

**THE KARNATAKA STATE BOARD FOR THE PREVENTION AND
CONTROL OF WATER POLLUTION (PROCEDURE FOR TRANSACTION
OF BUSINESS AND THE WATER (PREVENTION AND CONTROL OF
POLLUTION) RULES, 1976**

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¹THE KARNATAKA STATE BOARD FOR THE PREVENTION AND CONTROL OF WATER POLLUTION (PROCEDURE FOR TRANSACTION OF BUSINESS) AND THE WATER (PREVENTION AND CONTROL OF POLLUTION) RULES, 1976

(As amended by GSR 134, dated 28-4-1976; 5.0. 2352, dated 11-11-1976; GSR 68, dated 17-2-1977; GSR 307, dated 4-10-1977; GSR 124, dated 24-5- 1983; GSR 87, dated 19-3-1986; GSR 9, dated 31-12-1991; GSR 161, dated 3-8-1993; GSR 257, dated 29-11-1993; GSR 87, dated 7-7-1995 and **GSR 34, dated 20-11-1996.**)

GSR 74.— In exercise of the powers conferred by Section 64 of the Water (Prevention and Control of Pollution) Act, 1974, (Central Act 6 of 1974), the Governor of Karnataka hereby makes the following rules namely.-

CHAPTER I

Preliminary

1. Short title and commencement.-(1) These rules may be called the **Karnataka State Board for the prevention and Control of Water Pollution (Procedure for Transaction of Business) and the Water (Prevention and Control of Pollution) Rules, 1976.**

(2) They shall come into force at once.

2. Definitions.— In these rules, unless the context otherwise requires.-

- (a) **"Act"** means of Water (Prevention and Control of Pollution) Act, 1974 (Central Act 6 of 1974);
- (b) **"Government"** means the Government of the State of Karnataka;
- (c) **"Chairman"** means the Chairman of the State Board;
- (d) **"Member"** means the Member of the State Board and includes the Chairman thereof;
- (e) **"Member-Secretary"** means the Member-Secretary of State Board; .
- (f) **"Meeting"** means Meeting of the State Board; (g) **"Section"** means a Section of the Act;
- (g) **"Section"** means a Section of the Act;
- (h) **"State"** means the State of Karnataka;

¹ Published in the Karnataka Gazette, Extraordinary, dated 5-3-1976, *vide* Notification No. HMA 140 CGE 75, dated 23-2-1976

- (i) **"Government Servant"** means a person in the Employment of Government;
- (j) **"Committee"** means the Committee appointed under Section 9 of the Act;
- (j) **"State Board"** means Karnataka State Board of Prevention and Control of Water Pollution;
- (k) **"State Board Laboratory"** means a Laboratory establishment or recognised as such under sub-section (2) of Section 17;
- (l) **"State Water Laboratory"** means a Laboratory established or specified as such under sub-section (1) of Section 52;
- (m) **"Form"** means a form set out in Schedule I;
- (n) **"Schedule"** means a schedule appended to these rules;
- (o) **"Year"** means the financial year commencing on the first day of April.

3. Notice of Meetings.— (1) Meetings of the State Board shall ordinarily be held at Bangalore on such dates as may be fixed by the Chairman.

(2) The Chairman shall upon the request of not less than 6 members of the State Board or upon a direction of the State Government call a special meeting of the State Board;

(3) Seven clear days notice of an ordinary meeting and three clear days' notice of a Special Meeting specifying the time and the place at which such Meeting is to be held and the business to be transacted thereat shall be given by the Member-Secretary to the members;

(4) Notice of a Meeting may be given to the Members by delivering the same by messenger or sending it by registered post to his last known place of residence or business or in such other manner as the Chairman may in the circumstances of the case, thinks fit.

(5) No member shall be entitled to bring forward for the consideration of the Meeting any matter of which he has not given five clear days' notice to the Member-Secretary unless the Chairman in his discretion permits him to do so.

(6) The State Board may adjourn from day to day or any particular day, and no fresh notice shall be required for any adjourned meeting.

(7) No proceeding shall be invalidated merely on the ground that the provision of this rule relating to the notice is not strictly complied with.

4. Presiding Officer.— Every meeting shall be presided over by the Chairman or in his absence; by a Chairman for the meeting to be elected by Members present from among themselves.

5. All questions to be Decided by a Majority.— (i) All questions at a meeting shall be

decided by a majority of votes of members present, and voting shall be by raising hands in favour of the proposal;

(ii) In case of an equality of votes, the Presiding Officer shall have a second or casting vote;

6. Quorum.— (1) ¹[Five] members shall form the quorum for any meeting.

(2) If at any time fixed for any meeting or during the course of any meeting a quorum is not present, the Presiding Officer shall adjourn the meeting and if a quorum is not present on the expiration of fifteen minutes from such adjournment the presiding officer shall adjourn the meeting to such hours on the following or on some other future date as he may fix.

(3) No quorum shall be necessary to the adjourned meeting;

(4) No matter which had not been on the Agenda of the original meeting shall be discussed at such adjourned meeting.

(5) No fresh notice shall be required for the adjourned meeting.

7. Disposal of Business by circulation.— Any proposal on which the decision of the State Board is urgently required may be circulated to the members and if approved by not less than two-thirds of the total number of members of the State Board, may be deemed to have been passed as a resolution at a meeting of the State Board duly convened. Such decision shall be placed before the next meeting of the State Board for information.

8. Minutes.— (1) Record shall be kept of the names of members who attend the meeting and of the proceedings at the meeting in a book to be maintained for that purpose by the Member-Secretary.

(2) The minutes of the previous meeting shall be read at the beginning of the every succeeding meeting and shall be confirmed and signed by the presiding officer at such meeting.

(3) The proceedings shall be open to inspection by any Member at the office of the State Board during office hours.

(4) Powers of the Presiding Authority to correct errors or make alterations in the minutes. The Presiding Authority shall have the powers to correct any obvious errors and to make drafting alterations in the minutes of the meeting provided that such corrections or alterations do not change the sense of the decision taken at the meeting.

9. Maintaining Order at Meeting.— The Presiding Officer shall preserve order at a meeting.

10. Business to be Transacted at Meeting.— Except with the permission of the Presiding Officer, no business which is not entered in the Agenda or of which notice has not been given by a member under sub-rule (5) of Rule 3 shall be transacted at any

¹ Substituted for the word "Six" by GSR 87, dated 19-3-1986, w.e.f 24-3-1986

Meeting.

11. Order of Business.— (1) At any meeting business shall be transacted in the order in which it is entered in the Agenda.

(2) Either at the beginning of the meeting or after the conclusion of the debate on a motion during the meeting the Presiding Officer or a member may suggest a change in the order of business as entered in the Agenda and if the Meeting agrees, such a change shall take place.

12. Procedure for Transaction of Business of Committees constituted by the Board.— (1) The time and place of the Meetings of Committees constituted by the State Board under sub-section (1) of Section 9 shall be specified by the Chairman.

(2) The quorum for a Meeting of a Committee constituted under sub-section (1) of Section 9 shall be one half of the total members of the Committee.

(3) Subject to sub-rule (1) and sub-rule (2) the meetings of any of the Committees constituted under sub-section (1) of Section 9 shall as far as may be governed by the rules applicable to the meetings of the State Board.

13. Creation of Posts, Salaries and Allowances of Members of the State Board.—¹[(1) The State Board may create such number of posts as may be necessary for efficient discharge of functions under the Act.]

(2) The salaries, allowances and other conditions of service of the Chairman (whether he is an official or a non-official) and the Member-Secretary shall be as fixed by Government.

²[(3) The members of the State Board shall be paid sitting fees at Rs. 150/- per day, whether they are residing in Bangalore or not.]

³[**14. Terms and Conditions of Service of Members of the State Board.**— The Members of the various committees constituted by Board (excluding Board Officials) shall be paid a sitting fee of Rs. 110-00 per day for each day of meeting regardless of whether they are residing in Bangalore or not.]

⁴[**14- A. Travelling Allowance to the non-official members of the State Board and Committees of the Board.**— The non-official members of the State Board and of the Committee constituted by the Board shall be entitled to travelling allowance for attending the meetings of the Board or Committees of the Board as the case may be, in accordance with the List of Annexure 'A' to the New Travelling Allowance Rules, 1957 regulating the payment of Travelling Allowance to the non-official members of committee *etc.*, constituted under the authority of Government.]

¹ Sub-rule (1) substituted by GSR 87, dated 19-3-1986, w.e.J. 24-3-1986

² Sub-rule (3) substituted by GSR 161, dated 3-8-1993, w.e.J. 19-8-1993

³ Rule 14 substituted by GSR 87, dated 7-7-1995, w.e.f. 20-7-1995

⁴ Rule 14-A inserted by GSR 68, dated 17-2-1977, w.e.f. 24-2-1977

CHAPTER II

Powers and Duties of the Chairman and Member Secretary and Appointment of Officers and Employees

¹[**15. Powers and duties of the Chairman.**— The Chairman shall have following powers and duties, namely.—

- (a) the administrative control over the staff of the State Board;
- (b) to conduct day-to-day business of the State Board;
- (c) to exercise powers and functions as may be delegated by the State Board;
- (d) to give administrative sanction to estimates included in the budget of the State Board;
- (e) to accept tenders upto a sum of rupees twenty-five thousand in each case;
- ²(f) to make appointments to posts as per the power vested in him under the Cadre and Recruitment and conditions of Service Regulations of the Board;]
- ³(g) to exercise powers in matters of promotions as per power vested in him under the Cadre Recruitment and Conditions of Service Regulations of the Board and full powers in matters of transfer and other conditions of service of State Board Staff; and]
- (h) the Chairman may tour within or outside State to carry out the purposes of the Act:

Provided that no tour outside India shall be undertaken without the approval of the State Government.]

16. Powers and duties of the Member-Secretary.— The Member-Secretary shall be subordinate to the Chairman and shall subject to the control of the Chairman exercise the subject to following powers namely.—

- (1) The Member-Secretary shall be in charge of all the confidential papers of the State Board and shall be responsible for preserving them.
- (2) The Member-Secretary shall produce such papers whenever so directed by the Chairman or by the State Board.
- (3) The Member-Secretary shall make available to any member of the State Board for his perusal, any record of the State Board.
- (4) The Member-Secretary shall be entitled to call for the services of any officer or

¹ Rule 15 substituted by GSR 87, dated 19-3-1986, w.e.J. 24-3-1986

² Clause (D substituted by GSR 161, dated 3-8-1993, w.e.f. 19-8-1993

³ Clause (g) substituted by GSR 161, dated 3-8-1993, w.e.J. 19-8-1993

employee of the State Board and files, papers and documents for study from any Department of the State Board as also to carry out inspection of any Department at any time including checking of accounts, vouchers, bills and other records and stores pertaining to the State Board or regional offices thereunder.

(5) The Member-Secretary shall make all arrangements for holding meeting of the State Board and meetings of the Committees constituted by the State Board.

(6) All orders or Instructions to be issued by the State Board shall be . over the signature of the Member-Secretary or of any other officer authorised in this behalf by the Chairman.

¹[(7) The Member-Secretary subject to the approval of the Chairman, may undertake tours within or outside the State.]

(8) The Member-Secretary shall write and maintain confidential reports of Class II and Class III officials of the State Board and shall get them counter-signed by the Chairman.

(9) The Member-Secretary shall exercise such other powers and perform such other functions as may be delegated to him from time to time either by the State Board or by the Chairman.

²[(10) The Member-Secretary shall have powers to give technical sanction to the estimates approved by the State Board.]

17. Leave.— (1) The power to grant leave to the Chairman or the Member-Secretary shall vest with the State Government.

(2) The Member-Secretary shall be entitled to such leave as is permissible to Class I Officer of the Government:

Provided that the Chairman shall be the authority to grant casual leave to the Member-Secretary.

CHAPTER III

Temporary Association of Persons with State Board

18. Manner and purpose of Association of persons with State Board.— (1) The State Board may invite any person, whose assistance or advice it considers useful to obtain in performing any of its functions, to participate in the deliberations of any of its meetings.

(2) Such person associated with the Board under sub-rule, he shall be entitled to get an allowance of rupees fifty per day for each day of actual meeting of the State Board with which he is so associated regardless of the place of his residence.

¹ Sub-rule (7) substituted by GSR 87, dated 19-3-1986, w.e.J. 24-3-1986

² Sub-rule (10) inserted by GSR 87, dated 19-3-1986, w.e.f. 24-3-1986

CHAPTER IV
Budget of the State Board

19. Form of budget estimates.— (1) The Budget in respect of the year next ensuing showing the estimated receipts and expenditure of the State Board shall be prepared in Forms I, 11, III and IV and submitted to the State Government.

(2) The estimated receipts and expenditure shall be accompanied by the revised budget estimates for the current year.

(3) The budget shall, as far as may be, based on the account heads specified in Schedule H.

20. Submission of budget estimates to the State Board.— (1) The budget estimates as compiled in accordance with Rule 19 shall be placed by the Member-Secretary before the State Board by the 5th October each year for approval.

(2) After approval of the Budget estimates by the State Board, two copies of the final budget proposals incorporating therein such modifications as have been decided upon by the State Board shall be submitted to the State Government by the 15th October each year.

21. Estimates of Establishment expenditure and fixed recurring charges.— (1) The estimates of expenditure on fixed establishment as well as fixed monthly recurring charges on account of rent, allowances, *etc.*, shall provide for the gross sanctioned pay without deductions of any kind.

(2) To the estimates referred to in sub-rule (1) shall be added a suitable provision for leave salary based on past experience with due regard to the intention of the members of the staff in regard to leave as far as the same can be ascertained.

(3) If experience indicates that the total estimate for fixed charges referred to in sub-rule (1) and (2) is not likely to be fully utilised, a suitable lump deduction shall be made from the total amount estimated.

22. Re-appropriations and emergent expenditure.— No expenditure which is not covered by a provision in the sanctioned budget estimates, or which is likely to be in excess over the amount provided under any head, shall be incurred by the State Board without provision being made by re- appropriation from some other head under which saving are firmly established and available.

¹[**23. Power to incur expenditure.**— x x x x x.]

24. Operation of Fund of the State Board.— The fund of the State Board shall be operated by the Member-Secretary of the State Board or in his absence by any officer of the State Board who may, subject to the approval of the State Government, be so empowered by the State Board.

25. Saving.— Nothing in this chapter shall apply to a budget already finalised before

¹ Rule 23 omitted by GSR 87, dated 19-3-1986, w.e.f. 24-3-1986

the commencement of these rules.

CHAPTER V

Annual Report of the State Board

26. Form of annual report.— The annual report in respect of the year last ended giving a true and full account of the activities of the State Board during the previous financial year shall contain the particulars specified in the Schedule ID and shall be submitted to the State Government by the 15th of May each year.

CHAPTER VI

Account of the State Board

27. Form of annual statement of accounts of the State Board.— The annual statement of accounts of the State Board shall in Forms V to IX.

CHAPTER VII

Report of State Board Analyst

28. Form of report of State Board Analyst.— When a sample of any water, sewage or trade effluent has been sent for analysis to a laboratory established or recognised by the State Board, the State Board analyst appointed under sub-section (3) of Section 53 shall analyse the sample and submit to the State Board a report in triplicate in Form X of the result of such analysis.

¹**[28-A. Qualifications of Government Analyst and Board Analyst.**— (1) The Government Analyst appointed under sub-section (2) of Section 53 shall be a person who.—

- (a) is an M.Sc. in Chemistry or has an equivalent degree of a recognised University; or
- (b) possesses the qualification of Associate of Institution of Chemists (India) Examination in the Section of Analysts of Water and Sewage; and
- (c) has practical experience of two years in a Laboratory recognised by the Government for the analysis of sewage and industrial effluent.

The Board Analyst appointed under sub-section (3) of Section 53 shall be a person who.—

- (a) is a Graduate of an University recognised by the State Government for the purpose of this rule in Science in any branch including Chemistry or

¹ Rule 28-A inserted by GSR 134, dated 28-4-1976, w.e.f. 6-5-1976

Bio-chemistry, Industrial Chemistry or Medicine; and

- (b) has practical experience of not less than two years in a laboratory which in the opinion of the Government is a reputed laboratory.]

CHAPTER VIII

State Water Laboratory

29. Functions of the State Water Laboratory.— The State Water Laboratory shall cause to be analysed and samples of water, sewage or trade effluent received by it from any officer authorised by the State Board for the purpose, and the findings shall be recorded in triplicate in Form XI.

¹[**30. Fees for Laboratory's report.**— The following rates of fees shall be payable in respect of the laboratory's report, namely.—

- | | | |
|------|---|----------|
| (i) | for each sample of water or sewage or trade effluent submitted for chemical analysis or tests | Rs. 100 |
| (ii) | for each sample of water or sewage or trade effluent submitted for bacteriological analysis". | Rs. 30.] |

CHAPTER IX

Powers and Functions of the State Board to collect Samples

²[**31.** Any Officer of the State Board duly empowered by the State Board shall have power to take samples of water from any stream, well, sewer or land, the samples of sewage or trade effluent passing from any plant, vessel or land. Such samples shall be preserved as per the I.S.I. specification.]

³[**32.** ⁴[**Application for consent.**— (1) An application for obtaining the consent of the Board, for establishing or taking any steps to establish any industry, operation or process or any treatment and disposal system or any extension or addition thereto, which is likely to discharge sewage or trade effluent into a stream or well or sewer or on land (such discharge being hereinafter in this rule referred to as discharge of sewage); or for bringing into use any new or altered outlet for the discharge of sewerage, or begin to make any new discharge of sewerage under Section 25 or for continuing an existing discharge of sewage under Section 26 shall be made to the State Board in Form XIII.]

