

## **CITIZEN CHARTER**

### **JHARKHAND STATE POLLUTION CONTROL BOARD**

Jharkhand State Pollution Control Board was set up in the State of Jharkhand in the year 2001 with a view of effectively coordinate the activities taken up by the various agencies /departments of the State Government to control pollution and preservation of environment. The Board has taken necessary steps to maintain the ecological balance and keep environment free from pollution. The main objectives of Board is on enforcement of various environmental laws enacted by the Government of India with reference to Industries, Municipal Bodies, vehicles and preservation of environment in general. The Board also formulated certain schemes/activities for conservation and preservation of the environment.

This citizen's charter emphasises the Board's commitment to work for a cleaner and greener Jharkhand. 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 the JSPCB are immense. Through this charter we are attempting to identify some of the areas of interface between the JSPCB and its stakeholders and make commitments in terms of the time and the quality of services we render.

The Vision we have is

..... towards a cleaner and greener Jharkhand.

Our Mission

We are committed to a Pollution Free Environment for a 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 help achieve is:

Improved quality of life for everyone and a 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 are work for are:**

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

## Who We Are and What We Do

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

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 and 05 Regional Offices in the state. The Head Office besides policy making is Regional Offices. Regional Offices enable the Board to discharge its duties in close proximity to the stakeholders. The Board has established one Central Environmental Laboratory and 4 Environmental Laboratories for analysis of samples of Water, Wastewater, Air, Stack emissions etc. The Regional Offices are headed by an Regional 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 to control pollution ;
- Collection of cess from stakeholders as per the provisions of law;
- Defining and monitoring standards;
- Responding to pollution incidents;
- Awareness creation; and
- Advice to stakeholders.

Further details on the extent of the Board work can be found on the Board's website

["www.jspcb.nic.in"](http://www.jspcb.nic.in)

### Legislations enforced by the Board

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

- ☐ Water (Prevention & Control of Pollution) Act, 1974;
- ☐ Water (Prevention & Control of Pollution) Cess Act, 1977;
- ☐ Air (Prevention & Control of Pollution) Act, 1981;
- ☐ Environment (Protection) Act and Rules, 1986
- ☐ Hazardous and Other Waste ( Management and Transboundary Movement)) Rules, 2016;
- ☐ EIA Notification, 2006;

- ☒ Bio-medical Waste ,Rules, 2016;
- ☒ Noise Pollution (Regulation & Control) Rules, 2000;
- ☒ Solid Wastes Management, Rules, 2016;
- ☒ Batteries Management, Rules, 2016;
- ☒ e-Waste Management, Rules, 2016;
- ☒ Plastic Waste Management, Rules, 2016

Consents, authorizations and registrations

Any activity that results in discharge of effluents and emissions requires prior consent from the Board under the Water Act and Air Act. The three major steps involve entrepreneurs approaching us under the applicable Act. We consider their application issue consents/authorisations/registration with conditions. The entrepreneurs shall adhere to the conditions.

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/authorisations/registration and issue of consents/authorisation/ registration with conditions. Our conditions are binding, practicable and is activity specific.

We issue various conditional consents and authorizations to allow people to:

- Discharge effluents;
- Discharge emissions;
- Dispose hazardous waste;
- Dispose biomedical waste; and
- Dispose municipal waste.
- Dispose e-waste
- Registration for authorized recyclers of hazardous waste, e-waste and Plastic

recyclers

Further details of the procedure and applications for Consents/Authorisation are available in our website <http://jhkocmms.nic.in> and [www.jspcb.nic.in](http://www.jspcb.nic.in) . All the consent/authorisation can be applied through single window website [http:// www.advantage.jharkhand.gov.in](http://www.advantage.jharkhand.gov.in).

The Board has categorized industries into 3 categories on pollution potential

1. Red : High Pollution Potential units;
2. Orange : Moderate pollution potential units;
3. Green : Least polluting units.

There are 3 types of consents. Consent to establishment (CTE) has to be obtained prior to

establishment of an industry, operation or a process. Consent to operate (CTO) has to be obtained prior to commission of an industry and for continuation of discharge of emission and effluents. Consent for Expansion when an industry expands/modifies/ changes products or processes.

