

❖ **The roles and responsibilities of the technical official of the board are based on the following**

- ♣ The powers, duties and functions stipulated in the Water (Prevention and Control of Pollution) Act, 1974, the Air (Prevention and Control of Pollution) Act, 1981, The environment (Protection) Act, 1986 and various rules notified there under.
- ♣ Responsibilities delegated by central government, State government and the Central Pollution Control Board (CPCB) from time to time. Area specific Policies brought out by CPCB and/or GPCB.
- ♣ Directions / orders of the Hon. Supreme Court, Gujarat High Court, Committees constituted by the Apex court, High Court and Government.
- ♣ Various Programs / Activities / action plans prepared by GPCB.
- ♣ National Environment Policy which is also based on various International Convention to which India is a signatory
- ♣ Any other responsibility entrusted by Chairman and/or Member secretary to the officials of the board.

**The mandate of GPCB is to implement Environmental and Pollution Control Legislations, Rules and Notification so far as they pertain to the state. The major objectives of the board revolve around Pollution Control and Protection of The Environmental quality and drawing up comprehensive programs for prevention, control or abatement of pollution from different sources.**

❖ **The Norms set up of discharging the functions are**

- Any unit which intends to setup an industry /Operation /Process has to obtain Consent to establish (CTE), which in common parlance is known as NOC. The board accepts New/Expansion applications for Consent to Establish (also known as NOC) under Water Act'74 & Air Act'81 & grant the same, after such inquiry as it considers necessary and on being satisfied that the applicant possesses appropriate pollution control facilities.
- After the industry puts up all the Environment Management System (EMS) in place, it can then apply for consent to operate which is together with water consent, air consent and authorisation for hazardous waste is known as CC&A. The time allowed to process an application for consent is 120 days.

- The board accepts consent to operate (Known as CC&A – Consolidated Consent & Authorization in common parlance) under Water Act'74 & Air Act'81 & Hazardous Waste (Management , Handling and trans boundary Movement ) Rules'08 & grant the same, after such inquiry as it considers necessary and on being satisfied that the applicant possesses appropriate pollution control facilities.
- Board accepts application for Authorisation under Biomedical Waste (Management and Handling) Rule 1998, & grant the same, after such inquiry as it considers necessary and on being satisfied that the applicant possesses appropriate pollution control facilities.
- The Board accepts application for registration of any person manufacturing or proposing to manufacture plastic carry bags, multilayer plastic pouch or sachets under Plastic Waste (Management & Handling) Rules'11.
- All units which obtain Consent under the water Act or the Air Act or authorization under Hazardous waste (Management, Handling and trans boundary Movement) Rules 2008 are supposed to submit environmental statement in form V for the year ending on 31<sup>st</sup> March, by September of that year.
- All units which obtain authorization under Hazardous waste (Management , Handling and trans boundary Movement ) Rules 2008 are supposed to submit records of Hazardous waste in form III for the year ending on 31<sup>st</sup> March, by September of that year.
- All units which obtain authorization under Hazardous waste (Management , Handling and trans boundary Movement ) Rules 2008 are supposed to submit annual report in form IV for the year ending on 31<sup>st</sup> March, by September of that year.
- The standard for emission or discharge of Environmental pollutants from the Industries, operations or processes shall be as specified in Schedule I to IV of environment protection rule 3(1). The combined effect of the emission/ Discharge however shall not exceed the National Ambient Air Quality Standards given in Schedule VII of Environment Protection Rule, 3(B).
- Receive the Monthly returns of the Water cess and collect the cess levied under the Section 3 of the Water Cess Act' 1977.
- The board was vested with the powers to give directions to the defaulters that includes power to close down the industrial units and disconnection of utility services like water, power etc.

➤ **However In case of habitual defaults, it was felt that some sort of commitments need to be obtained from such non complying units. GPCB had recommended for levying of bank guarantee for obtaining compliance from industries covered under “ Charter for Corporate Responsibility for Environment Protection (CREP)”. Board has published technical manual in context of bank guarantee.**

- As per amendments made in technical manual of the board published in the 181th meeting held on 12/03/12 the Bank Guarantee levied shall be a minimum Rs.25,000/- and maximum Rs.2,00,000/- for small scale industry, minimum Rs. 1,00,000/- and maximum Rs.10,00,000/-. For large scale units the bank guarantee is minimum Rs.5,00,000/- and maximum Rs.50,00,000/-.
- If there is need of up gradation in EMS system than then the bank guarantee should be 10% of the up gradation cost of EMS or the amount mentioned at point no.1 whichever is higher.
- The bank guarantee should be Rs.10,000/- for the first time violation of the plastic rules.
- The bank guarantee should be Rs.10,000/- for the first time violation of the biomedical rules by private, government and trust hospitals. For hospitals having more than 10 beds Rs.1000/- per bed has to be levied as bank guarantee.
- For common infrastructures like CETP, TSDF & common incinerators the bank guarantee levied should be upto Rs. 10,000 /-.
- The validity period of the Bank Guarantee shall be one year, which may be extended depending upon the performance of the unit and review done by the unit head. If the validity period of the Bank Guarantee is to be extended, a communication in this regard must also be made to the concerned bank and directing the industrial unit to extend the period of such guarantee.
- The bank guarantee may normally be released fifteen to thirty days before expiry of the validity period if unit has complied with the bank guarantee conditions and the same has been verified.
- In case bank guarantee submitted earlier has been forfeited, and the violation continues, the subsequent revocation should normally be done after obtaining bank guarantee of an amount up to twice the previous amount.
- Bank guarantee submitted should be of nationalized bank and should be payable at branch located in Gujarat .Record of the bank guarantee will be maintained by respective units at head office. Original documents of Bank Guarantee shall be kept with legal branch.