(2) Such application shall be accompanied by fees as prescribed in the Tables below.—

¹ Rule 30 substituted by GSR 307, dated 4-10-1977, w.e.f. 13-10-1977

² Rule 31 substituted by GSR 87, dated 19-3-1986, w.e.f. 24-3-1986

³ Rule 32 substituted by GSR 124, dated 24-5-1983, w.e.f. 26-5-1983

⁴ Heading and sub-rule (1) substituted by GSR 257, dated 29-11-1993, w.e.f. 23-12-1993

¹[TABLE

| SI. No. | Capital investment by Industries | Consent fee in rupees for different categories of industries | | |
|---------|--|--|-----------------|----------------|
| | | Category Red | Category Orange | Category Green |
| (1) | (2) | (3) | (4) | (5) |
| (a) | Exceeding Rs. 1000 crores | 2,00,000 | 1,75,000 | 1,50,000 |
| (b) | Exceeding rupees 500 crores but not exceeding rupees 1000 crores | 1,50,000 | 1,25,000 | 1,00,000 |
| (c) | Exceeding rupees 250 crores but not exceeding rupees 500 crores | 1,00,000 | 90,000 | 75,000 |
| (d) | exceeding rupees 250 crores | 75,000 | 60,000 | 50,000 |
| (e) | exceeding rupees 50 crores | 50,000 | 40,000 | 30,000 |
| (f) | exceeding rupees 25 crores | 30,000 | 25,000 | 20,000 |
| (g) | Exceeding rupees 5 crores but not exceeding rupees 10 crores | 20,000 | 17,500 | 15,000 |
| (h) | Exceeding rupees 1 crore but not exceeding rupees 5 crores | 15,000 | 12,500 | 10,000 |
| (i) | Exceeding rupees 50 lakhs but not exceeding rupees 1 crore | 6,000 | 5,000 | 4,000 |
| (j) | Exceeding rupees 25 lakhs but not exceeding rupees 50 lakhs | 3,000 | 2,500 | 2,000 |
| (k) | Exceeding rupees 10 lakhs but not exceeding rupees 25 lakhs | 2,000 | 1,750 | 1,500 |
| (l) | Exceeding rupees 5 lakhs but not exceeding rupees 10 lakhs | 1,500 | 1,250 | 1,000 |
| (m) | Exceeding rupees 1 lakh but not exceeding rupees 5 lakhs | 500 | 250 | 200 |
| (n) | rupees one lakh and below | 200 | 150 | 100 |

Categories of industries into "Red", "Orange", "Green" is as per Government of India, Ministry of Environment and Forest, Official Memorandum No. J20011/15/88-IA, dated 27-9-1988 read with amendment issued time to time.]

(3) Any application not accompanied by the prescribed fees shall not be entertained by the Board.

(4) "The fees shall be paid by Bank Draft in favour of the Karnataka State Pollution

¹ Table 1 substituted by Notification No. FEE 115 ENV 95(P), dated 19-2-1998, w.e.f. 20-4-1998

Control Board, Bangalore, encashable at Bangalore.]

33. Procedure for making inquiry into application for consent.— (1) On receipt of an application for consent under Section 25 or Section 26, the State Board may depute any of its officers accompanied by as many assistants as may be necessary, to visit the premises of the applicant, to which such application relates, for the purpose of verifying the correctness or otherwise of the particulars furnished in the application or of obtaining such further particulars or information as such officer may, consider necessary. Such officer may, for that purpose, inspect any place where water or sewage or trade effluent is discharged by the applicant, or treatment plants, purification works or disposal systems of the applicant and may require the applicant to furnish to him any plans, specifications and other data relating to such treatment plants, purification works or disposal systems or any part thereof that he considers necessary.

(2) Such officer shall before visiting any premises of the applicant for the purposes of inspection under sub-rule (1) above, give notice to the applicant of his intention to do so in Form XIV. The applicant shall furnish to such officer all facilities that such officer may legitimately require for the purpose.

(3) An officer of the State Board may, before or after carrying out an inspection under sub-rule (1) above, require the applicant to furnish to him, orally or in writing such additional information or clarification, or to produce before him such documents, as he may consider necessary for the purpose of investigation of the application and may for that purpose summon the applicant or his authorised agent to the office of the State Board.

¹[**34. Directions of under Section 33-A.**— (I) Any direction issued under Section 33-A shall be in writing.

(2) The direction shall specify the nature of action to be taken and the time within which it shall be complied with by the person, officer or the authority to whom such direction is given.

(3) The person, officer or authority to whom any direction is sought to be issued shall be served with a copy of the proposed direction and shall be given an opportunity of not less than 15 days from the date of service of a notice to file with an officer designated in this behalf, the objections, if any to the issue of the proposed direction.

(4) Where the proposed direction is for the stoppage or regulation of electricity or water or any other services affecting the carrying on any industry, operation or process and is sought to be issued to an officer or an authority, a copy of the proposed direction shall also be endorsed to the Occupier of the industry, operation or process, as the case may be and objections, if any, filed by occupier with an officer designated in this behalf shall be dealt with in accordance with the procedures under sub-rules (3) and (5) of this rule:

Provided that no opportunity of being heard shall be given to the Occupier, if he had already been heard earlier and the proposed direction referred to in sub-rule (3) above for the stoppage or regulation of electricity or water or any other service was the

¹ Sections 34 and 35 inserted by GSR 257, dated 29-11-1993, w.e.f 23-12-1993

resultant decision of the State Board after such earlier hearing.

(5) The State Board shall within a period of 45 days from the date of receipt of the objections, if any, or from the date upto which an opportunity is given to the person, officer or authority to file objections whichever is earlier, after considering the objections, if any sought to be directed and for reasons to be recorded in writing, confirm, modify or decide not to issue the proposed direction.

(6) In a case where the State Board is of the opinion that in view of the likelihood of a grave injury to the environment it is not expedient to provide an opportunity to file objections against the proposed direction, it may, for reasons to be recorded in writing, issue directions without providing such an opportunity.

(7) Every notice or direction required to be issued under this rule shall be deemed to be duly served.—

(a) Where the person to be served is a company, if the document is addressed in the name of the company and its registered office or at its principal office or place of business and is either.

- (i) sent by registered post; or
- (ii) delivered at its registered office or at the principal office or place of business.

(b) Where the person to be served is an officer serving Government, if the document is addressed to the person and a copy thereof is endorsed to his Head of the Department and also to the Secretary to the Government as the case may be, incharge of the Department in which for the time being the business relating to the department in which the officer is employed is transacted and in either,

- (i) sent by registered post; or
- (ii) is given or tendered to him.

(c) In any other case, if the document is addressed to the person to be served and.—

- (i) is given or tendered to him; or
- (ii) if such person cannot be found, is affixed on some conspicuous part of his last known place of residence or business or is given or tendered to some adult member of his family or is affixed on some conspicuous part or the land or building, if any, to which it relates; or
- (iii) is sent by registered post to that person.

Explanation.— For the purpose of this sub-rule.—

(a) "Company" means anybody corporate and includes a firm or other association of individuals;

(b) "a servant" is not a member of the family.

35. Manner of giving notice.— The manner of giving notice under clause (b) of sub-section (1) of Section 49 shall be as follows, namely.—

- (1) The notice shall be in writing in Form XV
- (2) The person giving notice may send notice to.—
 - (i) the State Board;
 - (ii) the Ministry of Environment and Ecology (represented by the Secretary to the Government of Karnataka);
 - (iii) The notice shall be sent by registered post with acknowledgement due; and
 - (iv) the period of 60 days mentioned in clause (b) of sub-section (1) of Section 49 of the Act, shall be reckoned from the date it is first received by one of the authorities mentioned in sub-rule (2).]

SCHEDULE I

FORM I

[See Rule 19, Section 38 of Act]

Karnataka State Board for Prevention and Control of Water Pollution Detailed Budget Estimates for the year 19

Administration (Expenditure)

| Head of Account | Actuals for the past three years | | | Sanctioned estimate for the current year 19-19 | Actuals of last six months <i>i.e.</i> year 19-19 | Actuals six months current year 19-19 |
|-----------------|----------------------------------|-----|-----|--|---|---------------------------------------|
| | 19 | 19 | 19 | | | |
| (1) | (2) | (3) | (4) | (5) | (6) | (7) |
| | | | | | | |

| Revised estimate for the current year 19 | Budget estimate for the next year 19 | Variations between Columns 5 and 8 | Variations between Columns 8 and 9 | Explanation for Columns 10 and 11 |
|--|--------------------------------------|------------------------------------|------------------------------------|-----------------------------------|
| (8) | (9) | (10) | (11) | (12) |
| | | | | |

FORM 11

[See Rule 19 and Section 38 of the Act]

**Karnataka State Board for the Prevention and Control of
Water Pollution Establishment**

**Statement of details of provision proposed for pay of officers/
Establishment for the year 19 - 19**

| Name and Designation | Reference to page of estimate form | Sanctioned Pay of the post | | |
|----------------------|------------------------------------|---|-----|-----|
| | | Mini Maxi-Actual pay of the person concerned due on 1 st April next year | | |
| | | (a) | (b) | (c) |
| (1) | (2) | (3) | (4) | (5) |
| | | | | |

| Amount of provision for the year at the rate in Column 3(c) | Increment falling due within the year | | | Total provision for the year i.e., total of Columns 4 and 5(c) |
|---|---------------------------------------|-------------------|---------------------|--|
| | Datre of increment | Rate of increment | Amount of increment | |
| | (a) | (b) | (c) | |
| (4) | (5) | | | (6) |
| | | | | |

FORM III

[See Rule 19 and Section 38 of the Act]

**Karnataka State Board for the Prevention and Control of Water Pollution
Nominal Rolls**

R.E. 19-19 / B.E. 19-19

| Name and designation | Pay | Dearness Allowance | City Compen satory Allowance | House rent Allowance | Overtime Allowance | Children Educational Allowance | Leave travel concession | Other Allowance s | Total |
|----------------------|-----|--------------------|------------------------------|----------------------|--------------------|--------------------------------|-------------------------|-------------------|-------|
| (1) | (2) | (3) | (4) | (5) | (6) | (7) | (8) | (9) | (10) |
| | | | | | | | | | |

FORM IV

[See Rule 19 and Section 38 of the Act]

**Karnataka State Board for the Prevention and Control of Water Pollution
Abstract of Nominal Rolls**

| Actual sanctioned strength as on 1 st March, 19.... | Particulars of posts | Sanctioned Budget Grant 19 19 ... | | Revised Estimates 19 19 | | Budget Estimate 19 19 | | Explanation for the difference between sanctioned Budgets Grant, Revised Estimate and Budget Estimate |
|--|--|---|--------------------|-------------------------------------|--------------------|----------------------------------|--------------------|---|
| | | No. of posts included | Pay and allowances | No. of posts included | Pay and allowances | No. of posts included | Pay and allowances | |
| (1) | (2) | (3) | (4) | (5) | (6) | (7) | (8) | (9) |
| | I. Officers.– (a) Posts filled (b) Posts vacant Total I Officers II. Establishment.– (a) Posts filled (b) Posts vacant Total II Officers III. Class IV.– (a) Posts filled (b) Posts vacant Total III Class IV | | | | | | | |
| | Grand Total I, II and III | | | | | | | |

FORM V

[See Rule 27 and Section 39 of the Act]

**Karnataka State Board for the Prevention and Control of Water Pollution
Receipts and Payments for the Year Ended**

| Previous Year | Receipts | Previous Year | Payments |
|---|----------|---|----------|
| (1) | (2) | (3) | (4) |
| Opening Balance I. Grants received (a) From Government (b) From other agencies II. Fees III. Fines and Forfeitures | | 1. Capital Expenditure (i) Works (ii) Fixed Assets (iii) Other Assets (a) Laboratory Equipment (b) Vehicles (c) Furniture and Fixtures (d) Scientific Instruments and Office Appliances (e) Tools and Plant 2. Revenue Expenditure (A) Administrative | |

| | |
|---|--|
| IV. Interest on Investments V. Miscellaneous Receipts VI. Miscellaneous Advances VII. Deposits | (i) Pay of Officers (ii) Pay of Establishment (iii) Allowances and Honoraria (iv) Leave Salary and Pension Contributions (v) Contingent Expenditure Deduct Recoveries (B) (i) Board Laboratory (ii) Charges to be paid to the State Water Laboratory (C) Running and Maintenance of vehicles (D) Maintenance and Repairs.— (i) Buildings and land drainage including rents if any (ii) Works (iii) Furniture and Fixtures (iv) Scientific Instruments and Office Appliances (v) Tools and Plants (vi) Temporary works (including Maintenance and repairs) (E) Fees to Consultants and Specialists (F) Legal charges (G) Miscellaneous (H) Fees for Audit 3. Purchase 4. Miscellaneous 5. Advances 6. Deposits losing Balance |
| Total | Total |

Accounts Officer

Member-Secretary

Chairman

FORM VI

[See Rule 27, Section 39(2) of the Act]

Karnataka State Board for the Prevention and Control of Water Pollution

Annual Statement of Account

| Previous year Expenditure | Details | total of sub-head | total of major head | Previous year | Income details | Total of sub head | Total of major head |
|----------------------------|---------|-------------------|---------------------|------------------------------|----------------|-------------------|---------------------|
| (1) | (2) | (3) | (4) | (5) | (6) | (7) | (8) |
| Rs. | Rs. | Rs. | Rs. | Rs. | Rs. | Rs. | |
| Revenue Expenditure | | | | (I) Grants Received.— | | | |
| A) Administrative.— | | | | (a) From Government | | | |
| (i) Pay of Officers | | | | (b) From other agencies | | | |

| | | | | | | | | | |
|--|------|--|--|--|---|------|--|--|--|
| (ii) Pay of establishment | .... |  |  |  | Total | .... |  |  |  |
| (iii) Allowances and Honoraria | .... |  |  |  | <i>Less.—</i> | | | | |
| (iv) Leave salary and Pension Contributions | .... |  |  |  | Amount utilised for Capital Expenditure | .... |  |  |  |
| Provident Fund | .... |  |  |  | Net grant available for Revenue expenditure | .... |  |  |  |
| (vi) Contingent expenditure | .... |  |  |  | (II) Fees.— | | | | |
| Deduct Recoveries | .... |  |  |  | (III) Service Rental charges | .... |  |  |  |
| B) Running expenses of Laboratories.— | | | | | (IV) Fines and Forfeiture | .... |  |  |  |
| (i) Main Laboratory | .... |  |  |  | (V) Interest on investments | .... |  |  |  |
| (ii) Payments to be made to State Water Laboratory | .... |  |  |  | (VI) Miscellaneous Receipts | .... |  |  |  |
| C) Running and Maintenance of Vehicles | .... |  |  |  | (VII) Excess of expenditure over income | | | | |
| D) Maintenance and Repairs.- | | | | | | | | | |
| (i) Buildings and Drainage | .... |  |  |  |  |  |  |  |  |
| (ii) Works | .... |  |  |  |  |  |  |  |  |
| (iii) Furniture and Fixtures | .... |  |  |  |  |  |  |  |  |
| (iv) Scientific instruments and office appliances | .... |  |  |  |  |  |  |  |  |
| (v) Tools and plant | .... |  |  |  |  |  |  |  |  |
| E) Temporary works (including Maintenance and Repairs) | .... |  |  |  |  |  |  |  |  |
| F) Fees to Consultants and Specialists | .... |  |  |  |  |  |  |  |  |
| G) Law Charges | .... |  |  |  |  |  |  |  |  |
| H) Depreciation.- | | | | | | | | | |
| (i) Buildings | .... |  |  |  |  |  |  |  |  |
| (ii) Laboratory Equipment | .... |  |  |  |  |  |  |  |  |
| (iii) Vehicles | .... |  |  |  |  |  |  |  |  |
| (iv) Furniture and Fixtures | .... |  |  |  |  |  |  |  |  |
| (v) Scientific instruments and Office appliances | .... |  |  |  |  |  |  |  |  |
| (vi) Tools and plants | .... |  |  |  |  |  |  |  |  |
| I) Miscellaneous.- | | | | | | | | | |
| (i) Write off of losses (as per details in the statement attached) | .... |  |  |  |  |  |  |  |  |
| (ii) Other miscellaneous expenditure | .... |  |  |  |  |  |  |  |  |
| J) Fees for Audit | .... |  |  |  |  |  |  |  |  |
| K) Excess of income over expenditure | .... |  |  |  |  |  |  |  |  |
| Total | .... |  |  |  |  |  |  |  |  |

Accounts Officer

Member-Secretary

Chairman

FORM VII

[See Rule 27 and Section 39 of the Act)

Karnataka State Board for the Prevention and Control of Water Pollution
Annual Statement of Accounts

| Capital and Liabilities | | | | Property and Assets | | |
|---|---------|-------------------|---------------------|--|---------|-------------------|
| Previous year Expenditure | Details | total of sub-head | total of major head | Previous year | details | Total of sub head |
| (1) | (2) | (3) | (4) | (5) | (6) | (7) |
| <p>A. Capital Fund.— (i) Grants received from Govt. for Capital expenditure ... (a) Amount utilised upto 31st March, 19 ... (b) Utilised balance on 31st March, 19 ... (ii) Grant from other agencies for Capital expenditure (a) Amount utilised upto 31st March, 19 ... (b) Unutilised balance on 31st March, 19 ... (iii) Value of land provided by Govt. (per contra) ...</p> <p>B. Capital Receipts.—</p> <p>C. Deposits received for works from outside bodies.— ... Deposits ... Less Expenditure ... (ii) Other deposits ...</p> <p>D. Amounts due.— (i) Purchase ... (ii) Others ...</p> <p>E. Excess of income over expenditure.— (i) Upto 31st March, 19 ... (ii) Add for the year ... (iii) Deduct.— Excess of Expenditure over income ...</p> | | | | <p>1. Words.— (As per Form VIII)</p> <p>2. Fixed Assets (as per Form IX) (a) Value of land provided by Govt. (at Cost) (b) Buildings.— Balance as per last Balance sheet Addition during the year Total_____</p> <p>Less.— Depreciation during the year Total_____</p> <p>3. Other Assets.— (As per Form IX) (a) Laboratory Equipment as per last Balance sheet-addition during the year ... Total_____</p> <p>Less.— Depreciation during the year ... Total_____</p> <p>(b) Vehicles as per last balance sheet additions during the year ... Total_____</p> <p>Less.— Depreciation during the year ... Total_____</p> <p>(c) Furniture and Fixtures as per last Balance sheet ... Additions during the year ... Total_____</p> <p>Less.— Depreciation during the year ... Total_____</p> <p>(d) Scientific instruments and office appliances.—</p> | | |

| | | | | | | |
|--|--|--|--|--|--|--|
| | | | | As per last balance sheet Additions during the year ... Total _____ | | |
| | | | | (e) Tools and plants.— As per last balance sheet Additions during the year Total _____ | | |
| | | | | Less.— Depreciation during the year ... Total _____ | | |
| | | | | 4. Sundry Debtors.— (i) Amounts due from outside bodies for expenditure incurred.— Expenditure ... Less: amount received (ii) Other Sundry Debtors ... | | |
| | | | | 5. Advances.— (a) Miscellaneous Advances ... (b) Other amount recoverable ... Cash.— (a) Notice/Short Term Deposits ... (b) Cash at Bank ... (c) Cash in Hand ... (d) Cash in transit ... Total _____ | | |

Accounts Officer

Member-Secretary

Chairman

FORM VIII

[See Rule 27 and Section 39 of the Act]

**Karnataka State Board for Prevention and Control of Water Pollution
Annual Statement of Accounts**

Expenditure on works as on 31st March, 19

(Item I-Assets of the Balance Sheet)

| Sl.No. | Name of Work | Upto 31st March, 19 ... | | | During the year 19 .. , | | | Upto to 31st March, 19 ... | |
|--------|--------------|----------------------------|---------------------|----------------------|----------------------------|---------------------|----------------------|-------------------------------|---------------------|
| | | Direct expenditure | Overhead charges | Total expenditure | Direct expenditure | Overhead charges | Total expenditure | Direct expenditure | Overhead charges |
| (1) | (2) | (3) | (4) | (5) | (6) | (7) | (8) | (9) | (10) |
| | | | | | | | | | |

Total ...

