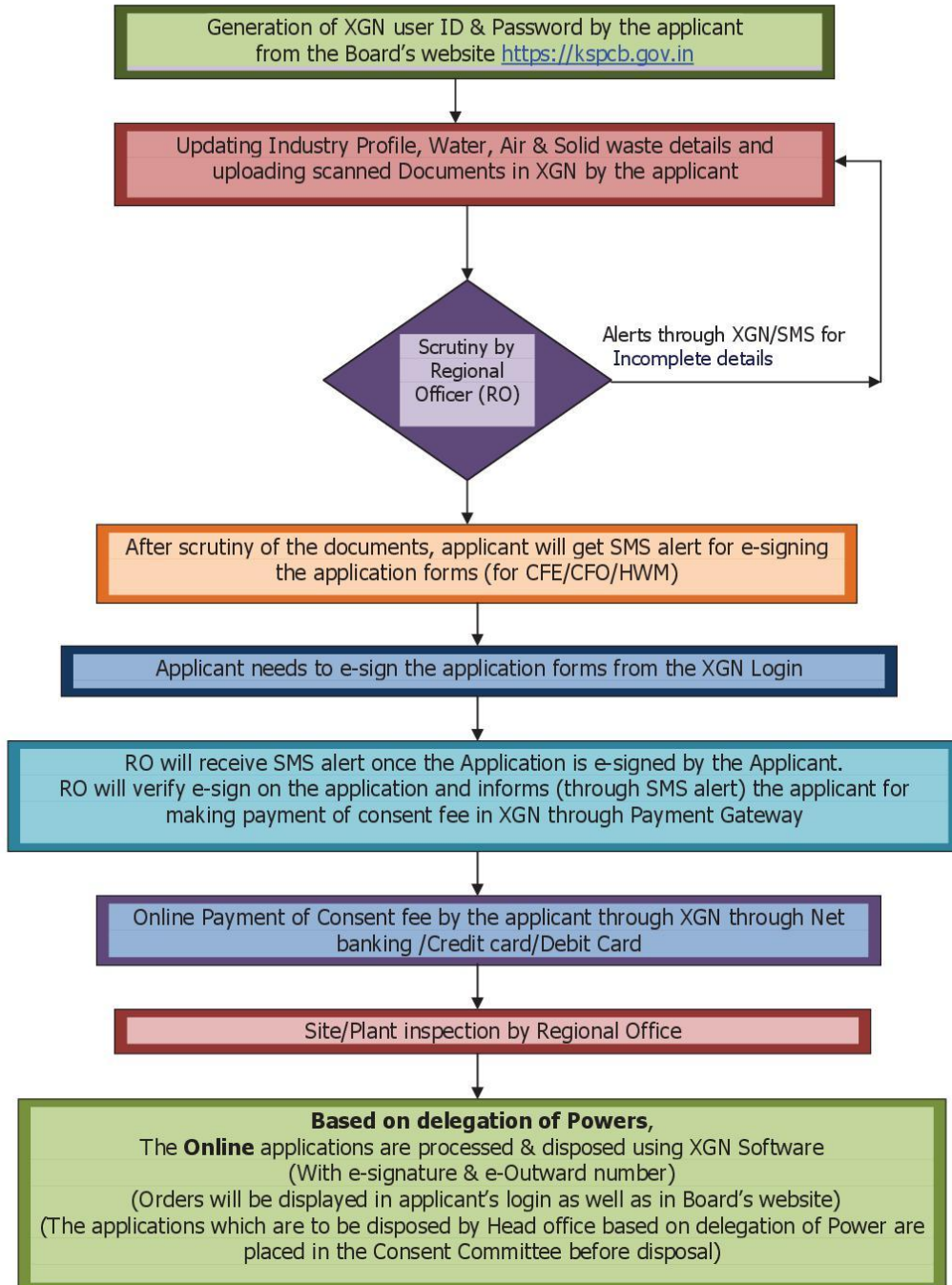
- Facility to make online payment of Consent fee through Net Banking/Credit card/Debit card.
- The applicant can track the status of the online application.
- SMS alerts are sent to registered mobile numbers at different stages of online processing.
- Applicant can view the inspection report.
- Facility to download digitally signed Consent & authorization orders from their logins. The digitally signed Consent & authorization orders are also made available in the Public domain i.e., from the Board's website (<https://kspcb.gov.in>).

Further, the Board has taken the following initiatives to comply with action points of EODB:

- Board is issuing CFE with a validity of 5 years for non EIA Projects & co-terminus with Environment Clearance (EC) in case of EIA projects and CFO with a validity of 10 years & 5 years for Green, Orange & Red categories industry/ organization respectively.
- Board is issuing Authorization under Authorization under H&OW(M&TM) Rules, 2016, Biomedical Waste Management Rules, 2016, E-Waste Management Rules, 2016 in co-terminus with Consent Validity.
- Board has published a well defined compliance inspection procedure, Check list on the Board's website.
- Facility has been provided for third parties to easily verify the approval certificates (Consent order) in the public domain.
- Board has exempted Green industries with a history of satisfactory compliance from environmental compliance inspection.
- Board has implemented Random inspection of highly polluting industries.
- The Board has stipulated timelines under SAKALA Act for disposal of consent/authorization applications.