Procedure for obtaining consent to operate under Water Act, 1974 & Air Act, 1981 and authorization under Hazardous & Other Waste (M&TM) Rules, 2016. A. Procedure for Grant of Consent to Operate (CTO) for Red, Orange and Green Category units I. First Consent to Operate The new units after installation of their project, are required to obtain consent to operate under Water Act, 1974 and Air Act, 1981 before starting even trial production. No separate trial consent will be granted. Ist consent to operate will include trial consent. Such industrial units shall apply for consent to operate through Online Consent Management and Monitoring System (OCMMS) under the provisions of the Water (Prevention & Control of Pollution) Act, 1974, Air (Prevention & Control of Pollution) Act, 1981 respectively along with documents as per check list, compliance of conditions of CTE and Environmental Clearance (if applicable) and consent fees applicable In case the unit is covered under Hazardous & Other Waste (Management, Trans boundary & Movement) Rules, 2016, it shall simultaneously apply for the same. For hazardous waste application, fee is required to be deposited. Inspection of the industry will be carried out by the authorized officer/ officers of the Board before commissioning of the production in the unit and before giving the Ist CTO, after approval from the Competent Authority to check the status regarding installation of pollution control measures/ devices undertaken at the time of obtaining the CTE as well as their structural adequacy before deciding the cases of Ist CTO under Water Act, 1974 / Air Act, 1981 and also authorization under Hazardous Waste Management Rules (if applicable). Ist CTO will be for one year and after submission of effluent/ air emissions/ noise in case sampling is required. In case the analysis report of samples of Air/ effluent/ noise so collected are found complying the standards prescribed under EP Rules, 1986, the 2nd CTO will be granted for the period of CTO for which it has been applied based upon the category of the unit or as was demanded by the unit but in case of failure of sample The CTO so granted will be revoked/ cancelled after following the due procedure. Validity of period of consent to operate for different category of industries/projects under Water Act, 1974 and Air Act, 1981, will be as under:-

Industry/Project Category	Validity Period
Red Category	5 Years
Orange Category	10 Years
Green Category	15 Years

The authorization under Hazardous Waste Management Rules shall be granted for 5 years as provided in the Rules. The industries / projects shall be at liberty to apply for consent to operate for lesser period also. The units will be at liberty to deposit the full applicable fee for consent to operate for the whole period prescribed depending upon their category. However, the fees for consent to operate can be deposited by the industries as p Sr. Category Validity Inspection schedule

No	period of consent	Inspection
1	Red 05 years	Compliance Inspection will be carried out at the interval of 2 years
2	Orange 10 Years	CTO will be granted on the basis of self certification by the industry and Compliance Inspection will be carried out at the interval of 5 years
3	Orange low Risk	Orange High Risk
3	Green 15 Years	CTO will be granted on the basis of third party inspection by the industry and Compliance Inspection will be carried out at the interval of 3 years
3	Green 15 Years	CTO will be granted on the basis of self certification by the industry and Compliance Inspection will be carried once during the Consent period.

II. Renewal of Consent to Operate The CTO so granted will be renewed only if the unit submits the analysis reports of effluent, air emissions and noise as applicable, from any of the recognized laboratories showing the compliance of prescribed standards with self certification/affidavit for procuring raw material from the valid source and undertaking for compliance of the relevant provisions of Acts/Rules as applicable and adherence to the prescribed standards along with latest Mandatory Inspection report / analysis reports conducted by the team of officer of the Board as per provisions of Inspection policy of the Board. The industrial units / projects which are already in operation shall submit the consent application only through Online Consent Management System for

renewal of consent under Water Act, 1974/ Air Act, 1981 and authorization under the Hazardous & Other Waste (Management & Trans boundary Movement) Rules, 2016, for the prescribed period depending upon the category of the units / projects along with the documents as per Check List and prescribed consent fees, before 90 days of the expiry of the period of consent/authorization so that the consent/authorization case can be decided before the expiry date of the consent / authorization as per following procedure:-