Accounts Officer

Member-Secretary

Chairman

FORM IX

[See Rule 27 and Section 39 of the Act]

**Karnataka State Board for Prevention and Control of Water Pollution
Annual Statement of Accounts**

Fixed Assets as on 31st March, 19 ... (Item 2 Assets of the Balance Sheet)

Other Assets as on 31st March, 19 ... (Item 3 Assets of the Balance Sheet)

| SI. No. | Particulars of Assets | Balance as on 31 st March, 19 ... | Additions during the year | Total | Depreciation during the year | Sales or write off during the year | Balance as on 31 st March, 19 ... |
|---------|-----------------------|--|---------------------------|-------|------------------------------|------------------------------------|--|
| (1) | (2) | (3) | (4) | (5) | (6) | (7) | (8) |
| | | | | | | | |

Accounts Officer

Member-Secretary

Chairman

FORM X

¹*[[See Rule 28 and Section 22 of the Act]]*

Report by the State Board Analyst

Report No

Dated the..... 19.....

I hereby certify that I, (I) State Board analyst duly appointed under sub-section (3) of Section 53 of the Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974) received on the (IT) day of19 from (III)a sample of for analysis. The sample was in a condition fit for analysis reported below;

I further certify that I have analysed the aforementioned sample on (IV) and declare the result of the analysis to be as follows.-

¹ Substituted for the words and figures "See Rule 28 and Section 21 of the Act" by SO 2352, dated 11-11-1976

(V)

The condition of the seals, fastening and container on receipt was as follows.-

.....

Signed this..... day of 19.....

(Signature)
State Board Analyst

Address

To

- (I) Here write the full name of the State Board analyst. (IT) Here write the date of receipt of sample.
- (III) Here write the name of the Board or person or body of persons or officer from whom the sample was received.
- (IV) Here write the date of analysis.
- (V) Here write the details of the analysis and refer to the method of analysis. If the space is not adequate the details may be given on a separate sheet of paper.

FORM XI

[See Rule 29 and Section 22(3) of the Act]

Report by the Government Analyst

Report No

Dated the19.....

I hereby certify that I, (I) Government analyst duly appointed under sub-section (2) of Section 53 of the Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974) received on the (II) day of 19..... from (III) a sample of..... for analysis. The sample was in a condition fit for analysis reported below.

I further certify that I have analysed the abovementioned sample on (IV) and declare the result of the analysis to be as follows.-

(V)
.....

The condition of the seals, fastening and container on receipt was as follows.-

.....
.....

Signed this day of19.....

(Signature)
(Government Analyst)

Address
.....

To
.....

- (I) Here write the full name of the Government analyst.
- (II) Here write the date of receipt of the sample.
- (III) Here write the name of the Board or person or body of persons or officer from whom the sample was received.
- (IV) Here write the date of analysis.
- (V) Here write the details of the analysis and refer to the method of analysis. If the space is not adequate the details may be given on a separate sheet of paper.

FORM XII

[See Rule 31(2) and Section 21(3) of the Act]

Karnataka State Board for Prevention and Control of Water Pollution

Notice of intention to have sample analysed

To
.....
.....

Take notice that it is intended to have analysed the sample of water' sewage effluent/trade effluent which is being taken today the day of19 from (I)

Name and designation of the

person who takes the sample.

(I) Here specify the stream, well, plant, vessel or place from where the sample is taken.

To
.....
.....
.....

¹[FORM XIII

any treatment, disposal system for discharge, continuation of discharge under Section 25 or Section 26 of the Water (Prevention and Control of Pollution) Act, 1974.

Application for consent for establishing or taking any steps for establishment of industry operation process or

(See Rule 32)

From:
.....
.....
.....

Date:

To
The Member Secretary,
Karnataka State Pollution Control Board,
Bangalore.

Sir,

I / We hereby apply for consent / renewal of consent under Section 25 or Section 26 of the Water (Prevention and Control of Pollution) Act, 1974, (6 of 1974), for establishing or taking any steps for establishment of industry / operation process or any treatment / disposal system to bring into use any new / altered outlet for discharge of “sewage trade affluent” to continue to discharge* sewage / trade affluent* from land / premises owned by

The other relevant details are as below.-

¹ Form XIII substituted by GSR 257, dated 29-11-1993, w.e.f. 23-12-1993

1. Full name of the applicant
2. Nationality of the applicant
3. Status of the applicant.-
 - (a) Individual
 - (b) Proprietary concern
 - (c) Partnership firm
(Whether registered or unregistered)
 - (d) Joint family concern
 - (e) Private Limited Company'
 - (f) Public Limited Company
 - (g) Government Company.-
 - (1) State Government
 - (2) Union Territory
 - (h) Foreign Company
(if a foreign company, the details of registration, incorporation, *etc.*)
 - (i) Any other Association or Body.
4. Name, Address and Telephone Nos. of the Applicant, (the full list of individuals, partners, persons, Chairman) (full-time or part-time Managing Directors, Managing Partners, Directors) (full-time or part-time), other kinds of office bearers are to be furnished with their period of tenure in the respective office, with Telephone Nos. and address).
5. Address of the Industry
(Survey No., Khata No., location as per the revenue records, Village Firks, Tehsil, District, Police Station or SHO, jurisdiction of the First Class Magistrate).
6. Details of commissioning, *etc.*
 - (a) Approximate date of the proposed commissioning of the work;
 - (b) Expected date of production.
7. Total number of employees expected to be employed.
8. Details of licence, if any obtained under the provisions of Industrial Development Regulations Act, 1951.
9. Name of the person authorised to sign this form (the original authorisation except in the case of individual proprietary concern is to be enclosed).
10. (a) Attach the list of raw materials and chemicals used per month.
(b) Licenced Annual Capacity of the Factory /Industry.
11. State daily quantity of water in kilolitres utilised and its source (domestic/industrial process boiler cooling others).
12. (a) State the daily maximum quantity of effluents and mode of disposal (sewer or drains or river). Also attach analysis report of the effluents. Type of effluent, quantity in kiloliters, mode of disposal.

- (i) Domestic.
- (ii) Industrial.
- (b) Quality of affluent currently being discharged or expected to be discharged.
- (c) What monitoring arrangement is currently there or proposed.

13. State whether you have any treatment plant for industrial, domestic or combined effluents

Yes/No

If yes, attach a description of the process of treatment in brief. Attach information on the quality of treated effluent *vis-a-vis* the standards.

14. State details of solid waste generated in the process or during waste treatment.

| Description | Quantity | Method of collection | Method of Disposal |
|-------------|----------|----------------------|--------------------|
|-------------|----------|----------------------|--------------------|

15. I/We further declare that the information furnished above is correct to the best of my / our knowledge.

16. I/We, hereby submit that in case of change either of the point of discharge or the quantity of discharge or its quality, a fresh application for consent shall be made and until such consent is granted no change shall be made.

17. I/We, hereby agree to submit to the State Board an application for renewal of consent one month in advance of the date of expiry of the consent for outlet/discharge if to be continued thereafter.

18. I/We undertake to furnish any other information within one month of its being called by the State Board.

19. I/We enclose herewith Bank Draft No dated for Rs (.....) in favour of the Karnataka State Pollution Control Board, as fees payable under Section 25 of the Act.

Yours faithfully,
Signature of the Applicant

Note.-*Strike out which is not relevant.]

FORM XIV

[See Rule 33(3), Section 25/26 of the Act]

State Board for the Prevention and Control of Water Pollution

Notice of Inspection

Chairman
Shri

Member Secretary

Shri
.....
.....
No.
Dated

To

.....
.....
.....

Take Notice that for the purpose of enquiry under Section 25/26 the following officers of the State Board namely:-

- (i) Shri
- (ii) Shri
- (iii) Shri

and the persons authorised by the Board to assist them shall inspect the

- (a) Water Works
- (b) Sewage Works
- (c) Waste Treatment Plant
- (d) Factory
- (e) Disposal system
- (f) Any other parts thereof or pertaining thereto under management/ control on date(s) between hours when all facilities requested by them for such inspection should be made available to them on the site. Take notice that refusal or denial to above stated demand made under the functions of the State Board shall amount to obstruction punishable under Section 42 of the Act.

By Order of the Board
Member Secretary

¹FORM XV

[See Rule 35]

By Registered Post with Acknowledgement Due

From:

.....
.....
.....

To:

.....
.....
.....
.....

Notice under Section 49 of the Water (Prevention and Control of Pollution) Act, 1974.

Whereas an offence under the water (Prevention and Control of Pollution) Act, 1974, has been committed / is being committed by .

.....

(2) I/We, hereby give notice of 60 days under Section 49 of the Water (Prevention and Control of Pollution) Act, 1974, of my / our intention to file a complaint in the Court against

(3) For violation of Section of the Water (Prevention and Control of Pollution) Act, 1974.

In support of my/our notice, I am/We are enclosing the following documents (3) as evidence of proof of violation of the Water (Prevention and Control of Pollution) Act, 1974.

Place:

Signature(s).

Date:

Explanation:

(1) In case the notice is given in the name of a Company, documentary evidence authorising the person to sign the notice on behalf of the company shall be enclosed to this notice. Company for this purpose means a company defined in explanation to Section 47 of the Act.

¹ Form XV inserted by GSR 257, dated 29-11-1993, w.e.f. 23-12-1993

(2) Here give the name and address of the alleged offender. In case of manufacturing/processing operating unit, indicate the name/location/nature of activity, *etc.*

(3) Documentary evidence shall include photographs/technical reports, health reports of the area *etc.*, for enabling enquiry into the alleged violation/offence.]

SCHEDULE II

Budget and Account Heads Administration

Heads of Accounts (Expenditure)

[See Rule 19 and Section 38 of the Act]

1. Salaries.
2. Wages
3. Travel Expenses
4. Office Expenses
 - (a) Furniture
 - (b) Postage
 - (c) Office Machines/Equipment
 - (d) Liveries
 - (e) Hot and cold weather charges
 - (f) Telephones
 - (g) Electricity and Water charges
 - (h) Stationery
 - (i) Printing
 - j) Staff car and other vehicles
 - (k) Other items.
5. Fee and Honoraria
6. Payment for professional and special services
7. Rents, Rates and Taxes/Royalty
8. Publications
9. Advertising, Sales and Publicity Expenses
10. Grants in aid/Contributions/Subsidies
11. Hospitality Expenses/Sumptuary Allowances *etc.*
12. Pensions/Gratuities
13. Write off/Losses
14. Suspenses

15. Expenses in connection with the setting up and maintenance of the Board Laboratory.
16. Other charges (A residuary head, this will also include rewards and prizes)

Heads of Account (Receipts)

1. Payments by State Government
2. Fees
3. Fines and other receipts

SCHEDULE III

[See Rule 16]

**State Board for Prevention and Control of Water Pollution
Annual Report for the Financial Year April 19to March 19**

1. Introductory
2. Constitution of the State Board including changes therein.
3. Constitution of the Committees by State Board and meeting of the Committees constituted by it
4. Meeting of the State Board
5. Activities of the State Board including the various functions performed under Section 17 of the Act.
6. Prosecutions launched and convictions secured
7. Finance and Accounts of the State Board
8. Visits to the State Board by experts, important persons *etc.*
9. Any other important matter dealt with by the State Board.

**¹THE KARNATAKA
STATE BOARD FOR THE PREVENTION AND CONTROL OF WATER
POLLUTION (PROCEDURE FOR TRANSACTION OF BUSINESS)
AND THE WATER (PREVENTION AND CONTROL OF POLLUTION)
(AMENDMENT) RULES, 1976**

GSR I34.— In exercise of the powers conferred by Section 64 of the Water

¹ Published in the Karnataka Gazette, dated 6-5-1976, *vide* Notification No. HMA 101 CGE 76, dated 28-4-1976

(Prevention and Control of Pollution) Act, 1974, (Central Act 6 of 1974), the Governor of Karnataka, hereby makes the following rules, namely.—

1. Short title and commencement.— (1) These rules may be called the **Karnataka State Board for the prevention and Control of Water Pollution (Procedure for Transaction of Business) and the Water (Prevention and Control of Pollution) (Amendment) Rules, 1976.**

(2) They shall come into force at once.

2. Insertion of new Rule 28-A.— After Rule 28 of the Karnataka State Board for the Prevention and Control of Water Pollution (Procedure for Transaction of Business) and the Water (Prevention and Control of Pollution) Rules, 1976, the following rule shall be *inserted*, namely.—

"28-A. Qualifications of Government Analyst and Board Analyst.— (1) The Government Analyst appointed under sub-section (2) of Section 53 shall be a person who.—

- (a) is an M.Sc, in Chemistry or has an equivalent degree of a recognised University; or
- (b) possesses the qualification of Associate of Institution of Chemists (India) Examination in the Section of Analysts of Water and Sewage; and
- (c) has practical experience of two years in a Laboratory recognised by the Government for the analysis of sewage and industrial effluent.

The Board Analyst appointed under sub-section (3) of Section 53 shall be a person who.—

- (a) is a Graduate of an University recognised by the State Government for the purpose of this rule in Science in any branch including Chemistry or Bio-chemistry, Industrial Chemistry or Medicine; and
- (b) has practical experience of not less than two years in a laboratory which in the opinion of the Government is a reputed laboratory".

¹CORRIGENDUM

S.O. 2352.— For the words and figures "see Rules 28, Section 21 of the Act" appearing with in brackets just below the nomenclature of the Form X-Report by the State Board Analyst appended to the Karnataka State Board for Prevention and Control of Water Pollution (Procedure for trans- action of business and the Water (Prevention and Control of Pollution) Rules, 1976, the words and figures "See Rule 28 and Section 22 of the Act" shall be *substituted*.

¹ Published in the Karnataka Gazette, dated 25-11-1976, *vide* Notification No, HMA 352 CGE 76, dated 11-11-1976

¹**THE KARNATAKA
STATE BOARD FOR THE PREVENTION AND CONTROL OF WATER
POLLUTION (PROCEDURE FOR TRANSACTION OF BUSINESS)
AND THE WATER (PREVENTION AND CONTROL OF POLLUTION)
(AMENDMENT) RULES, 1976**

GSR 68.— In exercise of the powers conferred by Section 64 of the Water (Prevention and Control of Pollution) Act, 1974, (Central Act 6 of 1974), the Government of Karnataka, hereby makes the following rules, namely.—

1. Title and commencement.— (1) These rules may be called the **Karnataka State Board for the Prevention and Control of Water Pollution (Procedure for Transaction of Business) and the Water (Prevention and Control of Pollution) (Amendment) Rules, 1976.**

(2) They shall come into force at once.

2. Amendment of Rule 14.— For Rule 14 of the Karnataka State Board for the prevention and Control of Water Pollution (Procedure for Transaction of Business) and the Water (Prevention and Control of Pollution) Rules, 1976 (hereinafter referred to as the said rules), the following rules shall be *substituted*, namely.—

"14. Allowances to non-official members of the committee constituted under Section 9.— The non-official members of the committee constituted by the Board (as are not members of the Board) shall be paid a sitting fee of Rs. 50 per day of the actual meetings of such committee".

3. Insertion of new Rule 14-A.— After Rule 14 of the said rules the following rule shall be *inserted*, namely.—

"14-A. Travelling Allowance to the non-official members of the State Board and Committees of the Board.— The non-official members of the State Board and of the Committee constituted by the Board shall be entitled to travelling allowance for attending the meetings of the Board or Committees of the Board as the case may be, in accordance with the List of Annexure 'A' to the New Travelling Allowance Rules, 1957 regulating the payment of Travelling Allowance to the non-official members of committee *etc.*, constituted under the authority of Government.

²**THE KARNATAKA
STATE BOARD FOR THE PREVENTION AND CONTROL OF WATER
POLLUTION (PROCEDURE FOR TRANSACTION OF BUSINESS)
AND THE WATER (PREVENTION AND CONTROL OF POLLUTION)**

¹ Published in the Karnataka Gazette, dated 24-2-1977, *vide* Notification No, HMA 140 CGE 75, dated 17-2-1977

² Published in the Karnataka Gazette, dated 13-10-1977, *vide* Notification No. HMA 101 CGE 76, dated 4-10-1977

(AMENDMENT) RULES, 1977

GSR 307.— In exercise of the powers conferred by Section 64 of the Water (Prevention and Control of Pollution) Act, 1974, (Central Act 6 of 1974), the Government of Karnataka, in consultation with the Karnataka State Board for the prevention and control of water pollution, hereby makes the following rules further to amend the Karnataka State Board for the Prevention and Control of Water Pollution (Procedure for Transaction of the Business), and the Water (Prevention and Control of Pollution) Rules, 1976, namely.—

1. Short title and commencement.— (1) These rules may be called the **Karnataka State Board for the prevention and Control of Water Pollution (Procedure for Transaction of Business) and the Water (Prevention and Control of Pollution) (Amendment) Rules, 1977.**

(2) They shall come into force at once.

2. Substitution of new rule for Rule 30.— For Rule 30 of the Karnataka State Board for the prevention and Control of Water Pollution (Procedure for Transaction of Business) and Water (Prevention and Control of Pollution) Rules, 1976, the following rule shall be *substituted*, namely.—

"30. Fees for Laboratory's report.— The following rates of fees shall be payable in respect of the laboratory's report, namely.—

- | | |
|---|---------|
| (i) for each sample of water or sewage or trade effluent submitted for chemical analysis or tests | Rs.100 |
| (ii) for each sample of water or sewage or trade effluent submitted for bacteriological analysis. | Rs.30." |

¹THE KARNATAKA STATE POLLUTION CONTROL BOARD (PROCEDURE FOR TRANSACTION OF BUSINESS) AND THE WATER (PREVENTION AND CONTROL OF POLLUTION) (AMENDMENT) RULES, 1983

GSR 124.— In exercise of the powers conferred by Section 64 of the Water (Prevention and Control of Pollution) Act, 1974, (Central Act 6 of 1974), the Government of Karnataka, in consultation with the Karnataka State Pollution Control Board, hereby makes the following rules further to amend the Karnataka State Pollution Control Board (Procedure for Transaction of the Business, and the Water (Prevention and Control of Pollution) Rules, 1976, namely.—

1. Short title and commencement.— (1) These rules may be called the **Karnataka**

¹ Published in the Karnataka Gazette, Extraordinary, dated 26-5-1983, *vide* Notification No. DEE 166 ENV 82, dated 24-5-1983

State Pollution Control Board (Procedure for Transaction of Business) and the Water (Prevention and Control of Pollution) (Amendment) Rules, 1983.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. Substitution of new rule for Rule 32.— For Rule 32 of the Karnataka State Pollution Control Board (Procedure for Transaction of Business) and the Water (Prevention and Control of Pollution) Rules, 1976, (hereinafter referred to as the said rules), the following rule shall be *substituted*, namely.—

"32. Application for consent and collection of fees etc.— (1) An application for obtaining the consent of the Karnataka State Pollution Control Board.—

- (a) for bringing into use any new or altered outlet for the discharge of sewage or trade effluent into a stream or well or sewer or on land; or
- (b) to begin to make any new discharge or sewage or trade effluent into a stream or well or sewer or on land under Section 25 of the Act; or
- (c) for continuing an existing discharge or sewage or trade effluent into a stream or well or sewer or on land under Section 26 of the Act,

shall be made to the Karnataka State Pollution Control Board in Form xm.