**Process Flow Sheet for CTE/CTO applications of Green/Orange/Red category organization through XGN.**

**Process Flow Sheet for CFE/CFO/HWM applications of Green/Orange/Red category Organization through XGN**



**CFE**- Consent for Establishment under Water (Prevention and Control of Pollution) Act, 1974 and The Air (Prevention and Control of Pollution) Act, 1981

**CFO**- Consent for Establishment under Water (Prevention and Control of Pollution) Act, 1974 and The Air (Prevention and Control of Pollution) Act, 1981

**HWM**- Authorization under Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016

## Periodicity of consent renewal/authorisation

Category	Consent validity		
	Red	Orange	Green
Large	5 year (5 years fees)	10 years (10 years fees)	15 years (10 years fees)
Medium	5 years (5 years fees)	10 years (10 years fees)	15 years (10 years fees)
Small	5 years (3 years fees)	10 years (6 years fees)	15 years (1 year fee)
Micro (<25 Lakhs)	5 years (1 year fee)	10 years (1 year fee)	One time permanent consent (1 year fee)

Authorisation	Category of units	Validity period of Authorization
Authorisation under BMW Rules, 2016 and its Amendments.	Red, Orange & Green Category	Co-terminus with the Consent validity period
	White Category & Clinics (<30 beds)	One Time
Authorisation under HMW Rules, 2016 and its Amendments.	All category	Five years
Authorisation under E-Waste Rules, 2016 and its Amendments.	Manufacturers, Dismantlers & recycler	Five Years
	Re-furbishers	One Time
Registration	Category of units	Validity period
Registration under Plastic Rules, 2016	All category	Three years (First time for 1 Year and subsequently for 3 years)
Registration under Battery Rules	For Dealers	Five years

\* Note: HCEs upto 30 bed are covered under white category and such HCEs are kept out of consent mechanism.

### Checklists to Application forms:

#### A. Consent to Establishment (CFE):

Sl No	Consent for Establishment (CFE)
1	Land/premises Details - Rent agreement/Lease agreement in case the property is on rent/lease/Allotment letter from KIADB/KSSIDC in case the industry is being setup in industrial area./Documents w.r.t Special Economical Zone (SEZ) if applicable, copy of Khata extract/RTC
2	Site/location/layout Plan (for about 500m radius) ,Layout Plan showing the location of manufacturing area, ETP/APC and Solid/Haz.waste storage & collection points, Village Map in case of Layouts/Apartments/Commercial Projects
3	Project report indicating location, extent of land, Manufacturing process including flow chart, water source, wate balance, raw materials, list of products and by-products, water consumption details, details of water/air pollution sources, pollutant parameters, charateristics, and its control measures proposed along with design

	details. Solid waste/Hazardous waste generation/collection/storage/disposal details
4	In case of mining IBM approved mining plan and lease copy issued by “Department of Mines & Geology shall be enclosed.
5	Forest Clearance, Environmental Clearance (EC) (if applicable)
6	Letter on assured water supply & disposal NOC from local body for acceptance of sewage/effluent
7	Form B1 issued by District licensing authority under Karnataka Regulation of Stone Crushers Act, 2011 (Karnataka Act 08 of 2012 )

**B. Consent to Expansion (CFExp):**

SI No	Consent to Expansion (CFExp)
1	Details of the Location – if the expansion is in the Existing Premises/Details of the Location – if the expansion is in the Separate Premises/building within the existing location.
2	Land/premises Details - Rent agreement/Lease agreement in case the property is on rent/lease (if additional land is procured)/Land/premises Details - Allotment letter from KIADB/KSSIDC in case the industry is being setup in industrial area. (if additional land is procured)/Land/premises Details - Documents w.r.t Special Economical Zone (SEZ). If applicable
3	Site/location/layout Plan (for about 500m radius)
4	Project report (on expansion) indicating location, extent of land, water source, raw materials, products and by-products, water consumption details, waste water generation/details of proposed pollution control measures (ETP/STP/APC)(w.r.t expanded activity)/Details of Pollution Control measures with design Parameters/Manufacturing process write-up, manufacturing process flow chart/Hazardous waste generation/collection/storage/disposal details.
5	In case of mining IBM approved mining plan shall be enclosed and leased copy issued by DMG shall be enclosed.
6	Forest clearance (if applicable)/Environmental Clearance (EC), if applicable

**C. Consent to Operation (1st CFO):**

SI No	Consent to Operation (1st CFO)
1	Manufacturing process write-up, manufacturing process flow chart (in case of any change in the process)
2	Compliance to earlier consent/CFE conditions (as applicable)
3	Lease copy issued by “Department of Mines & Geology” in case of mining/In case of mining IBM approved mining plan.
4	Effluent treatment proposal if not submitted/if applicable.
5	Audited Balance sheet along with schedule of fixed assets indicating Gross block of fixed assets.
6	Partnership deed/ Proprietor/Company deed (if there is any change)
7	EC, if applicable



**D. Consent to Operation (CFO- renewal):**

Sl No	Consent for Operation (CFO- renewal)
1	Manufacturing process write-up, manufacturing process flow chart (in case of any deviation from previous Consent/CFO)
2	Compliance to earlier consent conditions
3	Lease copy issued by “Department of Mines & Geology” in case of mining/In case of mining IBM approved mining plan.
4	Analysis report of effluent/stack emission.
5	Audited Balance sheet along with schedule of fixed assets indicating Gross block of fixed assets.
6	Environmental Statement (Form-5)
7	Annual Report under HWM Rules (Form-4)
8	Form C issued by District licensing authority under Karnataka Regulation of Stone Crushers Act, 2011 (Karnataka Act 08 of 2012 ) in case of Stone crusher units

