

Water (Prevention And Control Of Pollution) (Consent) Madhya Pradesh Rules, 1975

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Water (Prevention And Control Of Pollution) (Consent) Madhya Pradesh Rules, 1975

No. 3881-xxxiii- 75.- In exercise of the powers conferred by section 64 of the Water(Prevention and Control of Pollution) Act. 1974 (No.6 of 1974), the State Government, after consultation with the State Board for the Prevention and Control of Water Pollution, hereby makes the following rules, namely:-

1. Short Title And Commencement :-

- (i) These rules may be called the Water (Prevention and Control of Pollution) (Consent) Madhya Pradesh Rules, 1975.
- (ii) They shall come into force with effect from the date of their publication in the "Madhya Pradesh Gazette".

2. Definitions :-

In these rules, unless the context otherwise require,-

- (a) "Act" means the Water(Prevention and Control of Pollution) Act, 1974 (No.6 of 1974);
- (b) "Board" means the Madhya Pradesh State Prevention and Control of Water Pollution Board, constituted under sub section(1) of section 4;
- (c) "Section" means the section of the Act;
- (d) "Chairman" means the Chairman of the Board;
- (e) "Member-Secretary" means the Member-Secretary of the

Board;

(f) "Member" means member of the Board nominated by the Government;

(g) "Consent" means the sanction of the authority of the Board for the discharge of the effluent;

(h) "Consent Fees" means the fees charged by the Board for the grant of Consent by the Board;

(i) "Investment" means the amount of capital invested by the industry on capital works including land, machinery and equipment;

(j) "Consent renewal fees" means the Consent renewal fees required to be paid annually to the Board for the discharge of sewage or trade effluent in to a stream or well.

3. Procedures :-

Any person who is discharging sewage or trade effluent in to stream or well or sewer or on land shall apply in the form appended to these rules to the Member Secretary, Madhya Pradesh Pollution Control Board.

4. Prevention And Control By The Board :-

(i) In the case of the existing industries the person/ persons will make the application giving all particulars of his premises producing the effluent. The Act envisages such an application within 3 months of the constitution of the Board. This time limit may be extended by the Board from time to time according to exigencies.

(ii) In the case of improvements to the existing facilities the person/persons shall make an application for the consent of the Board which will be deemed as a new application.

(iii) In the case of new discharges the person/persons shall submit the application giving the details of the manufacturing processes etc, indicated in the Consent forms along with appliances and designs of Waste Treatment facilities that are to be provided.

(iv) The application forms may be obtained from the office of the Madhya Pradesh State Prevention and Control of Water Pollution Board, Bhopal, on payment of Rs.5 as application form fee.

(v) The application form should be duly accompanied by the prescribed consent fee as per following schedule:

1. These rules were first published in the Madhya Pradesh Rajpatra dt 29th August, 1975.

2. As ammended vide notification No. F-121-32-90 Ot. 27.12.97

3. Substituted vide notification No. F- 116/32/dt. 31.5.91

SCHEDULE 1

SCHEDULE 1

Industries having an investment of - Rs.

- (1) More than 200 Crores 1,50,000.00
- (2) More than 100 Crores but less than 200 Crores 1,00,000.00
- (3) More than 50 Crores but less than 100 Crores 75,000.00
- (4) More than 10 Crores but less than 50 Crores 60,000.00
- (5) More than 3 Crores but less than 10 Crores 40,000.00
- (6) More than 50 Lakhs but less than 3 Crores 1,000.00
- (7) Less than 50 Lakhs 1,000.00

The above consent fee includes the Consent renewal Fee.1 for the first year." If any applicant under any circumstances desires the refund of consent fee before the industry is established, then only, the Consent renewal fee shall be refundable.

(vi) On receipt of the application form by the Board, the Board will have a right to examine the proposed site or existing site and ask for any such details which may not have been elaborated in the application form.

(vii) The date on which complete information connected with application form has been received by the Board shall be the date of receipt of application form for calculating the period of 4 months for the purpose of sub section (7) of section 25.

(viii) On examination by the Board the consent will be granted to the applicant with or without conditions in the form set out in the schedule appended to these rules.

(ix) The applicant shall conform to the consent given by the Board and abide by instructions that are given in the Consent. .

(x) The applicant shall submit periodical information and other reports if so desired in the Consent of the Board.

(xi) Where Consent is given subject to the condition of providing measures by the applicant for treating the effluent conform to the standard, the applicant shall complete such requirements within the stipulated time.

5. Annual Renewal :-

(1) The Board will have a right to revise its decision regarding the Consent.

(2) The Board may alter, modify or include any particular conditions in the Consent which has to be implemented by the applicant.

(3) In order to maintain a clean condition of the natural streams. the Board will have a right to inspect any premises and collect samples.

(4) The Board may also make surprise checks of premises and the applicant shall render all assistance desired for such officers authorised by the Board in the performance of the inspections.

(5) The applicant shall pay an annual consent renewal fees to the Board as per following schedule:

"A. Industries having an investment of- Rs.

- (1) More than 200 Crores 50,000.00
- (2) More than 100 Crores but less than 200 Crores 40,000.00
- (3) More than 50 Crores but less than 100 Crores 30,000.00
- (4) More than 10 Crores but less than 50, Crores 20,000.00

(5) More than 3 Crores but less than 10 Crores 15,000.00

(6) More than 50 Lakhs but less than 3 Crores 3,500.00

(7) Less than 50 Lakhs 500.00

Provided that the consent application and consent renewal application received prior to the publication of this notification, shall not be liable for the excess payment of difference of fees owing to pendency of application. B- Annual consent renewal fee and consent fee chargeable from local Bodies extracting water from natural resources and discharging effluents into streams shall be as under :

(a) Municipal Corporation Rs. 3,000

(b) Class AA Municipalities Rs. 2,000

(c) Class A Municipalities Rs. 1,000

(d) Class B Municipalities Rs. 500

(e) Class C Municipalities Rs. 250

(f) Minimum fee Rs. 250

6. Inspection :-

With a view to keeping a constant check on the quality of effluents discharged into the natural streams the Board would keep continuous monitoring of samples at fixed points in the streams. They may also make such surprise check and inspections and the applicant shall render all assistance for such inspections.

7. Emergencies. - In case of emergencies when the water quality of the stream suddenly deteriorates the applicant shall co-operate with the Board and if necessary close down certain operations to prevent undue pollution in the streams as a temporary measure.

1. As substituted vide Notification No F-5-121132/90 dated 27/12/97

2. As inserted vide Notification No. 13-117/32/90 dated 4-4-91