(2) Such application shall be accompanied by fees as prescribed in the Tables below.—

**TABLE I
Industries**

| Sl. No | Capital investment of Industry | Fees in Rupees |
|--------|--|----------------|
| (1) | (2) | (3) |
| 1. | Not exceeding 5 lakhs of rupees | 250 |
| 2. | Exceeding 5 lakhs but does not exceed 10 lakhs of rupees | 500 |
| 3. | Exceeding 10 lakhs but does not exceed 50 lakhs of rupees | 1,000 |
| 4. | Exceeding 50 lakhs but does not exceed 100 lakhs of rupees | 2,000 |
| 5. | Exceeding rupees 1 crore | 5,000 |

**TABLE II
Local Authorities**

| Sl. No | Population of Local Authority | Fees in Rupees |
|--------|--|----------------|
| (1) | (2) | (3) |
| 1. | Not exceeding 50,000 | 250 |
| 2. | Exceeding 50,000 but not exceeding 1,00,000 | 500 |
| 3. | Exceeding 1,00,000 but not exceeding 5 lakhs | 1,500 |
| 4. | Exceeding 5 lakhs but not exceeding 10 lakhs | 2,500 |
| 5. | Exceeding 10 lakhs. | 5,000 |

(3) Any application not accompanied by the prescribed fees shall not be entertained by the Board.

(4) "The fees shall be paid by Bank Draft in favour of the Karnataka State Pollution Control Board, Bangalore, encashable at Bangalore".

3. Amendment of Form XIII.— (a) In Form XIII of the said rules.—

(i) in para 1, in sub-paragraph (c), after item No. (vi) the following items shall be *inserted*, namely.—

"(vii) Sewer owned by

(viii) Well owned by"

(ii) after paragraph 6, the following new paragraph shall be *inserted*, namely.—

"7. I/we enclose herewith Bank Draft No dated for Rs (Rupees) in favour of the Karnataka State Pollution Control Board, encashable at Bangalore, under Section 25 of the Act".

(c) In the Annexure to Form XIII, in Serial No. 19 after item No. (vii), the following items shall be *inserted*, namely.—

"(viii) Sewer

(ix) well".

¹THE

¹ Published in the Karnataka Gazette, Extraordinary, dated 24-3-1986, *vide* Notification No. DEE 109 ENV 82, dated 19-3-1986

**KARNATAKA
STATE POLLUTION CONTROL BOARD (PROCEDURE FOR
TRANSACTION OF BUSINESS) AND THE WATER (PREVENTION
AND CONTROL OF POLLUTION) (AMENDMENT RULES, 1986**

GSR 87.— In exercise of the powers conferred by Section 64 of the Water (Prevention and Control of Pollution) Act, 1974, (Central Act 6 of 1974), the Government of Karnataka, in consultation with the Karnataka State Pollution Control Board, hereby makes the following rules further to amend the Karnataka State Pollution Control Board (Procedure for Transaction of the Business, and Water (Prevention and Control of Pollution) Rules, 1976, namely.—

1. Short title and commencement.— (1) These rules may be called the Karnataka State Pollution Control Board (Procedure for Transaction of Business) and the Water (Prevention and Control of Pollution) (Amendment) Rules, 1986.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. Amendment of Rule 6.— In sub-rule (1) of Rule 6 of the Karnataka State Pollution Control Board (Procedure for Transaction of Business) and the Water (Prevention and Control of Pollution) Rules, 1976 (hereinafter referred to as the said rules), for the word "Six", the word "five" shall be *substituted*.

3. Amendment of Rule 13.— For sub-rule (1) of Rule 13 of the said rules, the following shall be *substituted*, namely.—

"(1) The State Board may create such number of posts as may be necessary for efficient discharge of functions under the Act".

4. Amendment of Rule 15.— For Rule 15 of the said rules, the following shall be *substituted*, namely.—

"15. Powers and duties of the Chairman.— The Chairman shall have following powers and duties, namely.—

- (a) the administrative control over the staff of the State Board;
- (b) to conduct day-to-day business of the State Board;
- (c) to exercise powers and functions as may be delegated by the State Board;
- (d) to give administrative sanction to estimates included in the budget of the State Board;
- (e) to accept tenders upto a sum of rupees twenty-five thousand in each case;
- (f) to make appointments to posts carrying scale of pay, the maximum of which shall not exceed Rs. 2,250;
- (g) to exercise powers in matters of promotion, transfer and other conditions of service of State Board staff; and

- (h) the Chairman may tour within or outside State to carry out the purposes of the Act:

Provided that no tour outside India shall be undertaken without the approval of the State Government".

5. Amendment of Rule 16.— In Rule 16 of the said rules.—

(1) for sub-rule (7), the following shall be *substituted*, namely.—

"(7) The Member-Secretary subject to the approval of the Chairman, may undertake tours within or outside the State".

(2) after sub-rule (9), the following shall be *inserted*, namely.—

"(10) The Member-Secretary shall have powers to give technical sanction to the estimates approved by the State Board".

6. Omission of Rule 23.— Rule 23 of the said rules shall be *omitted*.

7. Substitution of new rule for Rule 31.— For Rule 31 of the said rules, the following shall be *substituted*, namely.—

"**31.** Any Officer of the State Board duly empowered by the State Board shall have power to take samples of water from any stream, well, sewer or land, the samples of sewage or trade effluent passing from any plant, vessel or land. Such samples shall be preserved as per the I.S.I. specification" .

¹**THE
KARNATAKA
STATE POLLUTION CONTROL BOARD (PROCEDURE FOR
TRANSACTION OF BUSINESS) AND THE WATER (PREVENTION AND
CONTROL OF POLLUTION) (AMENDMENT) RULES, 1991**

GSR 9.— In exercise of the powers conferred by Section 64 of the Water (Prevention and Control of Pollution) Act, 1974, (Central Act 6 of 1974), the Government of Karnataka, in consultation with the Karnataka State Pollution Control Board, hereby makes the following rules further to amend the Karnataka State Pollution Control Board (Procedure for Transaction of Business) and the Water (Prevention and Control of Pollution) Rules, 1976, namely.—

1. Short title and commencement.— (1) These rules may be called the **Karnataka State Pollution Control Board (Procedure for Transaction of Business) and the Water (Prevention and Control of Pollution) (Amendment) Rules, 1991.**

(2) They shall come into force on the date of their publication in the Official Gazette.

¹ Published in the Karnataka Gazette, Extraordinary, dated 8-1-1992, *vide* Notification No. DEE 241 ENV 85, dated 31-12-1991s

2. Amendment of Rule 32.— In Rule 32 of the Karnataka State Pollution Control Board (Procedure for Transaction of Business) and the Water (Prevention and Control of Pollution) Rules, 1976, in sub-rule (2), for Table I, the following Table I shall be *substituted*, namely.—

TABLE I

| SI. No. | Category of Industries | Consent Fee in Rs. |
|---|---|--------------------|
| Industries with a capital investment of.— | | |
| (a) | exceeding rupees ten crores | 15,000 |
| (b) | exceeding rupees five crores but not exceeding rupees ten crores | 10,000 |
| (c) | exceeding rupees one crore but not exceeding rupees five crores | 7,500 |
| (d) | exceeding rupees fifty lakhs but not exceeding rupees one crore | 4,000 |
| (e) | exceeding rupees twenty five lakhs but not exceeding rupees fifty lakhs | 2,000 |
| (f) | exceeding rupees ten lakhs but not exceeding rupees twenty five lakhs | 1,500 |
| (g) | exceeding rupees five lakhs but not exceeding rupees ten lakhs | 1,000 |
| (h) | exceeding rupees one lakh but not exceeding rupees five lakhs | 250 |
| (i) | rupees one lakh and below | 100 |

**¹THE
KARNATAKA
STATE POLLUTION CONTROL BOARD (PROCEDURE FOR
TRANSACTION OF BUSINESS) AND THE WATER (PREVENTION**

¹ Published in the Karnataka Gazette, dated 19-8-1993, *vide* Notification No. DEE 474 ENV 92, dated 3-8-1993

AND CONTROL OF POLLUTION) (AMENDMENT) RULES, 1991

GSR 161.— In exercise of the powers conferred by Section 64 of the Water (Prevention and Control of Pollution) Act, 1974, (Central Act 6 of 1974), the Government of Karnataka, in consultation with the Karnataka State Pollution Control Board, hereby makes the following rules, further to amend the Karnataka State Pollution Control Board (Procedure for Transaction of Business) and the Water (Prevention and Control of Pollution) Rules, 1976, namely.—

1. Short title and commencement.— (1) These rules may be called the **Karnataka State Pollution Control Board (Procedure for Transaction of Business) and the Water (Prevention and Control of Pollution) (Amendment) Rules, 1991.**

(2) They shall come into force from the date of their publication in the Official Gazette.

2. (1) Amendment of Rule 13.— For sub-rule (3) of rule 13 of the said rules, the following shall be *substituted*, namely.—

"The members of the State Board shall be paid sitting fees at Rs. 150/- per day, whether they are residing in Bangalore or not".

(2) Amendment of Rule 15.— (i) for sub-rule (f) of Rule 15 of the said rules the following shall be *substituted*, namely.—

"To make appointments to posts as per the power vested in him under the Cadre and Recruitment and conditions of Service Regulations of the Board".

(ii) for sub-rule (g) of Rule 15 of the said rules, the following shall be *substituted*, namely.—

"to exercise powers in matters of promotions as per power vested in him under the Cadre Recruitment and Conditions of Service Regulations of the Board and full powers in matters of transfer and other conditions of service of State Board staff; and"

¹THE KARNATAKA STATE POLLUTION CONTROL BOARD (PROCEDURE FOR TRANSACTION OF BUSINESS) AND THE WATER (PREVENTION AND CONTROL OF POLLUTION) (AMENDMENT) RULES, 1993

GSR 2S7.— In exercise of the powers conferred by Section 64 of the Water (Prevention and Control of Pollution) Act, 1974, (Central Act 6 of 1974), the Government of Karnataka, in consultation with the Karnataka State Pollution Control Board, hereby makes the following rules, further to amend the Karnataka State Pollution Control Board (Procedure for Transaction of Business) Water (Prevention and Control of Pollution) Rules, 1976, namely.—

¹ Published in the Karnataka Gazette, dated 23-12-1993, *vide* Notification No. FEE 429 ENV 92, dated 29-11-1993

1. Title and commencement.— (1) These rules may be called the **Karnataka State Pollution Control Board (Procedure for Transaction of Business) and the Water (Prevention and Control of Pollution) (Amendment) Rules, 1993.**

(2) They shall come into force from the date of their publication in the Official Gazette.

2. Amendment of Rule 32.— In Rule 32 of the Karnataka State Pollution Control Board (Procedure for Transaction of Business) and the Water (Prevention and Control of Pollution) Rules, 1976 (hereinafter referred to as the said rules).

(i) for the heading and sub-rule (1), the following shall be *substituted*, namely.—

"32. Application for consent.— (1) An application for obtaining the consent of the Board, for establishing or taking any steps to establish any industry, operation or process or any treatment and disposal system or any extension or addition thereto, which is likely to discharge sewage or trade effluent into a stream or well or sewer or on land (such discharge being hereinafter in this rule referred to as discharge of sewage); or for bringing into use any new or altered outlet for the discharge of sewerage, or begin to make any new discharge of sewerage under Section 25 or for continuing an existing discharge of sewage under Section 26 shall be made to the State Board in Form XIII.

(ii) after sub-rule (4), the following explanation shall be *inserted*, namely.—

"Explanation.— For the purpose of this rule the 'Capital Investment of the Industry' means.—

(a) **Capital Investment for existing Industries.**— Capital Investment of any existing Industry shall be the 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 a 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.— Twenty times the annual lease value is to be taken as equivalent to capital investment.

3. Insertion of Rules 34 and 35.— After Rule 33 of the said rules the following rules shall be *inserted*, namely.—

"34. Directions of under Section 33-A.— (1) Any direction issued under Section 33-A shall be in writing.

(2) The direction shall specify the nature of action to be taken and the time within which it shall be complied with by the person, officer or the authority to whom such direction is given.

(3) The person, officer or authority to whom any direction is sought to be issued shall be served with a copy of the proposed direction and shall be given an opportunity of not less than 15 days from the date of service of a notice to file with an officer designated in this behalf, the objections, if any to the issue of the proposed direction.

(4) Where the proposed direction is for the stoppage or regulation of electricity or water or any other services affecting the carrying on any industry, operation or process and is sought to be issued to an officer or an authority, a copy of the proposed direction shall also be endorsed to the Occupier of the industry, operation or process, as the case may be and objections, if any, filed by occupier with an officer designated in this behalf shall be dealt with in accordance with the procedures under sub-rules (3) and (5) of this rule:

Provided that no opportunity of being heard shall be given to the Occupier, if he had already been heard earlier and the proposed direction referred to in sub-rule (3) above for the stoppage or regulation of electricity or water or any other service was the resultant decision of the State Board after such earlier hearing.

(5) The State Board shall within a period of 45 days from the date of receipt of the objections, if any, or from the date upto which an opportunity is given to the person, officer or authority to file objections whichever is earlier, after considering the objections, if any sought to be directed and for reasons to be recorded in writing, confirm, modify or decide not to issue the proposed direction.

(6) In a case where the State Board is of the opinion that in view of the likelihood of a grave injury to the environment it is not expedient to provide an opportunity to file objections against the proposed direction, it may, for reasons to be recorded in writing, issue directions without providing such an opportunity.

(7) Every notice or direction required to be issued under this rule shall be deemed to be duly served.—

(a) Where the person to be served is a company, if the document is addressed in the name of the company and its registered office or at its principal office or place of business and is either.

(i) sent by registered post; or

(ii) delivered at its registered office or at the principal office or place of business.

(b) Where the person to be served is an officer serving Government, if the document is addressed to the person and a copy thereof is endorsed to his Head of the Department and also to the Secretary to the Government as the case may be, incharge of the Department in which for the time being the business relating to the department in which the officer is employed is transacted and in either,

- (i) sent by registered post; or
 - (ii) is given or tendered to him.
- (c) In any other case, if the document is addressed to the person to be served and.—
- (i) is given or tendered to him; or
 - (ii) if such person cannot be found, is affixed on some conspicuous part of his last known place of residence or business or is given or tendered to some adult member of his family or is affixed on some conspicuous part or the land or building, if any, to which it relates; or
 - (iii) is sent by registered post to that person.

Explanation.— For the purpose of this sub-rule.—

- (a) "Company" means anybody corporate and includes a firm or other association of individuals;
- (b) "a servant" is not a member of the family.

35. Manner of giving notice.— The manner of giving notice under clause (b) of sub-section (1) of Section 49 shall be as follows, namely.—

- (1) The notice shall be in writing in Form XV
- (2) The person giving notice may send notice to.—
 - (i) the State Board;
 - (ii) the Ministry of Environment and Ecology (represented by the Secretary to the Government of Karnataka);
 - (iii) The notice shall be sent by registered post with acknowledgement due; and
 - (iv) the period of 60 days mentioned in clause (b) of sub-section (1) of Section 49 of the Act, shall be reckoned from the date it is first received by one of the authorities mentioned in sub-rule (2)."

4. Substitution of Form XIII.— For Form XIII, of the said rules the following form shall be *substituted*, namely.—

"FORM XIII

any treatment, disposal system for discharge, continuation of discharge under Section 25 or Section 26 of the Water (Prevention and Control of Pollution) Act, 1974.

Application for consent for establishing or taking any steps for establishment of industry operation process or

(See Rule 32)

From:

Date:

.....
.....
.....

To
The Member Secretary,
Karnataka State Pollution Control Board,
Bangalore.

Sir,

I/We hereby apply for consent/renewal of consent under Section 25 or Section 26 of the Water (Prevention and Control of Pollution) Act, 1974, (6 of 1974), for establishing or taking any steps for establishment of industry / operation process or any treatment/disposal system to bring into use any new / altered outlet for discharge of "sewage trade effluent" to continue to discharge* sewage/ trade effluent* from land/premises owned by

The other relevant details are as below.—

1. Full name of the applicant
2. Nationality of the applicant
3. Status of the applicant.—
 - (a) Individual
 - (b) Proprietary concern
 - (c) Partnership firm
(Whether registered or unregistered)
 - (d) Joint family concern
 - (e) Private Limited Company
 - (f) Public Limited Company
 - (g) Government Company.—
 - (1) State Government
 - (2) Union Territory
 - (h) Foreign Company
(if a foreign company, the details of registration, incorporation, *etc.*)
 - (i) Any other Association or Body.
4. Name, Address and Telephone Nos. of the Applicant, (the full list of individuals, partners, persons, Chairman) (full-time or part-time Managing Directors, Managing Partners, Directors) (full-time or part-time), other kinds of office bearers are to be furnished with their period of tenure in the respective office, with Telephone Nos. and address).
5. Address of the Industry
(Survey No., Khata No., location as per the revenue records, Village Firks,

Tehsil, District, Police Station or SHO, jurisdiction of the First Class Magistrate).

6. Details of commissioning, *etc.*
(a) Approximate date of the proposed commissioning of the work; (b) Expected date of production.
7. Total number of employees expected to be employed.
8. Details of licence, if any obtained under the provisions of Industrial Development Regulations Act, 1951.
9. Name of the person authorised to sign this form (the original authorisation except in the case of individual proprietary concern is to be enclosed).
10. (a) Attach the list of raw materials and chemicals used per month.
(b) Licenced Annual Capacity of the Factory /Industry.
11. State daily quantity of water in kilolitres utilised and its source (domestic/industrial process boiler cooling others).
12. (a) State the daily maximum quantity of effluents and mode of disposal (sewer or drains or river). Also attach analysis report of the effluents. Type of effluent, quantity in kiloliters, mode of disposal.
(i) Domestic.
(ii) Industrial.
(b) Quality of affluent currently being discharged or expected to be discharged.
(c) What monitoring arrangement is currently there or proposed.
13. State whether you have any treatment plant for industrial, domestic or combined effluents

Yes/No

If yes, attach a description of the process of treatment in brief. Attach information on the quality of treated effluent *vis-a-vis* the standards.

14. State details of solid waste generated in the process or during waste treatment.

| Description | Quantity | Method of collection | Method of Disposal |
|-------------|----------|----------------------|--------------------|
|-------------|----------|----------------------|--------------------|

15. I/We further declare that the information furnished above is correct to the best of my / our knowledge.
16. I/We, hereby submit that in case of change either of the point of discharge or the quantity of discharge or its quality, a fresh application for consent shall be made and until such consent is granted no change shall be made.