**E. Authorization under H&OW(M&TM) Rules, 2016:**

Sl No	Authorization under H&OW(M&TM)Rules, 2016 - Through online in XGN Karnataka Software
1	Prescribed Application for seeking authorization in Form-1 and in Form-7 for import of hazardous and other waste on behalf of actual user
2	Form-3 for maintaining records of hazardous and other wastes
3	Form-4 under HOW(M&TM) Rules (Annual report) within 30 <sup>th</sup> of June following the financial year to which the return relates.
4	Form-10 - Manifests
5	Photographs showing the storage area, labeled containers etc.,
6	Valid MOU with the registered recycler/incinerator/TSDF

**F. Authorization under BMW Rules, 2016:**

Sl No	Authorization under BMW Rules
1	Prescribed Application for seeking authorization in Form- II
2	MOU with CBMWTF
3	Photographs showing the Liquid waste treatment facility provided in the HCE
4	Manifest copy (for handing over wastes to CBMWTF)
5	Photographs showing Color coded containers maintained in the HCE & storage area in HCE
6	Form-IV (Annual Report) on or before 30 <sup>th</sup> June of every year.

**G. Authorization under SWM Rules, 2016:**

Sl No	Authorization under BMW Rules
1.	Prescribed Application for seeking authorization in Form-I
2.	Form - IV (Annual Report) within 31 <sup>st</sup> of June every year.

#### **H. Authorization under EWM Rules, 2016 :**

Sl No	Authorization under EWM Rules
1.	Prescribed Application for seeking authorization in Form-1(a) for Manufacturer or Refurbisher and in Form 4 for dismantlers and recyclers.
2.	Maintain records of e-waste generated, handled and disposed in Form 2
3.	Annual Report in Form-3 within 30 <sup>th</sup> of June following the financial year to which the return relates.
4.	Form-6 for E-Waste Manifest

#### **I. Authorization under Construction & Demolition Waste Management Rules, 2016**

Sl No	Authorization under C & D Waste Rules
1.	Prescribed Application for seeking authorization in Form-I
2.	Annual Report in Form-III from Local Bodies

#### **J. Registration under Plastic Waste Management Rules, 2016.**

Sl No	Registration under PWM Rules
1.	Prescribed Application for seeking registration in Form-I for producers or Brand Owners, in Form II for Processing of recyclers and in Form III for manufacturers of Plastic Raw Material.
2.	Annual Report in Form- IV By Processing Or Recycling Facility by 30 <sup>th</sup> April of every year.
3.	Form - V Format For Annual Report On Plastic Waste Management To Be Submitted By The Local Body

#### **K. Registration under Battery (Amendment) Rules, 2010.**

Sl No	Registration under Battery Rules
1.	Prescribed Application for seeking registration in Form- IV for Dealers
2.	Form VI Application For Registration Of Facilities possessing Environmentally Sound Management Practice For Recycling Of Used Lead Acid Batteries
2.	Annual Report in Form – V for Filing Returns Of Sale Of New Batteries And Collection Of Old Batteries. Form-VII by recyclers and in Form VIII by bulk consumers by 30 <sup>th</sup> June (for the period October_March) and 31 <sup>st</sup> December (for the period April-September) every year]. Form – IX For Filing Returns by Auctioneer Of Used Batteries

## SAKALA

The Consent To Establish (CTE) and Consent To Expansion issued under Water Act, 1974 & Air Act, 1981 has been brought under Sakala vide No.PCB/730/COC/2012-13/ 3766, dated 29-11-2012. The stipulated time for disposal of Consent To Establish and Consent To Expansion application of Red, Orange and Green category under Water & Air Acts as below:

SI No	List of SAKALA Services	Stipulated time for disposal
1	Disposal of <i>Consent for Establishment/Consent for Expansion</i> Applications under Water Act 1974 and Air Act 1981- <b>Green Category.</b>	30 Working days
2	Disposal of <i>Consent for Establishment/Consent for Expansion</i> Applications under Water Act 1974 and Air Act 1981- <b>Orange Category excluding Garment Washing units.</b>	40 Working days
3	Disposal of <i>Consent for Establishment/Consent for Expansion</i> Applications under Water Act 1974 and Air Act 1981- <b>Red Category Non-EIA without TAC Projects.</b>	70 Working days
4	Disposal of <i>Consent for Establishment/Consent for Expansion</i> Applications under Water Act 1974 and Air Act 1981- <b>Red Category Non-EIA with TAC Projects.</b>	100 Working days
5	Disposal of <i>Consent for Establishment/Consent for Expansion</i> Applications under Water Act 1974 and Air Act 1981- <b>Red Category EIA Projects.</b>	120 Working days
6	Disposal of <i>Consent for Operation</i> Applications under Water Act 1974 and Air Act 1981- <b>Orange Category excluding Infrastructure Projects</b>	120 Working days
7	Disposal of <i>Consent for Operation</i> Applications under Water Act 1974 and Air Act 1981- <b>Orange Category including Infrastructure Projects</b>	120 Working days
8	Disposal of <i>Consent for Operation</i> Applications under Water Act 1974 and Air Act 1981- <b>Red Non EIA Category</b>	120 Working days
9	Disposal of <i>Consent for Operation</i> Applications under Water Act 1974 and Air Act 1981- <b>Red EIA Category</b>	120 Working days
10	Disposal of <i>Consent for Operation</i> Applications under Water Act 1974 and Air Act 1981- <b>Green Category</b>	120 Working days
11	Disposal of <i>Authorization</i> Application under Hazardous and Other Waste (Management and Transboundary Movement) Rules, 2016 ( <b>Green Category</b> )	120 Working days
12	Disposal of <i>Authorization</i> Application under Hazardous and Other Waste (Management and Transboundary Movement) Rules, 2016 ( <b>Orange Category</b> )	120 Working days
13	Disposal of <i>Authorization</i> Application under Hazardous and Other Waste (Management and Transboundary Movement) Rules, 2016 ( <b>Red Category</b> )	120 Working days

