



Rajasthan State Pollution Control Board

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

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

Toll Free Help Line No. : 18001806127 Ext. 7

No. F.14 (5-Adm)RSPCB/3018 - 3024

Date: 21/1/24

ORDER

As per the provisions of Water (Prevention & Control of Pollution) Act, 1974 and/or Air (Prevention & Control of Pollution) Act, 1981 valid consent to operate/ acknowledgement is statutory requirement for operation of units covered under Red, Orange and Green category. Accordingly, no unit of Red/Orange/Green category can operate legally without obtaining valid consent/acknowledgement from Rajasthan State Pollution Control Board (RSPCB).

However, it has been observed that many units in the State are being operated without valid consent of the State Board. Such units may be in any of the following categories:

- Unit did not get the consent renewed timely.
- Unit never applied for consent.

As per prevailing practices in the State Board, consent renewal applications by defaulter units received after expiry of consent to operate is accompanied with additional consent fee i.e. 50% of prescribed fee, if the application is made within 30 days of expiry period and 100% if the application is made after 30 days of expiry of earlier consent.

The "Back Period" mentioned in Board's order dated 12.01.2017 has not been clearly defined. It is therefore defined as below:

- The period between expiry of consent to operate and date of submission of application for renewal.
- The period between date of commencement of unit and submission of application for consent to operate in fresh cases.

Further, Back Period fee on pro-rata basis for Back Period of a year or part thereof is also being charged from such units in addition to the additional consent fee (50% and 100% whichever is applicable). However, consent to operate is not being considered for the gap period and consequently, unit does not get consent for the gap period despite of deposit Back Period fee.

In order to streamline the procedure of charging Back Period fees, the matter has been reviewed and it has been decided that in supersession to previous order no. F12 (PSC-6)/RPCB/2892-2924 dated 12.01.2017 following procedure shall be followed while processing consent applications:-

- The additional consent fee shall be charged on pro-rata basis for Back Period of a year or part thereof. Fee amount per year or part thereof shall be calculated

RajKaj Ref
5267578



Digitally signed by N.Vjai
Designation: Member Secretary
Date: 2024.01.02 18:09:19 IST
Reason: Approved



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- commensurate to the applicable fee as per notification i.e. 20% (Red) or 10% (Orange) or 6.67% (Green) of the total consent fee as the case may be.
- b. The grant of Consent to Operate shall be considered for five (Red), ten (Orange) and fifteen (Green) years from date of submission of application and following specific condition shall be incorporated in the renewal letter of Consent to Operate:-
“This Consent to Operate shall also be considered for the period from.....to.....”
 - c. The grant of Consent to Operate shall be accorded to the units from date of submission of applications which have never applied for consent to operate at the State Board. The Back Period fee shall be charged from date of commissioning in such cases after proper verification of the authenticity regarding date of commissioning mentioned by the Project Proponent.
 - d. No Environmental Compensation would be levied for the Back Period for which Consent to Operate has been regularised.
 - e. The Back Period fee would not be charged for the period where the unit has not been in operation for a minimum period of one year or more subject to submission of adequate supporting documentary evidence by the Project Proponent.
 - f. No Back Period fee shall be charged in one time acknowledgment cases under the Green category.
 - g. The Back Period fee shall not be charged for violation period in case of closure directions.

It is further clarified that this dispensation would also be applicable in cases where demand of Environmental Compensation raised on account of “Back Period” is yet to be deposited.

(Vijai N.)

Member Secretary

Copy to following for information/ necessary action:-

1. PS to Chairperson, RSPCB, Jaipur.
2. PS to Member Secretary, RSPCB, Jaipur.
3. CEE/CAO/CSO, RSPCB, Jaipur.
4. All Group In-charges, RSPCB, Jaipur.
5. GIC(IT), RSPCB, Jaipur- with directions to upload on Board's website.
6. All Regional Officers, Regional Office, RSPCB.
7. Master file.

Signature Not-Verified

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