17. I/We, hereby agree to submit to the State Board an application for renewal of consent one month in advance of the date of expiry of the consent for outlet/discharge if to be continued thereafter.
18. I/We undertake to furnish any other information within one month of its being called by the State Board.
19. I/We enclose herewith Bank Draft No dated for Rs..... (.....) in favour of the Karnataka State Pollution Control Board, as fees payable under Section 25 of the Act.

Yours faithfully,

Signature of the Applicant

Note.— *Strike out which is not relevant.

5. Insertion of New Forms.— After Form XIV of the said rules the following Form shall be *inserted*, namely.—

"FORM XV

[See Rule 35]

Form of Notice

By Registered Post with Acknowledgement Due

From:

.....

To:

.....

Notice under Section 49 of the Water (Prevention and Control of Pollution) Act, 1974.

Whereas an offence under the Water (Prevention and Control of Pollution) Act, 1974, has been committed/Is being committed by .

(2) I/We, hereby give notice of 60 days under Section 49 of the Water (Prevention and Control of Pollution) Act, 1974, of my/our intention to file a complaint in the Court against

(3) For violation of Section of the Water (Prevention and Control of Pollution) Act, 1974.

In support of my / our notice, I am/We are enclosing the following documents (3) as evidence of proof of violation of the Water (Prevention and Control of Pollution) Act, 1974.

Place:

Signature(s)

Date:

Explanation:

(1) In case the notice is given in the name of a Company, documentary evidence authorising the person to sign the notice on behalf of the company shall be enclosed to this notice. Company for this purpose means a company defined in explanation to Section 47 of the Act.

(2) Here give the name and address of the alleged offender. In case of manufacturing/processing operating unit, indicate the name/location/nature of activity, *etc.*

(3) Documentary evidence shall include photographs/technical reports, health reports of the area *etc.*, for enabling enquiry into the alleged violation/offence.

¹**THE
KARNATAKA
STATE POLLUTION CONTROL BOARD (PROCEDURE FOR
TRANSACTION OF BUSINESS) AND THE WATER (PREVENTION AND
CONTROL OF POLLUTION) (AMENDMENT) RULES, 1994**

GSR 87.— In exercise of the powers conferred by Section 64 of the Water (Prevention and Control of Pollution) Act, 1974, (Central Act 6 of 1974), the Government of Karnataka, in consultation with the Karnataka State Pollution Control Board, hereby makes the following rules further to amend the Karnataka State Pollution Control Board (Procedure for Transaction of Business) and the Water (Prevention and Control of Pollution) Rules, 1976, namely.—

1. Short title and commencement.— (1) These rules may be called the **Karnataka State Pollution Control Board for the prevention and Control of Water Pollution (Procedure for Transaction of Business) and the Water' (Prevention and Control of Pollution) (Amendment) Rules, 1994.**

(2) They shall come into force from the date of their publication in the Official Gazette.

2. For Rule 14 of the said rules, the following shall be *substituted*, namely.—

¹ Published in the Karnataka Gazette, dated 20-7 -1995, *vide* Notification No. FEE 31 EPC 94, dated 7-7-1995

"14. Terms and conditions of Service of Members of the State Board.—

The Members of the various committees constituted by Board (excluding Board Officials) shall be paid a sitting fee of Rs. 110-00 per day for each day of meeting regardless of whether they are residing in Bangalore or not".

¹**THE
KARNATAKA
STATE POLLUTION CONTROL BOARD (PROCEDURE FOR
TRANSACTION OF BUSINESS) AND THE WATER (PREVENTION AND
CONTROL OF POLLUTION) (AMENDMENT) RULES, 1996**

GSR 34.— In exercise of the powers conferred by Section 64 of the Water (Prevention and Control of Pollution) Act, 1974, (Central Act 6 of 1974), the Government of Karnataka, in consultation with the Karnataka State Pollution Control Board, hereby makes the following rules further to amend the Karnataka State Pollution Control Board (Procedure for Transaction of Business), and the Water (Prevention and Control of Pollution) Rules, 1976, namely.—

1. Short title and commencement.— (1) These rules may be called the **Karnataka State Pollution Control Board (Procedure for Transaction of Business) and the Water (Prevention and Control of Pollution) (Amendment) Rules, 1996.**

(2) They shall come into force on the date of their publication in the Official Gazette.

2. Amendment to Rule 32.— In Rule 32 of the Karnataka State Pollution Control Board (Procedure for Transaction of Business) and the Water (Prevention and Control of Pollution) Rules, 1976 in sub-rule (2), for Table I the following Table I shall be *substituted*, namely.—

"TABLE I

| S1. No. | Category of Industries | Consent fee in Rupees |
|--------------------------------------|---|--------------------------|
| Industries with a capital investment | | |
| (a) | Exceeding Rs. 1000 crores | 5,00,000 |
| (b) | Exceeding Rs. 500 crores but not exceeding Rs. 1 000 crores | 3,50,000 |
| (c) | Exceeding Rs. 250 crores but not exceeding Rs. 500 crores | 2,50,000 |

¹ Published in the Karnataka Gazette, Extraordinary, dated 1-3-1997, *vide* Notification No. FEE 115 ENV 95, dated 20-11-1996

| | | |
|-----|--|----------|
| (d) | Exceeding Rs. 50 crores but not exceeding Rs. 250 crores | 1,50,000 |
| (e) | Exceeding Rs. 25 crores but not exceeding Rs. 50 crores | 1,00,000 |
| (f) | Exceeding Rs. 10 crores but not exceeding Rs. 25 crores | 75,000 |
| (g) | Exceeding Rs. 5 crores but not exceeding Rs. 10 crores | 50,000 |
| (h) | Exceeding Rs. 1 crore but not exceeding Rs. 5 crores | 25,000 |
| (i) | Exceeding Rs. 50 lakhs but not exceeding Rs. 1 crore | 7,500 |
| (j) | Exceeding Rs. 25 lakhs but not exceeding Rs.50lakhs | 3,000 |
| (k) | Exceeding Rs. 10 lakhs but not exceeding Rs.25lakhs | 1,500 |
| (l) | Exceeding Rs. 5 lakhs but not exceeding Rs.10lakhs | 1,000 |
| (m) | Exceeding Rs. 1 lakh but not exceeding Rs.5lakhs | 250 |
| (n) | Less than Rs. 1 lakh | 100 |

¹**THE
KARNATAKA
STATE POLLUTION CONTROL BOARD (PROCEDURE FOR
TRANSACTION OF BUSINESS) AND THE WATER (PREVENTION AND
CONTROL OF POLLUTION) (AMENDMENT) RULES, 1998**

In exercise of the powers conferred by sub-section (2) of Section 25 read with Section 64 of the Water (Prevention and Control of Pollution) Act, 1974 (Central Act 6 of 1974), the Government of Karnataka, in consultation with the Karnataka State Pollution Control Board, hereby makes the following rules further to amend the Karnataka State Pollution Control Board (Procedure for Transaction of Business) and the Water (Prevention and Control of Pollution) Rules, 1976, namely.—

1. Short title and commencement.— (1) These rules may be called the **Karnataka State Pollution Control Board (Procedure for Transaction of Business) and the Water (Prevention and Control of Pollution) (Amendment) Rules, 1998.**

(2) They shall come into force from the date of their publication in the Official Gazette.

¹ Published in the Karnataka Gazette, Extraordinary, dated 20-4-1998, vide Notification No. FEE 115 ENV 95(P), dated 19-2-1998

2. Amendment to Rule 32.— In Rule 32 of the Karnataka State Pollution Control Board (Procedure for Transaction of Business) and the Water (Prevention and Control of Pollution) Rules, 1976, in sub-rule (2) for Table I the following shall be *substituted*, namely.—

"TABLE

| Sl. No. | Capital investment by Industries | Consent fee in rupees for different categories of industries | | |
|---------|--|--|-----------------|----------------|
| | | Category Red | Category Orange | Category Green |
| (1) | (2) | (3) | (4) | (5) |
| (a) | Exceeding Rs. 1000 crores | 2,00,000 | 1,75,000 | 1,50,000 |
| (b) | Exceeding rupees 500 crores but not exceeding rupees 1000 crores | 1,50,000 | 1,25,000 | 1,00,000 |
| (c) | Exceeding rupees 250 crores but not exceeding rupees 500 crores | 1,00,000 | 90,000 | 75,000 |
| (d) | Exceeding rupees 50 crores but not exceeding rupees 250 crores | 75,000 | 60,000 | 50,000 |
| (e) | Exceeding Rs. 25 crores but not exceeding rupees 50 crores | 50,000 | 40,000 | 30,000 |
| (f) | Exceeding rupees 10 crores but not exceeding rupees 25 crores | 30,000 | 25,000 | 20,000 |
| (g) | Exceeding rupees 5 crores but not exceeding rupees 10 crores | 20,000 | 17,500 | 15,000 |
| (h) | Exceeding rupees 1 crore but not exceeding rupees 5 crores | 15,000 | 12,500 | 10,000 |
| (i) | Exceeding rupees 50 lakhs but not exceeding rupees 1 crore | 6,000 | 5,000 | 4,000 |
| (j) | Exceeding rupees 25 lakhs but not exceeding rupees 50 lakhs | 3,000 | 2,500 | 2,000 |
| (k) | Exceeding rupees 10 lakhs but not exceeding rupees 25 lakhs | 2,000 | 1,750 | 1,500 |

| | | | | |
|-----|---|-------|-------|-------|
| (l) | Exceeding rupees 5lakhs but not exceeding rupees 10 lakhs | 1,500 | 1,250 | 1,000 |
| (m) | Exceeding rupees 1lakh but not exceeding rupees 5lakhs | 500 | 250 | 200 |
| (n) | rupees one lakh and below | 200 | 150 | 100 |

Categories of industries into "Red", "Orange", "Green" is as per Government of India, Ministry of Environment and Forest, Official Memorandum No. J20011/15/88-IA, dated 27-9-1988 read with amendment issued time to time."

**THE
KARNATAKA WATER PREVENTION AND
CONTROL OF POLLUTION (APPELLATE
AUTHORITY) RULES, 1976**

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¹**THE
KARNATAKA WATER PREVENTION AND
CONTROL OF POLLUTION (APPELLATE AUTHORITY) RULES, 1976**

(As amended by GSR 98, dated 3-5-1990)

S.O. 3246.— In exercise of the powers conferred by Section 64 read with sub-section (3) of Section 28 of the Water (Prevention and Control of Pollution) Act, 1974 (Central Act 6 of 1974), the Government of Karnataka hereby makes the following rules namely.—

1. Title and commencement.— These rules may be called the **Karnataka Water Prevention and Control of Pollution (Appellate Authority) Rules; 1976.**

2. Definitions.— In these rules, unless the context otherwise requires.—

- (a) "Act" means the Water (Prevention and Control of Pollution) Act, 1974 (Central Act 6 of 1974);
- (b) "Appellate Authority" means an Appellate Authority constituted under sub-section (1) of Section 18;
- (c) "Chairman" means the Chairman of the Appellate Authority; "Form" means the form appended to these rules;
- (d) "Member" means a member of the Appellate Authority; "Section" means a section of the Act;
- (e) "State Board" means the Karnataka State Board for Prevention and Control of Water Pollution constituted under Section 4.

3. Hearing of appeals and applications.— (1) An appeal shall be heard by a full bench

¹ Published in the Karnataka Gazette, dated 8-12-1977, *vide* Notification No. HMA 172 CGE 75, dated 7-11-1977

consisting of all the members of the Appellate Authority and decided in accordance with the decision of the majority.

(2) An application shall be heard by a bench consisting of two members and if they differ in opinion then it shall be referred to the full bench consisting of all the members of the Appellate Authority for decision.

4. Headquarters of Appellate Authority.— The Headquarters of the Appellate Authority shall be at Bangalore.

5. Office hours and holidays.— The office of the Appellate Authority shall observe the same office hours as the other offices of the State Government. It shall remain closed on Sundays and such other holidays as may be declared by the State Government for such offices.

6. Presentation of appeals and application.— (1) An appeal or application shall be presented in person by the appellant or applicant as the case may be or by his duly appointed Advocate to the officer incharge of the office of the Appellate Authority during office hours or may be sent by registered post addressed to the Officer-in-charge.

(2) Every such appeal or application shall.—

- (a) either be type-written or written in ink in clearly legible hand-writing;
- (b) specify the name and postal address of the appellant or applicant and of the respondent or opponent as the case may be;
- (c) state the provision of law under which it is presented;
- (d) bear the signature of the appellant or applicant or his Advocate; mention briefly the facts of the case;
- (e) clearly state the grounds of appeal or application and the relief claimed;
- (f) If presented after the expiry of the period of limitation state the reasons for the delay, provided that where the appellant or applicant
- (g) wants the delay to be condoned he shall file a separate application along with the appeal or application for the purpose together with an affidavit explaining the circumstances relied upon failing which the appeal or application shall be dismissed *in limine*.

(3) Every appeal or application shall be accompanied by a certified copy of the order appealed against and four true copies thereof with four copies of the appeal memo or application in addition to as many copies thereof as there are respondents or opponents.

(4) No appeal or application shall be accepted by the officer incharge unless it conforms to the provisions of these rules except with the permission of the Chairman.

7. Registration of appeals and applications.— (1) On receipt of the appeal or application, the officer incharge shall endorse on the date of Its receipt by him and shall

acknowledge Its receipt. He shall then examine it and note whether.—

- (a) it is made within the prescribed time, if any;
- (b) it conforms to all the provisions of the Act and rules.

If he finds that the appeal or application conforms to all the said provisions he shall cause such appeal or (application as the case may be to be registered in the) appropriate register. If he finds that it does not conform to any of the said provisions he may thereupon by a notice in ¹[Form No. 1] affixed on the notice board of the Appellate Authority require the party concerned or his Advocate to remedy the defects within a period of seven days from the date of notice. A copy of such notice shall also be sent by registered post to the appellant or applicant. The Chairman may for sufficient cause extend the period for the purpose of remedying the defects.

(2) (a) if the defects are remedied within the period allowed under sub-rule (1) the officer in-charge shall cause the appeal or application as the case may be to be registered in the appropriate register:

(b) if the defects in the appeal or application are not remedied within the period allowed under sub-rule (1) by the party or his advocate the officer with the permission of the Chairman fix a date for hearing of which due notice in ²[Form No. 2] shall be given to the party or his Advocate.

(3) On the date so fixed the Appellate Authority shall hear the party or his Advocate and pass suitable orders either rejecting the appeal or application or directing it to be registered.

(4) Where an application or appeal is ordered to be registered under sub-rule (3) the officer shall cause it to be registered as soon as practicable and in any case not later than three days from the date of the order requiring it to be registered.

8. Calling of records.— When an appeal or application has been registered the officer shall as soon as may be, send intimation in ³[Form No. 3] to the member Secretary of the State Board calling for the records and proceedings relating to such appeal or applications unless the papers are already received by the officer of the Appellate Authority.

9. Admission of appeal or application.— (1) On receipt of the records from the State Board the Chairman shall go through the relevant records and if he is of the opinion that there is substance in the appeal or application he shall admit it.

(2) If the Chairman is of the opinion that there is no substance in the appeal or application he may direct that it be placed before the Appellate Authority for preliminary hearing on a date to be fixed by him.

(3) Where the Chairman fixes a date for the preliminary hearing under sub-rule (2), the

¹ Substituted for the words and figure "Form No. 3" by GSR 98, dated 3-5-1990, w.e.f. 5-7-1990

² Substituted for the words and figure "Form No. 6" by GSR 98, dated 3-5-1990, w.e.f. 5-7-1990

³ Substituted for the words and figure "Form No. 5" by GSR 98, dated 3-5-1990, w.e.f. 5-7-1990

offices shall give notice in ¹[Form No. 4] to the appellant or applicant or his Advocate as the case may be.

(4) No appeal or application shall be rejected under these rules unless an opportunity is given to the appellant or applicant or his Advocate to represent his case. Where the appeal or application is rejected the Appellate Authority shall record the reasons for doing so.

10. Stay of execution of orders.— The Appellate Authority may, pending disposal of an appeal or application, at any stage of the proceedings stay the execution of the order appealed against:

Provided that the Appellate Authority shall not stay the execution of the order appealed against without affording the State Board a reasonable opportunity of being heard in the matter.

11. Issue of notice.— (1) Where an appeal or application has been admitted the officer shall as soon thereafter as possible, issue notice in ²[Form No. 5] to both the parties at the cost of appellant or applicant calling upon them to appear before the Appellate Authority either in person or through a duly authorised Advocate on the date specified in it.

(2) Notices shall be served.—

- (i) by personal delivery of a copy of the notice to the addressee along with the copy of the appeal memo or of the application after taking his signature on the original; or
- (ii) by registered post with acknowledgement due.

12. Hearing of appeal or application.— (1) If on the date fixed for hearing or on any subsequent date to which the hearing may be adjourned, the appellant or applicant does not appear in person or by his Advocate when the appeal or application is called on for hearing, the Appellate Authority may either dismiss the appeal or application or itself decide it on merits after hearing the respondent or his Advocate if present.

(2) If on the date fixed for hearing or any other subsequent date to which the hearing may be adjourned the respondent or the opponent as the case may be does not appear in person or through his Advocate when the appeal or application is called on for hearing the Appellate Authority may decide the same on merits after hearing the appellant or applicant or his Advocate.

(3) When the appeal is taken for hearing ordinarily the appellant or applicant or his Advocate shall be heard first in support of his appeal or application. The respondent or opponent or his Advocate shall if necessary be heard next and in such case appellant or applicant or his Advocate shall be entitled to reply.

13. Adjournment.— The Appellate Authority may by such terms as it thinks fit and at

¹ Substituted for the words and figure "Form No. 7" by GSR 98, dated 3-5-1990, w.e.f. 5-7-1990

² Substituted for the words and figure "Form No. 7" by GSR 98, dated 3-5-1990, w.e.f. 5-7-1990

any stage of the proceedings adjourn the hearing of any appeal or application.

14. Judgment.— (1) The Appellate Authority after appeal or application has been heard in full, shall pronounce judgment in open Court either at once or at some future date of which due notice is given to the parties or their Advocates.

(2) The judgment shall be signed and dated by the members in open Court at the time of pronouncing it and when once signed, shall not afterwards be altered or added to:

Provided that clerical or arithmetical mistakes in judgment or orders may at any time be corrected by the Appellate Authority either of its own motion or on the application of the parties,

(3) Where the judgment is unanimous it shall be signed by all the members. Where it is the judgment of the majority, it shall be signed by the members forming majority. The dissenting member shall also write his judgment and record his opinion on the point or points on which he dissents.

15. Communication of orders.— A copy of the judgment or order passed by the Appellate Authority on any appeal or application shall be sent by the officer within thirty days to the State Board and also, when so directed by the Chairman, to the State Government.