**The Water (Prevention and Control of Pollution) Act 1974 & The Air (Prevention & Control of Pollution) Act, 1981 :**

The Water Act establishes an institutional structure for preventing and abating water pollution. It establishes standards for water quality and effluent. We issue consent under this Act for all industries/ organizations and local bodies, which discharge effluents. The Air Act provides for the control and abatement of Air pollution. We issue consent to industry/ organizations which emits air pollutants.

**DELEGATION OF POWERS TO ISSUE:**

**1. Consents under the Water Act and the Air Act:**

**Table-1: Disposal of Applications filed under the Water Act, 1974 & the Air Act, 1981-Consent to Establish (CTE) Consent To Expansion (CTEx), Consent To Operate(CTO)**

Particulars	Nature of Action	Officer of the Board designated to exercise the power				
		Green category	Orange Category	Red Category		
		Large/ Medium/ Small	Large/ Medium/ Small	Small	Medium	Large
Disposal of Applications filed under Section 25/26 the Water Act, 1974 & Section 21 of the Air Act, 1981-(CTE, CTEx, CTO)	Issue/ Refuse/ Withdraw/ Cancel	Regional Officers	Regional Senior Environmental Officers	Member Secretary	Member Secretary	Chairman on recommendation of the State Level Consent Committee

**Table-2: Issue/ Revocation of Closure directions as per the provisions of the Water Act, 1974 & the Air Act, 1981**

Particulars	Nature of Action	Officer of the Board designated to exercise the power				
		Green category	Orange Category	Red Category		
		Large/ Medium/ Small	Large/ Medium/ Small	Small	Medium	Large
Powers to Issue directions under Section 33(A) of the Water Act, 1974 & under Section 31(A) of the Air Act, 1981	Issue / Revoke	Chairman	Chairman	Chairman	Chairman	Chairman on recommendation of the Empowered Committee

## 2. Authorization under Hazardous & Other Wastes (M&T) Rules, 2016.

Sl. No.	Particulars	Delegation of Power
1	Grant and renewal of authorization.	Based on category of the industry, irrespective of the size. Including expansion/ modification. i. <b>Red</b> – Head Office by Member Secretary on recommendations Consent Committee. ii. <b>Orange</b> – Zonal Senior Environmental Officer iii. <b>Green</b> – Regional Officer.
2	Review of Authorization granted / Refusal / Suspension / Cancellation of the authorization under Rule 6(2) & 6(4)	i. Power to refuse authorisation of all categories – <b>Chairman</b> ii. Power to review the consent granted – <b>Chairman</b> iii. Power to suspend/cancel of authorization for non-compliance by any industry – <b>Chairman.</b>

## 3. Authorization under the Bio-Medical Waste Management Rules, 2016.

Sl. No.	Particulars	Power delegated to issue Authorization under the Bio-Medical Waste Management Rules, 2016 and consent under the Water Act and the Air Act wherever applicable
1	Non bedded Health Care Establishments (HCE) handling biomedical waste in any from clinics, dispensaries, veterinary institutions, animal houses, Pathological laboratories, blood banks, AYUSH hospitals, clinical establishments, Health Camps, Vaccination centres, Research for educational institutions, medical or surgical camps, blood donation camps, first aid rooms of schools, forensic laboratories and research laboratories.	Regional Officer
2	The above HCEs and hospitals having inpatient facilities and generating effluent both chemical and sewage not exceeding 100 KLD	Zonal Senior Environmental Officer

3	The above HCEs, hospitals, and Common Biomedical Waste Treatment and Disposal facilities and generating effluent both chemical and sewage exceeding 100 KLD.	Head Office.
4	The Health Care Establishments up to 30 beds are covered under White Category and kept out of consent mechanism. However authorization for HCEs up to 30 beds is granted as per Rule 10 and it shall be valid one time.	Regional Officer
5	Hearing for refusal of renewal, cancellation or suspension of authorizations	Chairman of the Board

### **The Hazardous and Other Wastes (Management & Transboundary Movement) Rules, 2016**

The objective of this Rule is to control generation, handling, collection, reception, treatment, transport, storage, re-use, recycling, recovery, pre-processing, utilization including co-processing & disposal of hazardous & other waste. We issue authorizations under this Rule to enable the every occupier of the facility who is engaged in handling, generation, collection, storage, packing, transportation, use, treatment, processing, recycling, recovery, pre-processing, co-processing, & utilization & disposal to know about his responsibilities within the legal framework.