1. The industry/project proponent intending for renewal of the CTO, shall apply through OCMMS 90 days before expiry of the period of previous CTO granted by the Board under Water Act, 1974 and Air Act, 1981 only on line on prescribed Performa self certification and undertaking on compliance of conditions of previous consent to operate granted to the unit along with the requisite consent fees and documents as per Check List. In case the unit is covered under Hazardous Waste Management Rules then such unit will also apply for authorization under these rules simultaneously. This application shall be submitted by the authorized official of the industry/project, duly authorized by 4. The CTO will be renewed only for those units which are complying the standards for discharge of pollutants prescribed under EP Rule, 1986.
5. The validity of renewal of CTO will be 05 years in case of Red category and 10 years for Orange category (low and high Risk) of units/ projects except for the units engaged for reprocessing/ recycling/ dismantling Hazardous Waste/ E-Waste/ Plastic Waste and registered with the Board under the relevant Rules for their said activity. For such units the validity of CTO will be valid up to the expiry date of such registration/ authorization or prescribed validity period of renewal of CTO depending upon category of the unit whichever is earlier. The validity of renewal of authorization under Hazardous Waste Management and Handling Rules will be 5 years.
6. Renewal of CTO will not prevent the Board from taking appropriate action against the defaulting units including revoking the CTO, which will fail to comply with any of the conditions of the CTO or any relevant provisions of the Water Act, 1974 and Air Act, 1981. However, unit shall not operate without valid consent to operate under Water Act, 1974/ Act, 1981 and authorization under the Hazardous Waste Management Rules from the Board. If the industrial units / projects fails to apply before 90 days of the expiry of previous consent and applies 60 days before the expiry of previous consent, the Board will take penal action under the provisions of Water Act, 1974/ Air Act, 1981 against such units for not having the valid consent to operate. In, case the unit apply for renewal of CTO-after the date of expiry of consent period or after taking the penal action as prescribed above then such applications will be entertained only if unit submits normal consent fees for subsequent years.

III. Analysis Report In case the unit wants to get their samples of effluent/air emissions/noise, analyzed from Board's laboratories for the purpose of renewal of consent to operate, the inspection will be carried out for the purpose of this sampling by the officer of the Board permitted by Competent Authority. In case the industry is found to create conditions that generate any type of pollution in excess of the standards or if there is any objection/ complaint from the surrounding community & if on verification, it is found that such objection has some substance even after grant of CTE/CTO by the Board, the Board shall be at liberty to revoke/withdraw the CTE/CTO already issued & take legal action under the provisions of the Water (Prevention & Control of Pollution) Act 1974, the Air (Prevention & Control of Pollution) Act 1981 and the Environment (protection) Act, 1986 as considered appropriate.

B. Green Category The industrial units / projects failing under Green Category and other units not covered under Red & Orange category of units has have to provide pollution control devices depending upon their process and activities These industrial units/projects shall be governed by self regulatory regime and would not be permitted to pollute the environment.

C. White Category The industrial units / projects failing under Green Category and other units not covered under Red & Orange category of units has been exempted from Consent Management and need not apply for Consent to Operate to the Board. No document will be submitted manually by the industries in the Board's offices for obtaining the CTO under Water Act, 1974 and Air Act, 1981 and for Authorization

under Hazardous Waste Management Rules, and all the required documents as per checklist will be uploaded only on the OCMMS while submitting applications through online system.

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**

We solicit the co-operation of Industry Associations in self compliance to pollution control laws and for this assistance, the KSPCB will give an incentive to the industrial association for an amount equal to 10% of the consent fee if at least 95% of the industries registered with the association obtain consent from the Board. In addition we also encourage industries to adopt ISO 14001 standards for which the Board will give an amount of Rs. 35,000/- as an incentive to Red category Small and Medium scale units adopting ISO 14001 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 and licence-holders, 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 to 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';
- 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 and lakes at 54 locations, ambient air quality at 13 locations in the State in addition to 8CAAQM stations in State.

The air quality data is being displayed on our website .

### **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 advise regarding procedural issues. If you need advise 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.

### **What we are not responsible for**

We do not cover all areas of environment and services to the public. Below are v 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 and forest,

Government of India Department of Environment and Ecology, Government of Jharkhand Flooding from drains, sewers, streams or ditches Litter (except when related to illegal waste dumping, although local body may still have the main responsibility) Dog nuisance Pest control Road construction/maintenance Collecting waste Environmental health and food hygiene

Local Body

Vehicular Pollution Department of Transport

Contaminated land Sometimes we will have the lead role.

We will guide to concerned agencies/organisations on a case to case basis Quality or supply of drinking water Local body 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

### **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 6.00 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**

Our Service Our Standard

Responding to general enquiries and requests for information

An immediate response wherever possible.

A written response immediately after receiving your complaint.

### **When to complain**

If we fail to meet our standards, please let us know. We serve you within the legal framework and limited staff. Hence your feedback is very valuable to us to correct ourselves and serve you better.

### **How to complain**

If you are not happy with our service, this is how you can make a complaint.

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 ten working days.
3. If we cannot deal with the matter within 15 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. You could also send information through E-mail at [ranchijspcb@gmail.com](mailto:ranchijspcb@gmail.com)

#### Helpdesk

To facilitate the stakeholders, approaching JSPCB for various consents, authorizations and JSPCB is going to establish a HELP DESK very soon.

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:

#### Type of action/Act Appellate authority

- Refusal of consent under Water Act & Air Act
- Closure order under Air Act.