16. Form of Presenting Affidavit or Vakalathnama.— Every affidavit and vakalathnama filed before the tribunal shall be drawn up and authenticated in the manner prescribed by the Karnataka Civil Rules of Practice.

17. Summons, notices etc., to be signed by the officer in-charge.— Every summons, notice or other forms and every copy of the judgment or order shall be signed by the officer in charge of the Appellate Authority or such other officer as the Chairman may authorise in writing and shall bear the official seal of the Appellate Authority.

18. Restoration of appeals or application decided *ex parte*.— *If* any appeal or application has been decided in the absence of the party or his Advocate the aggrieved party may within fifteen days from the *ex parte* order apply for the restoration of appeal or application and the Appellate Authority, may, after notice to the opposite party if satisfied that the aggrieved party was prevented by any sufficient cause from appearing when the appeal or application was called on for hearing, restore the appeal or application on such terms and conditions as it deem.

19. The procedure in case of death of parties.— (1) If the appellant or applicant dies during the pendency of the appeal or the application the legal representative of the appellant or applicant shall make an application Within sixty days from the date of death of appellant or applicant to the Appellate Authority to be brought on record. If the legal representatives fail to do so, the appeal or application shall abate.

(2) Where during the pendency of appeal or application the interest of any party to the appeal or application is wholly or partially assigned to or devolves upon some other person the appeal or application may, by leave of the Appellate Authority be continued by or against such person. Application for such leave shall be made within fifteen days from the date of assignment or devolution.

(3) If a party to an appeal or application becomes insolvent and his estate becomes vested in the official assignee or receiver or administrator, he may, by leave of the Appellate Authority be made a party to the appeal or application. The application for leave shall be made within fifteen days from the date of his taking charge as such.

20. Application of the Indian Limitation Act, 1963.— The provisions of Sections 4, 5 and 12 of the Indian Limitation Act shall apply to the proceedings under these rules.

21. Costs.— The cost of the appeal or application shall be in the discretion of the Appellate Authority.

22. Grant of certified copies.— Applications for the grant of certified copies of orders or any documents shall be affixed with a Court fee stamp of rupee one and shall also be accompanied by the required number of copying sheets prescribed by the Government. The Appellate Authority may Withhold the grant of certified copy of any document other than its own order if it is not desirable or not necessary to grant such copy.

23. Fee.— Fee payable under these rules shall be as follows.—

- | | |
|------------------|---|
| (i) Appeal Memo | Rs. 3.00 |
| (ii) Application | Rs. 3.00 |
| (iii) Vakalath | Rs.3.00 |
| (iv) Process fee | Rs. 1.50 for each respondent or opponent. |

24. Seal of the Appellate Authority.— The Appellate Authority shall use circular seal three inches in diameter. It shall bear thereon the Karnataka State emblem with the following inscription in English and Kannada".

"Karnataka Water Pollution Control Appellate Authority".

¹[FORM No. I

[See Rule 7(1)]

(Form of Notice)

Before the Karnataka Water Pollution Control Appellate Authority, Ban- galore.

Appeal/ Application No of 19Appellant/ Applicant v Respondent / Opponent.

To

The above named Appellant / Applicant
(or to the Advocate, if any)

You have filed an appeal/application against the order No dated passed by

¹ Forms 1 to 5 inserted by GSR 98, dated 3-5-1990, w.e.f. 5-7-1990

..... It does not comply with the provisions of the Karnataka Water Pollution Control Appellate Authority Rules, 1976 in the following respects.—

1.
2.
3.
4.

You are therefore required to remedy the above defects within 7 days of the receipt of this notice by you.

Given under by hand and under the seal of the Appellate Authority.

Date:

Seal

By Order

FORM No. 11

[See Rule 7(2)(b)]

(Form of Notice)

Before the Karnataka Water Pollution Control Appellate Authority, Bangalore

Appeal/ Application No of 19 Appellant/ Applicant.

Vs.

Respondent/Opponent.

To

The above named appellant/ applicant.

Take notice that the appeal application filed by you against the decision of in No.....of 19 of the file has been placed before the Appellate Authority for orders as it is defective as already intimated to you. The Appellate Authority will hear the matter on If you want to be heard, you should be present at the time of hearing in person or through an Advocate or agent. I you fail to do so the Appellate Authority will pass suitable orders in your absence.

Given under my hand and the seal of the Appellate Authority.

Date:

Seal:

By order

FORM No. III

[See Rule 8]

(Form of Intimation)

Before the Karnataka State Water Pollution Control Appellate Authority, Bangalore.

Appellant/ Applicant
Vs.
Respondent/ Opponent
To
The Member-Secretary,

Karnataka State Pollution Control Board.

Please take note that the above named Appellant / Applicant has filed an appeal/application before this Appellate Authority against the Board's decision / order in No of 19..... of your file.

You are therefore requested to send the records and proceedings of the above appeal/ application immediately.

Given under the seal of the Appellate Authority.

Date:

By Order

Seal:

FORM No. IV

[See Rule 9(3)]

(Form of Notice)

Before the Karnataka Water Pollution Control Appellate Authority, Bangalore. Appeal / Application No of 19.....

Appellant! Applicant
Vs.
Respondent / Opponent
To
Above named appellant! applicant

Take notice that the above appeal! application has been set down for hearing by the Appellate Authority on at AM/PM to decide whether the appeal! application should be admitted or not and that you should attend on that personally or through your duly appointed agent or Advocate. On your failure to do so, the Appellate Authority will hear and decide the appeal! application *ex parte*.

Date:

By Order

Seal:

FORM No. V

[See Rule 11]

Before the Karnataka Water Pollution Control Appellate Authority, Bangalore.
Appeal / Application No of 19.....

Appellant / Applicant
Vs. Respondent / Opponent
To

The Above named respondent! opponent

Take notice that the above named appellant! applicant has filed an appeal / application, before the Appellate Authority against the decision in case No... 19..... on the file of and that the Appellate Authority has fixed at AM / PM as the date of hearing. The Appellate Authority will hear it on that 'day or on any subsequent date to which it may adjourn it, after notifying the date on the Notice Board.

If you do not appear on the above date or dates, personally or through duly authorised agent or Advocate the Appellate Authority will hear and decide the appeal / application *ex parte*.

Given under my hand and seal of the Appellate Authority.

Date:

By Order

Seal:

¹**THE**
KARNATAKA WATER PREVENTION AND CONTROL OF POLLUTION
(APPELLATE AUTHORITY) (AMENDMENT)
RULES, 1990

GSR, 98.— In exercise of the powers conferred by Section 64 of the Water (Prevention and Control of Pollution) Act, 1974 (Central Act 6 of 1974), and in consultation with the Karnataka State Pollution Control Board, the Government of Karnataka hereby makes the following rules further to amend the Karnataka Water Prevention and Control of Pollution (Appellate Authority) Rules, 1976, namely.—

1. Title and commencement.— (1) These rules may be called the Karnataka Water Prevention and Control of Pollution (Appellate Authority) (Amendment) Rules, 1990.

(2) They shall come into force at once.

2. Amendment of Rule 7.— In Rule 7 of the Karnataka Water Prevention and Control of Pollution (Appellate Authority) Rules, 1976 hereinafter referred to as the said rules.—

¹ Published in the Karnataka Gazette, dated 5-7-1990, vide Notification No. DEO 114 9PC 88, dated 3-5-1990

- (i) in sub-rule (1), for the words and figure "Form No. 3", the words and figure "Form No. 1" shall be *substituted*;
- (ii) in sub-rule (2), in clause (b), for the words and figure "Form No. 6", the words and figure "Form No. 2" shall be *substituted*.

3. Amendment of Rule 8.— In Rule 8 of the said rules, for the words and figure "Form No. 5", the words and figure "Form No. 3" shall be *substituted*.

4. Amendment of Rule 9.— In Rule 9 of the said rules, in sub-rule (3), for the words and figure "Form No. ", the words and figure "Form No. 4" shall be *substituted*.

5. Amendment of Rule H.— In Rule 11 of the said rules, in sub-rule (1), for the words and figure "Form No. 7", the words and figure "Form No. 5" shall be *substituted*.

6. Insertion of Forms.— After Rule 24 of the said rules, the following forms shall be *inserted*, namely.—

"FORM No. I
[See Rule 7(1)]
(Form of Notice)

Before the Karnataka Water Pollution Control Appellate Authority, Bangalore.

Appeal / Application No of 19 Appellant/ Applicant. v Respondent/ Opponent.

To

The above named Appellant / Applicant
(or to the Advocate if any)

You have filed an appeal/application against the order No.....dated passed by It does not comply with the provisions of the Karnataka Water Pollution Control Appellate Authority Rules, 1976 in the following respects.—

- 1.....
- 2.....
- 3.....
- 4.....

You are therefore required to remedy the above defects within 7 days of the receipt of this notice by you.

Given under by hand and under the seal of the Appellate Authority.

Date:

Seal:

By Order

FORM No. 2

[See Rule 7(2)(b)]

(Form of Notice)

Before the Karnataka Water Pollution Control Appellate Authority, Bangalore

Appeal! Application No of 19Appellant! Applicant.

Vs.

Respondent / Opponent.

To

The above named appellant! applicant.

Take notice that the appeal/application filed by you against the decision of in No of 19..... of the file has been placed before the Appellate Authority for orders as it is defective as already intimated to you. The Appellate Authority will hear the matter on If you want to be heard, you should be present at the time of hearing in person or through an Advocate or agent. If you fail to do so the Appellate Authority will pass suitable orders in your absence.

Given under my hand and the seal of the Appellate Authority.

Date:

Seal:

By Order

FORM No. 3

[See Rule 8]

(Form of Intimation)

Before the Karnataka State Water Pollution Control Appellate Authority, Bangalore.

Appellant / Applicant

Vs.

Respondent / Opponent

To

The Member-Secretary,

Karnataka State Pollution Control Board.

Please take note that the above named Appellant / Applicant has filed an appeal/application before this Appellate Authority against the Board's decision / order in No of 19 of your file.

You are therefore requested to send the records and proceedings of the above appeal/ application immediately.

Given under the seal of the Appellate Authority.

Date:

By Order

Seal:

FORM No. 4

[See Rule 9(3)]

(Form of Notice)

Before the Karnataka Water Pollution Control Appellate Authority, Bangalore.

Appeal / Application No of 19

Appellant/ Applicant

Vs.

Respondent/Opponent

To

Above named appellant/ applicant

Take notice that the above appeal/ application has been set down for hearing by the Appellate Authority on at AM/PM to decide whether the appeal/ application should be admitted or not and that you should attend on that personally or through your duly appointed agent or Advocate. On your failure to do so, the Appellant Authority will hear and decide the appeal / application *ex parte*.

Date:

By Order

Seal:

FORM No. 5

[See Rule 11]

Before the Karnataka Water Pollution Control Appellate Authority, Bangalore.

Appeal/ Application No of 19

Appellant/ Applicant

Vs.

Respondent/ Opponent

To

The Above named respondent/ opponent

Take notice that the above named appellant/ applicant has filed an appeal / application, before the Appellate Authority against the decision in case No 19..... on the file of and that the Appellate Authority has fixed at AM/PM as the date of hearing. The Appellate Authority will hear it on that day or on any subsequent date to which it may adjourn it, after notifying the date on the Notice Board.

If you do not appear on the above date or dates, personally or through duly authorised agent or Advocate the Appellate Authority will hear and decide the appeal! application *ex parte*.

Given under my hand and seal of the Appellate Authority.

Date:

By Order

Seal:"

**THE
KARNATAKA
AIR (PREVENTION AND CONTROL OF
POLLUTION) RULES, 1983**

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¹**THE
KARNATAKA
AIR (PREVENTION AND CONTROL OF
POLLUTION) RULES, 1983**

(As amended by GSR 168, dated 12-8-1987; GSR 10, dated 31-12-1991; GSR 162, dated 26-8-1994 **and GSR 11, dated 19-2-1998.**)

GSR 259.— In exercise of the powers conferred by Section 54 of the Air (Prevention and Control of Pollution) Act, 1981 (Central Act 14 of 1981), the Government of Karnataka after consultation with the Karnataka State Pollution Control Board hereby makes the following rules namely.—

CHAPTER I

Preliminary

1. Short title and commencement.— (1) These rules may be called **the Karnataka Air (Prevention and Control of Pollution) Rules, 1983.**

(2) They shall come **into** force on the date of their publication in the Official Gazette.

2. Definitions.—In **these** rules unless the context otherwise requires.—

- (a) "**Act**" means the Air (Prevention and Control of Pollution) **Act**, 1981 (Central Act 14 of 1981);
- (b) "**Appellant**" means any person aggrieved by and appealing against an order made by the Board under Sections 20, 21 or 22 of the Act;
- (c) "**Appellate Authority**" means the Appellate Authority constituted by the State Government under sub-section (1) of Section 31 of the Act;
- (d) "**Board**" means the Karnataka State Pollution Control Board constituted under Section 4 of the Water (Prevention and Control of Pollution) Act, 1974;
- (e) "**Chairman**" means the Chairman of the Board;
- (f) "**Consultant**" means and includes any person whose services, technical or otherwise, may be obtained by the Chairman to conduct the affairs of the Board;
- (g) "**Form**" means form appended to these rules;
- (h) "**Furnace**" means any structure or installation where any form or type of fuel is burnt or otherwise a high temperature higher than ambient is maintained;

¹ Published in the Karnataka Gazette, Extraordinary, dated 18-11-1983, *vide* Notification No. DEE 1ENV 82, dated 15-11-1983

- (i) **"Government"** means the Government of Karnataka;
- (j) **"Secretary"** means the Member-Secretary of the Board;
- (k) **"Premises"** means any building structure or property used for industrial or trade purposes where pollution occurs;
- (l) **"Schedule"** means a schedule appended to these rules;
- (m) **"Section"** means section of the Act;
- (n) **"State Board Laboratory"** means a laboratory established or recognised as such under sub-section (2) of Section 17.

CHAPTER II

Terms and Conditions of Services of the Chairman and Other Members of the Board

3. Terms and conditions of services of Chairman.—The Chairman shall be entitled, to.—

- (a) such salary as may be fixed by the Government;
- (b) travelling allowances for the journey in connection with the duties of the Board at the rates as admissible under the Karnataka Civil Services Rules;
- (c) such other allowances as are admissible to an officer of the equivalent grade in State Civil Services.

4. Terms and conditions of members of the Board.—The non-official members of the Board who are not ordinarily residing at the places where they are required to be present in connection with the business of the Board shall be entitled to travelling and daily allowance as admissible under the Karnataka Civil Services Rules to the non-official members of committees, and members who are ordinarily residing at such places shall be entitled to a sitting fee of rupees fifty per day of sitting.

5. Powers and duties of the Chairman.—(1) The Chairman shall have all powers to conduct day to day business of the Board.

(2) He may exercise such other powers and functions as may be assigned to him by the Board to carry out the powers and functions under the Act.

(3) The Chairman shall have powers to accept all tenders subject to the approval of the Board:

Provided that no such approval of the Board is required for acceptance of tender upto an amount of rupees ten thousand at a time.

(4) The Chairman shall be the authority to give administrative sanctions to all estimates in the allocations made in the budget of the Board.

(5) The Chairman shall have powers to make all appointments to the **Board**, the maximum pay scale of which post shall not exceed rupees two thousand two hundred and fifty per month.

(5) The Chairman shall exercise all powers in matters of promotion, transfer and other conditions of service of the employees of the Board.

¹**[6] Powers and duties of the Secretary.**— (1) The Secretary shall exercise the powers and perform the duties as may be assigned to him by the Board or the Chairman from time to time.

(2) The Secretary shall be subordinate to the Chairman.

(3) The Secretary shall be responsible for the custody of all the records of the Board including all the papers and documents connected with the proceedings of the Board.

(4) The Secretary shall make all arrangements for holding meetings of the Board.

²**[7. Terms and conditions of service of the Secretary.**—The Secretary shall be entitled to.—

- (a) such salary as may be fixed by the Government;
- (b) travelling allowance for the journey in connection with the duties of the Board at the rates admissible under the Karnataka Civil Services Rules;
- (c) such other allowances as are admissible to an Officer of the equivalent grade in State Civil Services.]

CHAPTER III

Procedure for Transaction of Business of the Board and the Committees

8. Notice of Meetings.—(1) The Meetings of the Board shall ordinarily be held at Bangalore and on such dates as may be fixed by the Chairman.

(2) The Chairman shall on the request of not less than six members or on direction from the Government call a special meeting of the Board.

(3) For an ordinary meeting seven days clear notice and for any special meeting three days clear notice thereon shall be given to the members by the Secretary. Such notices shall specify the time, the date and the place where the meeting is to be held.

(4) The notice of a meeting may be sent to members either in person or by registered post.

(5) No member shall be entitled to bring forward any matter for the consideration of the meeting without giving five days clear notice to the Secretary to raise any such matter:

¹ Rule 7 renumbered as Rule 6 by GSR 168, dated 12-8-1987, w.e.f. 17-8-1987

² Rule 7 inserted by GSR 168, dated 12-8-1987, w.e.f. 17-8-1987

Provided that with the permission of the Chairman, a member may raise any such matter for the consideration of the Board.

(6) The Board may adjourn its meeting from day to day or to any other date. No fresh notice shall be necessary to hold any such adjourned meeting.

9. Meetings.—Every meeting shall be presided over by the Chairman or in his absence a member elected from among the members present to pre side over such meeting.

10. All questions to be decided by a majority of votes.—(1) All questions at a meeting shall be decided by a majority of votes of the members present.

(2) In case of an equality of votes, the Chairman or the member presiding over such meeting shall have a second or casting vote.

11. Quorum.—(1) Five members shall form a quorum for the meeting.

(2) In any meeting or during the course of such meeting no quorum is present, the Chairman or members who presides such meeting shall adjourn the meeting. If no quorum is present on the expiration of fifteen minutes, such meeting shall be adjourned to some other date, time and place as may be decided by the Chairman or the person presiding over such meeting.

(3) No quorum shall be required for any adjourned meeting.

(4) No matter which was not included in the Agenda of the previous meeting shall be considered in the adjourned meeting.

12. Transaction of business in certain cases.—Any proposal in which the decision of the Board is urgently required, such proposal shall be circulated among the members and if it is approved by a majority, such proposal shall be deemed to have been approved as a resolution at a meeting of the Board duly convened. Such decision shall be placed before the next meeting of the Board for ratification.

13. Minutes.— (1) The Secretary shall maintain a record of the proceedings of a meeting in a register maintained for the purpose. Such register shall contain the names of the members who attended the meeting and a brief note of the proceedings.

(2) The minutes of the previous meeting shall be read in the beginning of the next meeting. The Chairman shall correct any clerical error, make any alteration in the minutes without changing the essence of the decision taken in previous meeting.

(3) The proceedings shall be open for inspection by any member during office hours at the office of the Board.

14. Transaction of business in meeting.—No business shall be trans acted unless it is included in the agenda:

Provided that the presiding officer may permit the transaction of business which has not been entered in the agenda.