<b>Our Service</b>	<b>Our Standard</b>		
	<b>Application Form</b>	<b>Purpose</b>	<b>Time Limit</b>
Responding to an application for authorization for generation, collection, storage, transportation, reception, re-use, recycling, , recovery, pre-processing, co-processing, utilization, treatment, disposal & incineration of hazardous & other waste.	Form - 1	Authorization under <b>H&amp;OW(M&amp;TM) Rules</b>	If the application and checklist are completed in all respect, Issue/Refuse within 120 days.
Responding to an application for authorization of traders for Part-D of Schedule-III (import of Hazardous & Other Waste) on behalf of actual user	Form- 7		

## The Bio-Medical Waste Management Rules, 2016

This Rule is applicable to health care establishments like hospitals, nursing homes, clinics, dispensaries, veterinary institutions, animal houses, pathological laboratories, blood banks, ayush hospitals, clinical establishments, research or educational institutions, health camps, medical or surgical camps, vaccination camps, blood donation camps, first aid rooms of schools, forensic laboratories and research labs. To streamline the process of proper handling of Bio Medical waste such as collection, segregation, processing, treatment & disposal, KSPCB is one of the prescribed authorities under this Rule and we issue authorisations to enable the applicant about his responsibilities as per legislation.

Our Service	Our Standards		
Responding to an application submitted by the stakeholders under this Rule.	Application Form	Purpose	Time limit
	Form-II	Authorisation under BMW Rules for: Every occupier or operator handling Bio-Medical Waste irrespective of the quantity shall make an application in Form-II	If the application and checklist are completed in all respect, issue/refuse within 90 Days as per BMW Rules.

## The Solid Waste Management Rules, 2016:

The Rules clearly enumerate the duties and responsibilities of various agencies including that of the waste generators. It is applicable to every municipal authority, village panchayat of census towns and urban agglomerations and as per the provisions of these Rules; these authorities are responsible for collection, segregation, storage, transportation, processing and disposal of municipal solid wastes. According to these Rules, the municipal authority or an operator of a facility shall obtain authorization for setting up of waste processing and disposal facility from the Board.

Our Service	Our Standards		
Responding to an application submitted by the stakeholders under this Rule.	Application Form	Purpose	Time limit
	Form-I	Authorisation under SWM Rules	Issue/refuse an authorization within <b>60 days</b> of receiving a filled-in application and supporting information.

## **The Batteries (Management and Handling) Amendment Rules, 2010.**

This Rule is being enforced in India from 2001 and amended in 2010. It fixes responsibility to every manufacturer, importer, re-conditioner, assembler, dealer, recycler, auctioneer, consumer and bulk consumer involved in manufacture, processing, sale, purchase and use of Lead acid batteries or components thereof. This Rule explains the responsibilities of manufacturer, importer, assembler, bulk consumer, auctioneer, re-conditioner and dealers.

According to this Rule the Dealers shall obtain Registration and shall submit returns to the Board in the prescribed format as per period mentioned in the Rule.

### **Registration of Dealers**

<b>Our Service</b>	<b>Our Standard</b>		
Responding to an application for Registration of Dealers of Batteries.	<b>Application Form</b>	<b>Purpose</b>	<b>Time limit</b>
	Form - IV	Registration of Dealers of Batteries under Batteries Amendment Rule, 2010.	If the application is completed in all respect, Issue/ cancel within 30 days

## **The Plastic Waste Management Rules, 2016.**

This Rule is applicable to every waste generator, local body, gram-panchayat, manufacturer, importer & producer. Under this rule fixes the responsibility to local body for development & setting up of infrastructure for segregation, collection, storage, transportation, processing & disposal of plastic waste either on its own or by engaging agencies or producers, to gram-panchayat either on its own or by engaging any agency shall setup, operationalize & co-ordinate for waste management in the rural area under their control, to waste generator to take step to minimize the generation of plastic waste & segregate plastic waste at source in accordance with the Solid Waste Management Rules, 2016. All the waste generator shall be user fee or charges as may be specified in the Bye-laws of Plastic of local bodies for plastic waste management & to collection or operation of the facilities. Responsibility of the producers, importers & brand owners shall workout modalities for waste collection system based on extended producers responsibilities with state urban Development Department either individually or collectively or through the local body concerned & primary responsibility by collection of used multi-layered plastic sachets or pouches or packing by establishing a system for collecting back the plastic waste generated due to their products.

Forest, Ecology and Environment, Government of Karnataka vide notification no FEE 17 EPC 2012 , Bangalore Dated 11-03-2016 in exercise of the powers conferred under the



Environment ( Protection ) Act, 1986, issued directions imposing ban on manufacture, supply, sale and use of plastic carry bags, plastic banners, flex, plastic flags, plastic plates, plastic cups, plastic spoons, cling films and plastic sheets used for spreading on dining table including the above items made out of thermocol and plastic which use plastic micro beads in the Karnataka state. As per which the Board is implementing the said notification.