- In case of bank guarantee imposed by Gujarat Government. Ministry of Environment & Forest and Central Pollution Control Board for any industrial unit or common infrastructure it should be levied accordingly.
- The common methods practiced for enforcement are stipulating standards, Monitoring of Compliance ,Inspection Reports, Sample analysis, Issuance of Show cause Notice, Notices u/s 31-A of Air Act and 33-A of water Act, Notice under EP Act. Closure directions and Launching Prosecution.
- The two main planks in processing the cases for decisions making are the sample analysis report and inspection reports. The lab provides analysis Reports whereas Inspection report is provided by RO, Vigilance Unit or Special Teams. Based on the data provided through these means, the cases are processed, the gravity assessed and decision made about the exact mode of enforcement warranted in a particular case. The standard for emission or discharge of Environmental pollutants from the Industries, operations or processes shall be as specified in Schedule I to IV of environment protection rule 3(1). The combined effect of the emission/ Discharge however shall not exceed the National Ambient Air Quality Standards given in Schedule VII of Environment Protection Rule, 3(B).

❖ **The Norms set up of discharging the functions are shown in below tabular form:**

<b>Sr. No.</b>	<b>Particulars of Activity</b>	<b>Particulars</b>
1.	Industry Classification	<b>Red / Orange / Green</b>
2.	Procedure for Consent to Establish (NOC)	<b>Consent To Establish</b>
3.	Format of Application for obtaining CTE (N.O.C.) of the Board	<b>NO OBJECTION CERTIFICATE</b>
4.	Procedure for Consent to Operate	<b>Consent To Operate</b>
5.	Checklist for CC & A Application	<b>Checklist</b>
6.	Application for consent of the Gujarat Pollution Control Board under section 25/26 of the Water (Prevention and Control of Pollution) Act, 1974 (Act No. 6 of 1974)	<b>Form - D</b>
7.	Application for consent establishing / operating the industrial plant/plants under section 21 of the Air (Prevention and Control of Pollution) Act, 1981	<b>Form I</b>
8.	Application for Authorization / Renewal of Authorization for Collection / Reception / Treatment / Transport / Storage/Disposal of hazardous wastes	<b>Form - 1</b>
9.	Format for Maintaining Records of Hazardous Wastes by the Occupier or Operator of Facility	<b>Form 3</b>
10.	Format for Filing Annual Returns by the Occupier or Operator of Facility	<b>Form 4</b>
11.	Form for filing Returns by Recyclers/Re-refiners of Non- Ferrous metal wastes/ Used oil/Waste oil	<b>Form 12</b>
12.	Form for filing returns of Auction/Sale of Non - Ferrous Metal Wastes/Used Oil/ Waste Oil	<b>Form 13</b>
13.	Environment Statement Form under EAct,1986	<b>Form V</b>

Sr. No.	Particulars of Activity	Particulars
14.	Application Form Under Rule 8 of the Bio Medical Waste (Regulation & Control) Rules, 2000	<b>Form - I Application for Authorization</b>
15.	BMW Annual Report	<b>Form - II</b>
16.	Application Form Under Rule 9 for Registration as manufacturer of plastic carry bags and multilayered plastics under Plastic Waste (Management & Handling) Rules, 2011	<b>Form - I</b>
17.	Application Form Under Rule 9 for Registration as recycler of plastic waste under Plastic Waste (Management & Handling) Rules, 2011	<b>Form - II</b>
18.	Water Cess Returns Form under section 3 of Water Cess Act'1977	<b>Water Cess Return Form</b>
19.	Procedure for Public Hearing	<b>PH Procedure</b>
20.	Environment Audit Scheme	<b>Environment Audit Applicability and Application form for auditors</b>
21.	Application form for obtaining Authorisation Under Municipal Waste Rule,2000	<b>Form 1</b>
22.	Format of Annual Report to be submitted by the Municipal Authority	<b>Form II</b>
23.	Form for Filing returns of Sale of new batteries and collection of used batteries (For manufacturer, importer, bulk consumer)	<b>Form I</b>
24.	Form for registration of dealers (To be submitted by dealers)	<b>Form IV</b>
25.	Form for filling Returns of sale of new batteries and collection of old batteries (To be submitted by dealers)	<b>Form V</b>
26.	Form for filing Returns by recyclers of used batteries (To be Submitted by Recyclers)	<b>Form VII</b>

<b>Sr. No.</b>	<b>Particulars of Activity</b>	<b>Particulars</b>
27.	Form for filing returns by bulk consumers of batteries (To be Submitted by bulk consumers)	<b>Form VIII</b>
28.	Form for filing returns by auctioneer of used batteries. (To be Submitted by Auctioneers)	<b>For IX</b>