15. Procedure for transaction of business of the committee constituted under

Section 11.— (1) The Committee shall meet ordinarily at Bangalore or at such place and at such time as may be specified by the Chairman.

(2) The quorum for meeting shall not be less than half of the total number of members of the Committee.

(3) The procedure prescribed for transaction of the business of the Board shall *mutatis mutandis* apply to the transaction of the business of the Committee.

16. Fees and allowances payable to members of the Committee.— The members of the committee who are not ordinarily residing at the place where they are required to attend the meetings of the Committee shall be entitled to travelling and daily allowances as admissible under the Karnataka Civil Services Rules to non-official members of the Committee, and members who are ordinarily residing at such places shall be entitled to a sitting fee of rupees fifty per day of sitting.

17. Manner and purpose of association of persons with the Board under subsection (1) of Section 12.—The Board may seek assistance or advice of any expert, if it considers useful in performing any of its functions. Such expert shall be entitled to a fee of rupees fifty per day.

18. Appointment of consultants.—(1) For the purpose of assisting the Board in the performance of its functions the Chairman may appoint consultants to the Board for a specific period not exceeding six months:

Provided that the Chairman with the prior approval of the Government extends such period beyond one year.

(2) Notwithstanding the period of appointment under sub-rule (1), the power to terminate such consultants before the expiry of the specific period, the Chairman may terminate the appointment, if in his opinion it becomes desirable.

(3) The Chairman may pay such fees to the consultant depending on the nature of work and qualification of the consultant not exceeding rupees one hundred and fifty per day, if the job is less than seven days or rupees one thousand five hundred per month or rupees two thousand five hundred per month with the approval of the Board or a sum exceeding rupees two thousand five hundred per month with the prior approval of the Government.

CHAPTER IV

Manner of Declaration of an Area as Air Pollution Control Area

19. Manner of declaration of an area as air pollution control area.— Any area or areas declared an air pollution control area under Section 19 shall be notified in the Official Gazette and at least in two local newspapers having wide circulation in the area.

CHAPTER V

Application for Consent under sub-section (2) of Section 21

20. Application.— [(1) An application under sub-section (2) of Section 21 shall be in Form I and shall be accompanied by a fee as specified in the Table below.—

1. Sub-rule (1) substituted by GSR 11, dated 19-2-1998, w.e.f. 2-4-1998

| Sl. No. | Capital investment by Industries | Consent fee in rupees for different categories of industries | | |
|---------|--|--|-----------------|----------------|
| | | Category Red | Category Orange | Category Green |
| (a) | Exceeding Rs. 1000 crores | 2,00,000 | 1,75,000 | 1,50,000 |
| (b) | Exceeding rupees 500 crores but not exceeding rupees 1000 crores | 1,50,000 | 1,25,000 | 1,00,000 |
| (c) | Exceeding rupees 250 crores but not exceeding rupees 500 crores | 1,00,000 | 90,000 | 75,000 |
| (d) | Exceeding rupees 50 crores but not exceeding rupees 250 crores | 75,000 | 60,000 | 50,000 |
| (e) | Exceeding Rs. 25 crores but not exceeding rupees 50 crores | 50,000 | 40,000 | 30,000 |
| (f) | Exceeding rupees 10 crores but not exceeding rupees 25 crores | 30,000 | 25,000 | 20,000 |
| (g) | Exceeding rupees 5 crores but not exceeding rupees 10 crores | 20,000 | 17,500 | 15,000 |
| (h) | Exceeding rupees 1 crore but not exceeding rupees 5 crores | 15,000 | 12,500 | 10,000 |
| (i) | Exceeding rupees 50 lakhs but not exceeding rupees 1 crore | 6,000 | 5,000 | 4,000 |
| (j) | Exceeding rupees 25 lakhs but not exceeding rupees 50 lakhs | 3,000 | 2,500 | 2,000 |
| (k) | Exceeding rupees 10 lakhs but not exceeding rupees 25 lakhs | 2,000 | 1,750 | 1,500 |
| (l) | Exceeding rupees 5 lakhs but not | 1,500 | 1,250 | 1,000 |

| | | | | |
|-----|--|-----|-----|-----|
| | exceeding rupees 10 lakhs | | | |
| (m) | Exceeding rupees 1 lakh but not exceeding rupees 5 lakhs | 500 | 250 | 200 |
| (n) | Rupees one lakh and below | 200 | 150 | 100 |

Categories of Industries into "RED", "ORANGE", "GREEN" is as per Government of India, Ministry of Environment and Forest, Official Memorandum No. J20011/15/88-IA/ dated 27th September, 1988 read with amendment issued time to time.]

(2) On receipt of an application for consent under Section 21, the Board may depute any of its officers accompanied by as many Assistants as may be necessary to visit and inspect any place or premises under the control of the applicant or the occupier to which such application relates for the purpose of verifying the correctness or otherwise of the particulars furnished in the application or for obtaining such further particulars or information as such officer may consider necessary. Such officer may, for that purpose, inspect any place where emission from the chimney or fugitive emissions from any location within the premises of the industry as also any control devices installed in the said premises. Such officer may, for that purpose, inspect any place of premises under the control of the applicant or occupier, and may require the applicant to furnish to him any plan, specification or other data relating to control equipment or systems or any part thereof that he considers necessary.

(3) Such officer shall before visiting any premises of the applicant for the purposes of inspection under sub-rule (1) give notice to the applicant of his intention to do so in Form II. The applicant shall furnish to such officer all facilities to conduct the inspection.

(4) An officer of the Board may, before or after carrying out an inspection under sub-rule (1) require the applicant to furnish such additional information or clarification as he may consider necessary for the purpose of investigation of the application and may for that purpose summon applicant or his authorised agent to the office of the Board.

(5) An officer-in-charge of industrial plant or occupier of the premises shall give an information of the fact under sub-section (1) of Section 23 to any of the officers of the Board, Deputy Commissioner, Sub-Divisional Magistrate, the nearest police authority and the local authority including panchayat, Public Health Department and Department of Industry.

¹[20-A **Directions.**— (1) Any direction issued under Section 31(A) shall be in writing.

(2) The direction shall specify the nature of action to be taken and the time within which it shall be complied with by the person, Officer or the authority to whom such direction is given.

(3) The person, Officer or an authority to whom any direction is sought to be issued,

¹ Rules 20-A and 20-B inserted by GSR 162, dated 26-8-1994, w.e.f. 20-10-1994

shall be served with a copy of the proposed direction, and shall be given an opportunity of not less than 15 days from the date of service of a notice to file with an officer designated in this behalf the objections, if any, to the issue of the proposed direction.

(4) Where the proposed direction is for the stoppage or regulation of electricity or water or any other service affecting the carrying on of any Industry, operation or process and is sought to be issued to an officer or an authority, a copy of the proposed direction shall also be endorsed to the Occupier of the Industry, operation or process as the case may be and objections if any, filed by the occupier with an officer designated now in this behalf shall be dealt with in accordance with procedure under sub-rules (3) and (5) of this rule.

(5) The State Board shall within a period of 45 days from the date of receipt of the objections, if any, or from the date upto which an opportunity is given to the person, Officer or authority to file objections, whichever is earlier, after considering the objection, if any, received from the person, Officer or Authority sought to be directed and for reason to be recorded in writing, confirm, modify or decide not to issue the proposed direction.

(6) In a case where the State Board is of the opinion that, in view of the likelihood of a grave injury to the environment it is not expedient to provide an opportunity to file objections against the proposed direction, it may for reasons to be recorded in writing, issue directions without providing such an opportunity.

(7) Every notice or direction required to be issued under this rule shall be deemed to be duly served.—

(a) Where the person to be served is a company, if the document is addressed in the name of the Company at its registered office or at its principal office or place of business and is either.—

(i) sent by Registered post; or

(ii) delivered at its Registered Office or at the principal Office or place of business;

(b) Where the person to be served is an officer serving Government, if the document is addressed to the person and a copy thereof is endorsed to his Head of the Department and also to the Secretary to the Government, as the case may be, in-charge of the Department in which, for the time being the business relating to the Department in which the Officer is employed is transacted and is either.—

(i) sent by Registered post; or

(ii) is given or tendered to him.

(c) In any other case, if the document is addressed to the person to be served and.—

(i) is given or tendered to him; or

(ii) if such person cannot be found, is affixed on some conspicuous part of his last known place of residence or business or is given or tendered to some adult member of his family or is affixed on some conspicuous part of the land, or building, if any to which it relates; or

(iii) is sent by Registered Post to the person.

Explanation.—For the purposes of this sub-rule.—

(a) "Company" means any body corporate and includes a Firm or other association of individuals;

(b) "A Servant" is not a member of the family.

20-B. Manner of giving notice under Section 43.— The manner of giving notice under clause (b) of sub-section (1) of Section 43 shall be as follows. namely.—

(i) The notice shall be in writing in Form II-A;

(ii) The person giving notice may send it to.—

(a) Board and

(b) Department of Ecology and Environment (represented by the Secretary, Government of Karnataka);

(iii) Notice shall be sent by Registered post with Acknowledgement Due; and

(iv) Period of sixty days mentioned in clause (b) of sub-section (1) of Section 43 shall be reckoned from the date of its first receipt by one of the authorities mentioned above.]

21. Manner of obtaining samples.—(1) The procedure to obtain samples for the purpose of sub-section (1) of Section 26, shall be such as may be specified by the Board.

(2) The notice under sub-section (3) of Section 26, shall be in Form III.

(3) The report of the Board Analyst shall be in Form IV.

(4) The report of the Government Analysts under sub-section (3) of Section 27, shall be in Form V.

22. Functions of the State Air Laboratory.—(1) The State Air Laboratory shall cause to be analysed any sample of air or emission received by it from any officer authorised by the Board for the purpose and findings shall be recorded in Form VI.

(2) The fees payable for report shall be such as may be notified by the State Government from time to time.

23. Qualification to appoint Government Analyst.—A person for appointment as Government Analyst shall possess a masters degree in chemistry with three years experience in environmental quality management.

24. Qualification to appoint State Board Analyst.—A person for appointment as State Board Analyst must possess a degree in Chemistry or biochemistry or industrial chemistry or medicine with one year experience in environmental quality management.

25. Appeal.— (1) Every appeal under Section 31 shall be made in Form VII to the Appellate Authority and shall be accompanied by a fee of rupees ten.

(2) Every appeal shall be made in quadruplicate and shall be presented by the appellant or his duly authorised agent in person or by registered post.

(3) On receipt of the appeal, the Appellate Authority shall endorse thereon, the date of its receipt.

(4) After receipt of the records of the order appealed against from the Board, the Appellate Authority may fix a date of hearing of the appeal after notice to the parties in Form VIII.

(5) If on hearing of such appeal, the appellate authority is satisfied that additional evidence if any, is required, it may proceed to record such additional evidence and thereafter give its decision thereon.

(6) Every such decision of the appellate authority shall contain the points for determination, decision thereon and the reasons for the decision.

CHAPTER VI

Budget and Annual Report of the Board

26. Form of Budget estimates and Annual Report.—(1) The budget in respect of the year next ensuing showing the estimated receipts and expenditure of the Board shall be in Forms IX, X, XI, XII, (Schedule I) and submitted to the Government on or before 15th October of every year.

(2) The estimated receipts and expenditure shall be accompanied by the revised budget estimates for the current year.

(3) The budget shall, as far as may be, based on the account heads specified in Schedule II.

27. Annual Report.—The annual report under sub-section (2) of Section 35 shall contain the particulars specified in the Schedule III and shall be submitted to the Government on or before 15th June every year.

28. Annual Statement of Accounts.—The annual statement of accounts under Section 36 of the Board shall be in Forms XIII to XVII.

FORM I

[See Rule 20]

(To be submitted in Triplicate)

**Application for consent for Emissions/Continuation of Emission under
Section 21 of the Air (Prevention and Control of Pollution) Act, 1981**

From

Dated:

To
The Member-Secretary,

Sir,

I/We hereby apply for consent under Section 21 of the Air (Prevention and Control of Pollution) Act, 1981 (14 of 1981) to make emission from Industrial Plant owned by (1) for a period upto

2. The Annexure, appendices, other particulars and plans are attached herewith in triplicate.

3. I/We further declare that the information furnished in the Annexure/ Appendices, and plans is correct to the best of my/our knowledge.

4. I/We hereby submit that in case of a change either of the point, or the quantity of emission or of its quality, a fresh application for consent shall be made and until such consent is granted, no change shall be made.

5. I/We hereby agree to submit to the Board, application for renewal of consent one month in advance of the date of expiry of the consented period for emission, of to be continued thereafter.

6. I/We undertake to furnish any other Information within one month of its being called for by the Board.

Yours faithfully.

Signature.....

Name of Applicant.....

Address of Applicant.....

Accompaniments:

- (i) Index/site plan
- (ii) Topographical map
- (iii) Detailed layout plan of different processes and point sources of emissions and position of stacks and chimneys
- (iv) Process flow sheet
- (v) Latest Analysis Report

- (vi) Details of Air Pollution Control devices provided or proposed to be provided
- (vii) Ambient air quality report, if available
- (viii) Draft No Dated.....
 For Rs..... drawn on.....
as consent fee.

Annexure to Form

Chimney

Existing New Altered

Note: Any applicant knowingly giving incorrect information or suppressing any information pertaining thereto shall be liable to any actions under the provision of the Act.

While filling this Annexure the applicant shall for such of the items not pertaining to his activity shall state "not applicable" against the relevant one and not leave blank.

1. Full name of the Applicant with address

 (Tel. No.....)
2. Full name of the
 land/premises/Institute/
 Factory/Industry/Local body with
 address:
 (Tel. No.....)
 Telegraphic Address
3. Give revenue/City Survey No. of the District
 land/Premises for which the Town
 application is made. Village.....
 City Survey No
 Revenue Survey No
 Area in Hectares.....
4. State month and year in which the
 plant was actually put into
 commission or is proposed to be put

- into commission.
5. State the Civil/Military District
 Defence/Industrial Estate *etc.*, under Corporation
 whose Administrative jurisdiction the Municipality
 occupier's industrial plant is situated. Village Panchayat/Cantonment.....

 Defence Dept
 Port Trust
 State Government
 Prohibited area
 Central Government.....
 Airport Authority
6. (a) State whether plant site has been Yes/No
 declared as prohibited area;
 (b) If yes, state the name of the
 Authority and furnish certified copy
 of the order under which the area has
 been declared as prohibited area.
7. State working season per year of the Full Year
 plant
 From..... To
 From..... To
 From..... To
- Continuous/Batchwise every year
8. (a) No. of persons attending the
 factory per day
 (b) No. of persons residing in the premises
9. Indicate the present use of the land in (i) Human settlements of more than the
 vicinity (5 km. radius) of the site. 1,000 population (specify population
 and distance from the plant).

 (ii) Commercial.....
 (iii) Industrial
 (iv) Fisheries
 (v) Sanctuary/National Parks/Hills/
 Mountains.—

.....
 (vi) Ancient Monuments

10. Climatological and Meteorological Details (if available).—
- (a) Indicate the climate conditions at the site; (*e.g.* arid, semi-arid *etc.*)
 - (b) Rainfall, yearly average range
 - (c) Temperature, seasonal ranges
 - (d) Information on speed and directions of wind.
 - (e) Humidity, solar radiations

11. Give list of all materials used in the process in Metric Tonnes/day

| List of Raw materials | Principal use | Amount in T/day |
|-----------------------|---------------|-----------------|
| | | |

A process flow diagram must be included with this statement showing entry and exit points of all raw materials, intermediate products, by-products and finished products. Label process and control equipment.

12. Fuel Consumption in T/day.

| | Coal | Oil | Diesel | Wood | Natural Gas | Other Specify |
|--------------------------------|------|-----|--------|------|-------------|---------------|
| 1. Daily consumption in tonnes | | | | | | |
| 2. Calorific value | | | | | | |
| 3. Ash content % | | | | | | |
| 4. Sulphur content % | | | | | | |
| 5. Other specify | | | | | | |

13. Atmospheric Emission for each stack

Details of Stack

- (i) Stack No.
- (ii) Material of construction of stack
- (iii) Stack attached to:
- (iv) Stack height:

 - (a) Above the roof in mts.
 - (b) Above the ground level in mts

- (v) Stack top:

- (Collectors, precipitators, scrubbers, etc.)
18. State the total quantity of Air handled -
 by ventilation equipment. Specify size •
 and No. of equipments installed or to
 be installed. -
19. Give the following details.—
- (a) Total investment in the factory and
 year of investment.
- (b) The estimated expenditure for
 implementing the schemes to control
 Air pollution.
- (c) Expenditure incurred to date and
 progress achieved (physical) for air
 pollution control, if any, and the
 year/s of investment along with
 physical progress achieved, the Firm
 should give details of action taken to
 date and the expenditure incurred and
 the time required for the completion of
 the scheme.
- (d) Annual operations and
 maintenance cost of Air pollution
 control plant, if any.
- (e) Further action that is being taken
 by the Firm to control air pollution.
22. Other relevant information, if any
- Signature
- Name and address of the Applicant on
- behalf of Named and Address of the Firm

FORM II

[See sub-rule (3) of Rule 20]

Karnataka State Pollution Control Board Notice of Inspection

Office of the Chairman,
 Karnataka State Pollution Control Board,
 8th floor, P.U. Building,
 Mahatma Gandhi Road,
 Bangalore-560 001.

To

No.

Dated:

Take notice that for the purpose of enquiry under Section 21(3), the following officers of the State Board namely.—

- (1) Sri.....:
- (2) Sri.....
- (3) Sri.....

and the persons authorised by the Board to assist them shall inspect the

- (a) Emission control units
- (b) Emission Purification systems
- (c) Chimney/Stacks/other outlets
- (d) Factory
- (e) Disposal System
- (f) Any other parts thereof or pertaining thereto under management/control on date(s) between hours when all facilities as requested by them for such an inspection should be made available to them on the site. Take Notice that refusal or denial to the above stated demand under the functions of the State Board, shall amount to obstruction punishable under Section 38 of the Act.

Copy to

By Order of the Board
Member-Secretary.

FORMII-A

[See Rule 20-B]

**Karnataka State Pollution Control Board
Form of Notice of intention to make a complaint under Section 43
By registered post with acknowledgement due**

From:

Shri
.....
.....

To:

.....
.....
.....

Notice under Section 43(1)(b) of the Air (Prevention and Control of Pollution) Act, 1981.

Whereas an offence under the Air (Prevention and Control of Pollution) Act, 1981 has been committed/is being committed by (2).....

I/We hereby give Notice of 60 days under Section 43(1)(b) of the Air (Prevention and Control of Pollution) Act, 1981 of my/our intention to file a complaint in the Court against (2) for violation of section(s) of the Air (Prevention and Control of Pollution) Act, 1981.

In support of my/our Notice. I am/we are enclosing the following documents (3) as evidence of proof of violation of the Air (Prevention and Control of Pollution) Act, 1981.

.....
Signature(s).