Our Service	Our Standard.		
	Application Form	Purpose	Time line
Responding to an application for registration other than those banned, vide notification No. FEE 17 EPC 2012, Bangalore Dated 11-03-2016 . 1. Every producer engaged in Manufacture or import of carry bags or multi-layered packing or plastic sheets, industries or individuals using plastic sheets or covers for packing.	Form I	Registration	If the application is completed in all respect, Issue/ cancel within 90 days
2. Every person Recycling or processing of waste or proposing to recycle or process plastic waste	Form II		
3. Every Manufacture engaged in manufacture of plastic to be used as raw material by the producer	Form-III		

### The E-Waste (Management) Rules, 2016

This Rule is being enforced in India from 1<sup>st</sup> October, 2016. This Rule is applicable to every manufacturer, producer, consumer, bulk consumer, collection center, e-retailer, refurbisher, dismantler & recycler involved in the manufacture, sale, transfer, purchase, collection, storage & processing of e-waste or electrical and electronic equipment listed in Schedule-I. According to this Rule the manufacturer, dismantler and recycler, and refurbisher shall obtain authorization and shall submit returns to the Board in the prescribed format as per period mentioned in the Rules.

Our Service	Our Standard		
	Application Form	Purpose	Time line
Responding to an application for authorization for manufacturer and refurbisher under the E-Waste (Management) Rules, 2016	Form -1(a)	Authorization under the E-Waste (Management) Rules, 2016	If the application is completed in all respect, Issue/ cancel within 120 days

Responding to an application for authorization for dismantler and recycler under the E-Waste (Management) Rules, 2016	Form-4		
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### **The Construction and Demolition Waste Management Rules, 2016**

The rules shall apply to every waste resulting from construction, re-modeling, repair and demolition of any civil structure of individual or organization or authority who generates construction and demolition waste such as building materials, debris, rubble. According to this Rule waste generator shall obtain authorization and shall submit returns to the Board in the prescribed format as mentioned in the Rules.

The consent and authorisation applications are available on our website or the applications can be obtained free of cost from any of our offices. Further for all the applications referred to above if the application and checklist are completed in all respect, application will be cleared within the time specified.

#### **Incentives:**

In addition we also encourage industries/organization to adopt ISO 14001 standards for which the Board will give an amount of Rs. 50,000/- as an incentive to Red category Small and Medium scale units adopting latest ISO 14001:2015 standards.

#### **Regulation:**

Regulation covers a range of activities from advising an industry on its operational procedure to reduce waste and pollution, to consent and authorization mechanism and through enforcement and possible prosecution. We aim to discharge our duties:

- Consistently.
- With transparency and
- Accountability.

We regularly inspect and monitor the environment quality and we check that the standards we have set are being met.

#### **Enforcement:**

To ensure compliance to the law we may have to initiate action when the law is violated.

We explain what we are doing and why, before we take enforcement measures as mandated by the statute, we also provide advice and guidance along with the enforcement action.

### **Procedure for enforcement:**

We enforce environmental Acts in line with the principle of natural justice. The following are the procedures we adopt for enforcement.

- Routine inspection of Industry or in reaction to complaint (complaint received will be duly entered into complaint register) or at the time of consent renewal.
- Bringing to the attention of the defaulters for non-compliance to law with time frame to initiate corrective measures.
- Issuing a 'show cause notice' to furnish explanation why action should not be initiated.
- Issuing 'notice of proposed direction' like disconnecting power supply to an industry or water supply or any other essential services.
- Conducting 'Personal Hearing' for non-complying industries about violations, with complainants if any.
- Issuing 'Prohibitory Orders' to prohibit some of the activity like discharging wastewater outside their premises.
- Issuing 'closure order and
- Issuing 'seizure order.

We may choose to file a criminal case against any defaulting industry in the court of law depending on the extent of violation and damage to the natural resources and local environment.

### **Monitoring:**

We are monitoring water quality of rivers at 83 locations and lakes at 120 locations, ambient air quality at 38 locations in the State in addition to 5 CAAQM stations in Bangalore and noise levels at 10 Continuous Ambient Noise Monitoring Stations in Bangalore. The air quality data for Bangalore city is being displayed on our web site.

### **Advice:**

Before our stakeholders undertake an activity that may need our consent or authorization, we offer need-based advice. We firmly believe that prevention is better than cure, and getting things right the first time will reduce future regulatory burdens on our users and us.

Our officers will help (if you need assistance) in filling up applications and provide advice regarding procedural issues. If you need advice in sector wise or on technical details of your unit you may contact any of our Senior Officers at the Head Office.

### Information and awareness:

We are keen to support learning about the environment. We believe education is an important part of our role. We work with schools, colleges, and universities, professional institutions, NGOs, Voluntary organisations and other to set up links, carry out joint projects and to explain our activities in the context of our duties. Further, details on the scope of awareness programs and the applications forms can be seen at our website <http://kspcb.gov.in>

### What we are not responsible for:

We do not cover all areas of environment and services to the public. The table below shows some major issues that we may help out on, but where responsibility lies with another organisation.

### Services or Issues for which we are not responsible for:

Service or Issue	Concerned Agency
Government policy and legislation affecting the environment	Ministry of Environment, forest & Climate Change, Government of India Department of Environment and Ecology, Government of Karnataka
Flooding from drains, sewers, streams or ditches	Local Body
Litter (except when related to illegal waste dumping, although local body may still have the main responsibility)	
Dog/ Pet nuisance/ Sound nuisance from AC, TV, Radio etc.,	
Pest control	
Road construction/maintenance	
Collecting waste	
Air emissions from Chimney of Houses/ Hotels etc.,	
Illegal dumping and burning of solid waste	
Environmental health and food hygiene	
Nuisance form Road side food vendors-smell, waste disposal, emission etc.,	
Noise nuisance from Pub/Bar/ Restaurant	Police & Local Bodies
Noise nuisance from Temples/ Mosque & other religious places	Railways & Metro Authority
Parking of vehicles in front of Garages	
Noise nuisance from movement of Rails/ Metro	Airport Authority
Noise from Flight & Helicopter	Department of Transport and Road Safety
Vehicular Pollution	Sometimes we will have the lead role.
Contaminated land	

	We will guide to concerned agencies/ organisations on a case to case basis
Quality or supply of drinking water	Local body or BWSSB in case of Bengaluru
Conservation of forest, afforestation	Forest Department
National parks	The appropriate National Park Authority/ Forest Department
Nuisance due to Noise, smoke, smell problems (except when they relate to a site we regulate, although local body may still have the main responsibility)	Police and Local Body
Illegal quarrying of minerals	Department of Mines and Geology
Mobile Telephone Towers/Cell Tower Radiation	Telecom Enforcement and Resource Monitoring (TERM) Cell (Dept of Tele Communications, TERM CELL, WMS Compound, Sanchar Complex, 9 <sup>th</sup> Main, 47 <sup>th</sup> Cross, 5 <sup>th</sup> Block, Jayanagar, Bangalore-560041

### **Our Standards of Service:**

We deal with Government, individual members of the public, community groups, and industry and business of all sizes. Our standards are high and we will work in coordination with the stakeholders to improve the environmental conditions.

### **General services and standards:**

We are committed to treating everyone fairly, and to maintain high standards of work.

- Our office working hours are from 10.00 am to 5.30 pm. Please contact the nearest office for any information that you may require.
- We will be polite and sensitive while dealing with your queries; and
- Our staff will wear identity cards and give their names on phone and in all our correspondence.

### **Grievance Redressal:**

<b>Our Service</b>	<b>Our Standard</b>
Responding to general enquiries and requests for information	A written response within 30 working days of receiving your letter or e-mail, including the information sought.

### **How to complain:**

1. Contact our local office.
2. We aim to sort out your problem immediately. If this is not possible, we will investigate your complaint and send a written reply within 30 working days.
3. If we cannot deal with the matter within 45 working days, that is if a provision of the Water Act/Air Act or any of the legislations has to be invoked then, we will send you a

letter giving the reason for the delay, information on who is dealing with your complaint and when they will contact you next.

4. If you are not satisfied with the response you receive, you should contact our Head Office. We do prefer to provide solutions to your complaints at our local Office itself whenever possible.

### **Pollution Incidents:**

Every time a pollution incident or accidents takes place it is the citizens who observe the incident first. Please let us know immediately by telephoning or fax the details to the nearest Regional Office. The time of our officers is valuable, we request you to furnish complete details. This will enable our officers to attend the matter at earliest.

### **Helpdesk:**

To facilitate the stakeholders, approaching KSPCB for various consents, authorizations and Registration pertaining to the Regional Offices at Bangalore, we have established a HELP DESK from June 2004 at the ground floor of "Parisara Bhavan" No. 49, Church Street, Bangalore – 560 001. The Helpdesk will Scrutinize, receive and acknowledge the receipt application for authorization/ registration under Bio-Medical Waste, E-Waste and Solid Waste Management Rules.

The HELPDESK functions on all working days from 10.30 am to 4.30 pm with a break from 1.00 pm to 2.30 pm. The main purpose of setting up the Helpdesk is to guide the stakeholders in complying with the Pollution Control Laws including guiding them in applying for consent/authorization. Consequently applications can be processed well within the time limit we have resolved and the date on which the consent order/ authorisation/ Registration can be collected is indicated at the time of filing the application.

### **Appeals against our decisions:**

We aim to provide transparent decisions to uphold the law. If we have refused your application for consent or authorisation or conditions, which you may feel not as per statute you may contact the concerned Appellate Authority the details are as follows:

<b>Type of action/Act</b>	<b>Appellate authority</b>
<ul style="list-style-type: none"> <li>• Refusal of consent under Water Act &amp; Air Act</li> <li>• Closure order under Air Act.</li> </ul>	Appellate Authority, 6 <sup>th</sup> Floor, Public Utility Building, M.G. Road, Bangalore - 560 001.
<ul style="list-style-type: none"> <li>• Orders passed by the Appellate Authority under Section 31 of Air Act</li> </ul>	National Green Tribunal, 950/1, Poonamallee High Road, TNPCB Building, Arumbakkam, Chennai-600106
<ul style="list-style-type: none"> <li>• Closure order under Water Act</li> <li>• Orders made by Appellate Authority under Water Act and Air Act.</li> </ul>	National Green Tribunal, 950/1, Poonamallee High Road, TNPCB Building, Arumbakkam, Chennai – 600 106.
Orders/decisions made by Appellate	National Green Tribunal, 950/1, Poonamallee

Authority under Water Act Cess Act.	High Road, TNPCB Building, Arumbakkam, Chennai – 600 106.
Refusal of authorization under H& OW (M&TM) Rules, 2016	<b>Secretary to Government</b> , Department of Ecology and Environment, 7 <sup>th</sup> Floor, M.S. Building, Bangalore – 560 001.
Refusal of authorization under BMW Rules, 2016	<b>Secretary</b> , Department of Forest, Ecology and Environment, 4 <sup>th</sup> Floor, Multi Storied Building, Bangalore - 560 001.
Refusal of authorization under E-Waste Management Rules, 2016	<b>Secretary</b> , Department of Forest, Ecology and Environment, 4 <sup>th</sup> Floor, Multi Storied Building, Bangalore - 560 001.

If you are not sure about your appeal rights, you should contact our local office as soon as you receive our decision.

### Consent Fee

(a) Capital Investment for existing Industries: Capital Investment of any existing Industry shall be gross fixed assets of the industry as shown in the fixed schedule of the audited report for the year 1983 consisting of investment made on land, building (including staff quarters), plant and machinery, good-will and other movable and immovable assets, additions made during subsequent years. Any Additional capital investment made after the year 1983 as reflected in the fixed asset schedule of subsequent audit reports shall also be considered towards capital investment.

(b) Capital Investment for the new Industry to be established or taking any steps to establish . Capital Investment on land, buildings, staff quarters, plant and machinery including all movable and immovable assets as detailed in the project report.

(c) Capital Investment when land and /or building or any other Assets are taken on lease - Ten times the annual lease value is to be taken as equivalent to capital investment

### Consent Fee for Industries

Sl. No	Capital investments by Industries	Consent fee in Rupees for different categories of Industries		
		RED	ORANGE	GREEN
1	Exceeding Rupees.1000 Crores	2,00,000	1,75,000	1,50,000
2	Exceeding Rupees 500 Crores but not exceeding Rupees 1000 Crores	1,50,000	1,25,000	1,00,000
3	Exceeding Rupees 250 Crores but not exceeding Rupees 500 Crores	1,00,000	90,000	75,000
4	Exceeding Rupees 50 Crores but not exceeding Rupees 250 Crores	75,000	60,000	50,000
5	Exceeding Rupees.25 Crores but not exceeding Rupees 50 Crores	50,000	40,000	30,000
6	Exceeding Rupees 10 Crores but not exceeding Rupees 25 Crores	30,000	25,000	20,000
7	Exceeding Rupees 5 Crores but not exceeding Rupees 10 Crores	20,000	17,500	15,000

8	Exceeding Rupees 1 Crore but not exceeding Rupees 5 Crores	15,000	12,500	10,000
9	Exceeding Rupees 50 Lakhs but not exceeding Rupees 1 Crore	6,000	5,000	4,000
10	Exceeding Rupees 25 Lakhs but not exceeding Rupees 50 Lakhs	3,000	2,500	2,000
11	Exceeding Rupees 10 Lakhs but not exceeding Rupees 25 Lakhs	2,000	1,750	1,500
12	Exceeding Rupees 5 Lakhs but not exceeding Rupees 10 Lakhs	1,500	1,250	1,000
13	Exceeding Rupees 1 Lakh but not exceeding Rupees 5 Lakhs	500	250	200
14	Rupees one Lakh and below	200	150	100

Note: As per Government Notification No.FEE ENV 95 (P) dated 19.02.1998.

As per Government Notification No.FEE ENV 115 (P) dated 19.02.1998.

### **Consent fee under Air Act for organization having DG Set as the only source of air pollution:**

Sl. No	KVA Rating of DG Set	Consent fee per DG Set
1	1 To 50	Rs. 100
2	51 To 100	Rs. 1000
3	101 To 500	Rs. 2000
4	501 To 1000	Rs. 3000
5	More Than 1001	Rs. 4000

Note: As per Government Notification No.100ECO2000 (P) dated 05.06.2009

### **Consent fee for local bodies:**

Sl. No	Population of Local Authority	Fees in Rupees
1	Not exceeding 50,000	Rs. 250
2	Exceeding 50,000 but not exceeding 1,00,000	Rs. 500
3	Exceeding 1,00,000 but not exceeding 5 lakhs	Rs. 1500
4	Exceeding 5 lakhs but not exceeding 10 lakhs	Rs. 2500
5	Exceeding 10 lakhs	Rs. 5000

Note: As per Government Notification No.DEE 166 ENV 82 dated 24.05.1983.

## **Citizen's Rights and Duties**

### **Article - 21 of the Constitution:**

Right to live is a fundamental right under this Article and it includes the right of enjoyment of pollution free water and air for full enjoyment of life.



## **Article 51-A (g) of the constitution**

It is the fundamental duty of every citizen of India to protect and improve the natural environment, including forest, lakes, rivers and wild life, and to have compassion for living creatures.

## **Citizen Suit provision in Pollution Control Laws**

### **Section 49 of Water Act and Section 43 of Air Act**

A person has a right to lodge a complaint to a court on pollution offence, provided he/she has given a notice of not less than sixty days to the Board on the alleged offence and of his intention to lodge a complaint in the prescribed manner.

The Board shall, on demand by such person, make available the relevant reports in its possession and it may refuse to make any such report available if the same is, in its opinion, against the public interest.

### **Contact Addresses of our Offices:**

The contact address of our Head Office, Regional Offices and Central Environmental Laboratory are hosted at Website: <http://kspcb.gov.in>.