Place:

Dated:

Explanation.— (1) In case the Notice is given in the name of a company documentary evidence authorising the person to sign the Notice on behalf of the company shall be enclosed to this notice. Company for this purpose means a Company defined in explanation to Section 42 of the Air (Prevention and Control of Pollution) Act, 1981.

(2) Here give the name and address of the alleged offender. In case of manufacturing/processing/operating unit, indicate the name/location/nature of activity *etc.*

(3) Documentary evidence shall include photographs/technical reports/health reports of the area *etc.*, for enabling enquiry into the alleged violation/offence.]

FORM HI

[See sub-rule (2) of Rule. 21]

**Karnataka State Pollution Control Board
Notice of intention to have sample analysed**

To

Take Notice that it is intended to have analysed the sample of emissions which is being taken the day of 19..... outlet
.....

Name and Designation of the
person who takes the Sample.

FORM IV

[See sub-rule (3) of Rule 11]

Report by the State Board Analyst

Report No

Dated the.....

I hereby certify that I State Board Analyst duly appointed under sub-section (3) of Section 26 of the Air (Prevention Control of Pollution) Act, 1981 received on the day of 19..... from a sample of for analysis. The sample was in a condition fit for analysis reported below.—

I further certify that I have analysed the aforementioned sample on and declare the result of the analysis to be as follows.—

.....
.....

The conditions of the seals fastening and container on receipt was as follows:

.....
.....

Signed this day of 19.....

Address: (Signature)
To: State Board Analyst.

FORM V

[See sub-rule (4) of Rule 11]

Report by the Government Analyst

Report No

Dated the.....

I hereby certify the I, Government Analyst duly appointed under sub-section (1) of Section 29 of the Air (Prevention and Control of Pollution) Act, 1981 (No. 14 of 1981) received on the day of 19 from a sample of for analysis. The sample was in a condition fit for analysis reported below.—

I further certify that I have analysed the aforementioned sample on and declare the result of the analysis to be as follows:

.....
.....

VI. Emission Standards.—

| Emission source number (from plot plan) | Air pollutant emitted | Emission rate kg. / hour or standard/sec. |
|---|-----------------------|---|
| (1) | (2) | (3) |
| | | |

VII. Consent condition if any.

FORM VII

[See sub-rule (1) of Rule 25]

Form of appeal under Section 31 of the Air (Prevention and Control of Pollution) Act, 1981 (14 of 1981)

Memorandum of appeal of Shri.....

(Appellant)

vs.

The Karnataka State Pollution Control Board

(Respondent)

The appeal of Shri

Resident of.....

District.....against the order dated passed by the Karnataka State Pollution Control Board under Section. of the Air (Prevention and Control of Pollution) Act, 1981 showeth as follows.—

(1) Under Section of the Air (Prevention and Control of Pollution) Act, 1981 (14 of 1981) the appellant has been granted consent subject to the conditions mentioned in the consent order in respect of the Company/Corporation/Municipality/notified area committee *etc*; noted below.—

(a) Name of plant/company/corporation/Municipality/notified area committee;

(b) Place;

(c) Ward No;

(d) Name of the street; and

(e) district;

A copy of the consent order in question is attached hereto.

(2) The facts of the case are as under: (here briefly mention the facts of the case)

(3) The grounds on which the appellant relies for the purpose of this appeal are as below.—

(here mention the grounds on which appeal is made)

1.

2.

3.

(4) In the light of what is stated above, the appellant respectfully prayeth that —

(a) the unreasonable condition(s) imposed should be treated as annulled or it/they should be substituted for such other condition^ as appears to be reasonable.

OR

(b) the unreasonable condition(s) be varied in the following manner.

(here mention the manner in which the conditions) objected should be revised)

An amount of Rs :..... as fee for this appeal has been paid *vide* receipt No..... dated an authenticated copy of which is attached in proof of payment.

Signature of the Appellant
(Name in Block Letter)

Occupation

Address

Date:

Verification

I,.....(Appellant's name) in the above Memorandum of appeal/or duly authorised agent do/does hereby declare that what is stated therein is true to the best of my knowledge and belief and nothing has been hidden thereunder.

Signature
Name (in Block letter)

Occupation

Address

Date:

*Strike out which is not applicable.

FORM VIII

[See sub-rule (4) of Rule 25]

Form of Notice

Before here mention the name and the designation of the authority, appellate authority as constituted under Section of the Air (Prevention and Control of Pollution) Act, 1981 (14 of 1981).

In the matter of appeal No. 111 19 filed under Section 31 of the Air (Prevention and Control of Pollution) Act, 1981 (14 of 1981) by Shri

(here mention the name and address of the appellant)

Vs.

The Karnataka State Pollution Control Board, Bangalore

Respondent

Whereas Shri

(here mention the name and address of the Appellant)

has filed before this authority a memorandum of appeal against the order dated passed by the Karnataka State Pollution Control Board, Bangalore Air Pollution under Section 20/21/22 of the Act.

And whereas, under sub-section (4) of Section 31 of the Act, this authority is required to give to the parties an opportunity of being heard.

Now, therefore, please take notice that this authority has fixed as the date of hearing of the aforesaid appeal. The hearing shall take place at AM/PM on that date in the office of the Board at Bangalore. You are hereby called upon to appear before this authority at the appointed time and date and place either in person or through a duly authorised agent and explain your case. Please take notice that failure on your part to appear on the day of hearing, whether in person or through a duly authorised agent, without showing sufficient cause to the satisfaction of this authority will make your appeal liable to be dismissed or decided *ex parte*.

Given under the hand and Seal of the Appellate Authority at This

SCHEDULE I

FORM IX

[See Rule 26]

**Karnataka State Pollution Control Board detailed Budget Estimates
for the year 19**

Administration

(Expenditure)

| Head of Account | Actuals for the past three years | | | Sanctioned estimate for current year 19 | Actuals of last 6 months i.e., year 19.. .19 | Actuals 6 months current year 19 |
|-----------------|----------------------------------|-----|-----|---|--|----------------------------------|
| | 19 | 19 | 19 | | | |
| (1) | (2) | (3) | (4) | (5) | (6) | (7) |
| | | | | | | |

| Revised estimate for the current year 19 | Budget estimate for the next year 19 | Variation between cols, (5) and (8) | Variation between cols. (8) and (9) | Explanation for cols. (10) and (11) |
|--|--------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|
| (8) | (9) | (10) | (11) | (12) |
| | | | | |

FORM X

[See Rule 26]

Karnataka State Pollution Control Board Establishment

Statement of details of provision proposed for Pay of
Officers/Establishment for the year 19.... 19

| Name and | Reference to | Sectioned pay of the |
|----------|--------------|----------------------|
|----------|--------------|----------------------|

| Designation | pay of estimate form | Min | Max. | Actual pay of the person concerned due on 1 st April new year |
|-------------|----------------------|-----|------|--|
| | | (a) | (b) |  | (c) |
| (1) | (2) | (3) | | |
| | | | | |

| Amount of provision for the year at the rate in col. 3(c) | Increment falling due within the year | | | Total provision for the year <i>i.e.</i> , total of cols. (4) and (5)(c) |
|---|---------------------------------------|-----------------------|----------------------|--|
| | Date of Increment (a) | Date of Increment (b) | Amount Increment (c) | |
| (4) | (5) | | | (6) |
| | | | | |

FORM XI

[See Rule 26]

**Karnataka State Pollution Control Board
Nominal Rolls**

Report Ending 19.... 19.... 19.... 19....

| Name and designation | Pay | D.A. | City Compensatory Allowance | House Rent Allowance |
|----------------------|-----|------|-----------------------------|----------------------|
| (1) | (2) | (3) | (4) | (5) |
| | | | | |

| Overtime Allowance | Children Educational Allowance | Leave Travel Concession | Other Allowance | Total |
|--------------------|--------------------------------|-------------------------|-----------------|-------|
| | | | | |

| | | | | |
|-----|-----|-----|-----|------|
| (6) | (7) | (8) | (9) | (10) |
| | | | | |

FORM XII

[See Rule 26]

Karnataka State Pollution Control Board (Abstract of Nominal Rolls)

| Actual sanctioned strength as on 1 st March 19 | Particulars of Posts | Sanctioned Grant 19 | Budget 19 | Revised 19 | Estimate 19 | Budget 19 | Estimate 19 | Explanation for the difference between sanctioned Budget Grant, revised estimate and Budget Estimate |
|--|----------------------|-----------------------|--------------------|-----------------------|--------------------|-----------------------|-------------------|--|
| | | No. of posts included | Pay and allowances | No. of Posts included | Pay and allowances | No. of posts included | Pay and allowance | |
| (1) | (2) | (3) | (4) | (5) | (6) | (7) | (8) | (9) |
| <p>I. Offices —</p> <p>(a) Posts filled</p> <p>(b) Posts vacant Total I Officers</p> <p>II. Establishment —</p> <p>(a) Posts filled</p> <p>(b) Posts vacant</p> <p>III. Class IV .—</p> <p>(a) Posts filled</p> <p>(b) Posts vacant</p> <p>Total III Class IV</p> <p>Grand Total I, II and III</p> | | | | | | | | |

SCHEDULE II

[See sub-rule (3) of Rule 26]

**Budget and Account Heads Administration
[Heads of Accounts (Expenditure)]**

1. Salaries
2. Wages
3. Travel Expenses

4. Office Expenses
 - (a) Furniture
 - (b) Postage
 - (c) Office Machines/Equipment
 - (d) Liveries
 - (e) Hot and cold weather charges
 - (f) Telephones
 - (g) Electricity and Water charges
 - (h) Stationery
 - (i) Printing
 - (j) Staff car and other vehicles
 - (k) Other items.
5. Fee and Honoraria
6. Payment for professional and special services.
7. Rents, Rates and Taxes/Royalty
8. Publications
9. Advertising, Sales and Publicity Expenses
10. Grants-in-aid/Contributions/Subsidies
11. Hospitality Expenses/Sumptuary Allowances, *etc.*
12. Pensions/Gratuities
13. Write off Losses
14. Suspenses
15. Expenses in connection with the setting up and maintenance of Board Laboratory.
16. Other charges (A residuary head, this will also include rewards and prizes).

Heds of Account (Receipts)

1. Payments by State Government
2. Fees
3. Fines and other receipts.

SCHEDULE III

[See Rule 27]

**Karnataka State Pollution Control Board
Annual Report for the Financial Year April 19..... to March 19.....**

1. Introductory.
2. Constitution of the State Board including changes therein.
3. Constitution of the Committees by State Board and meeting of the Committees constituted by it.
4. Meeting of the State Board.
5. Activities of the State Board including various functions performed under Section 17 of the Act.
6. Prosecutions launched and convictions secured.
7. Finance and Accounts of the State Board.
8. Visits to the State Board by experts, important persons, *etc.*
9. Any other important matter dealt with the State Board.

FORM XIII

[See Rule 28]

**Karnataka State Pollution Control Board, Bangalore
Receipts and Payments for the year ended.....**

| Previous year Rs. Ps. | Receipts | Rs. Ps. | Current Year Rs. Ps. | Previous year Rs. Ps. | Receipts | Rs. Ps. | Current Year Rs. Ps. |
|-----------------------------|----------|---------|-------------------------|---|----------|---------|-------------------------|
| (1) | (2) | (3) | (4) | (5) | (6) | (7) | (8) |
| Opening Balance | | | | 1. Capital Expenditure | | | |
| I. Grants Received | | | | (i) Works | | | |
| (a) From Government | | | | (ii) Fixed Assets | | | |
| (b) From Other Agencies | | | | (iii) Other Assets — | | | |
| II. Fees | | | | (a) Laboratory Equipment | | | |
| III. Fines and Forfeiture | | | | (b) Vehicles | | | |
| IV. Interest on Investments | | | | (c) Furniture and Fixtures | | | |
| V. Miscellaneous Receipts | | | | (d) Scientific Instruments and Office Appliances. | | | |
| VI. Miscellaneous Advances | | | | (e) Tools and Plant | | | |
| VII. Deposits | | | | 2. Revenue Expenditure | | | |
| | | | | (A) Administrative.— | | | |
| | | | | (i) Pay of Officers | | | |
| | | | | (ii) Pay of Establishment | | | |
| | | | | (iii) Allowance and Honoraria | | | |

| | |
|-------|--|
| | (iv) Leave Salary and Pension Contribution (v) Contingent Expenditure Deduct recoveries. (B) (i) Board Laboratory (ii) Charges to be paid to State Water Laboratory (C) Running and Maintenance of Vehicles. (D) Maintenance and Repairs (i) Buildings and Land Drainage including Rents if any. (ii) Works (iii) Furniture and Fixtures (iv) Scientific Instruments and Office Appliances, (v) Tools and Plants (vi) Temporary Works (including Maintenance and Repairs). (E) Fees to Consultants and Specialists. (F) Law charges (G) Miscellaneous (H) Fees for audit 1. Purchases 4. Miscellaneous 5. Advances 6. Deposits Closing Balance |
| Total | Total |

Accounts Officer

Member-Secretary

Chairman

FORM XIV

[See Rule 28]

Karnataka State Pollution Control Board Annual Statement of Accounts Income and Expenditure Accounts for the year ended 31st March, 19

| Previous year | Expenditure details | Total of sub-Head | Total Major Head | Previous year | Income Details | Total of Sub-Head Rs. | Total Major Head Rs. |
|---------------|---------------------|-------------------|------------------|---------------|----------------|-----------------------|----------------------|
| (1) | (2) | (3) | (4) | (5) | (6) | (7) | (8) |

| | |
|---|--|
| <p>Revenue Expenditure</p> <p>(A) Administrative.—</p> <p style="padding-left: 20px;">(i) Pay of Officers</p> <p style="padding-left: 20px;">(ii) Pay of Establishment</p> <p style="padding-left: 20px;">(iii) Allowances and Honoraria</p> <p style="padding-left: 20px;">(iv) Leave Salary and Pension Contribution,</p> <p style="padding-left: 20px;">(v) Board's Contribution to the Staff Provident Fund,</p> <p style="padding-left: 20px;">(vi) Contingent Expenditure Deduct Recoveries.</p> <p>(B) Running Expenses of Laboratories.—</p> <p style="padding-left: 20px;">(i) Main Laboratory</p> <p style="padding-left: 20px;">(ii) Payments to be made to State Water Laboratory.</p> <p>(C) Running and Maintenance of Vehicles.</p> <p>(D) Maintenance and Repairs.—</p> <p style="padding-left: 20px;">(i) Buildings and Land Drainage</p> <p style="padding-left: 20px;">(ii) Works</p> <p style="padding-left: 20px;">(iii) Furniture and Fixtures</p> <p style="padding-left: 20px;">(iv) Scientific Instruments</p> <p style="padding-left: 20px;">(v) Tools and Plant</p> <p>(E) Temporary Works (including Maintenance and Repairs).</p> <p>(F) Fees to Consultants and Specialists</p> <p>(G) Law Charges</p> <p>(H) Depreciation.—</p> <p style="padding-left: 20px;">(i) Buildings</p> <p style="padding-left: 20px;">(ii) Laboratory Equipment</p> <p style="padding-left: 20px;">(iii) Vehicles</p> <p style="padding-left: 20px;">(iv) Furniture and Fixtures</p> <p style="padding-left: 20px;">(v) Scientific Instruments and Office Appliances.</p> <p>(I) Miscellaneous.—</p> <p style="padding-left: 20px;">(i) Write-off of Losses (as per details in the Statement attached).</p> <p style="padding-left: 20px;">(ii) Other Misc. Expenditure</p> <p>(J) Fees for Audit</p> <p>(K) Excess of Income over Expenditure</p> | <p>By (1) Grants Received.—</p> <p style="padding-left: 20px;">(a) From Government</p> <p style="padding-left: 20px;">(b) From Other Agencies</p> <p style="padding-left: 20px;">Total</p> <p>Less:</p> <p style="padding-left: 20px;">Amount utilised for Capital Expenditure.</p> <p style="padding-left: 20px;">Net grant available for Revenue Expenditure</p> <p>(II) Fees</p> <p>(III) Service Rental Charges</p> <p>(IV) Fines and Forfeiture</p> <p>(V) Interest on Investments</p> <p>(VI) Miscellaneous Receipts</p> <p>(VII) Excess of Expenditure over Income</p> <p style="padding-left: 20px;">Total</p> |
|---|--|

| | |
|--|------------------------------------|
| | Total_____ |
| | Less Depreciation during the year |
| | Total_____ |
| | (c) Furniture and Fixtures |
| | As per last balance sheet |
| | Additions during the year |
| | Total_____ |
| | Less: Depreciation during the year |
| | Total_____ |
| | (d) Scientific Instruments |
| | and Office Appliances |
| | As per last Balance Sheet |
| | Additions during the year |
| | Total_____ |
| | (e) Tools and Plants.— As per last |
| | Balance Sheet Additions during the |
| | year |
| | Total_____ |
| | Less: Depreciation during the year |
| | Total_____ |
| | 4. Sundry Debtors.— |
| | (i) Amounts due from |
| | outside bodies for |
| | expenditure incurred.— |
| | Expenditure |
| | Less: Amount received |
| | (ii) Other Sundry Debtors |
| | 5. Advances.— |
| | (a) Miscellaneous Advances |
| | (b) Other amount recoverable |
| | Cash.— |
| | (a) Notice/short term deposits |
| | (b) Cash at Bank |
| | (c) Cash on hand |
| | (d) Cash in transit |
| | Total_____ |

Accounts Officer

Member-Secretary

Chairman

FORM XVI

[See Rule 28]

Karnataka State Pollution Control Board
Annual Statement of Accounts
Expenditure on works as on 31st March, 19...
(Item I-Assets of the Balance Sheet)

| Sl. No. | Name of work | Upto 31 st March, 19... | | |
|---------|--------------|------------------------------------|------------------|-------------------|
| | | Direct Expenditure | Overhead Charges | Total Expenditure |
| (1) | (2) | (3) | (4) | (5) |
| | | | | |

| During the year 19 | | | Upto 31 st March, 19... | | |
|--------------------|------------------|-------------------|------------------------------------|------------------|-------------------|
| Direct Expenditure | Overhead Charges | Total Expenditure | Direct Expenditure | Overhead Charges | Total Expenditure |
| | | | | | |
| Total | | | | | |

Accounts Officer

Member-Secretary

Chairman.

FORM XVII

[See Rule 28]

Karnataka State Pollution Control Board, Public Utility Building,
Bangalore 560 001
Annual Statement of Accounts

Fixed Assets as on 31st March, 19.

(Item 2 Assets of the Balance Sheet)

Other Assets as on 31st March, 19.

(Item 3 Assets of the Balance Sheet)

| Sl. No. | Particulars of Assets | Balance as on 31 st March, 19 | Addition during the year | Total | Rate | Depreciation during the year | Sales or write off during the | Balance as at 31 st March, 19 |
|---------|-----------------------|--|--------------------------|-------|------|------------------------------|-------------------------------|--|
| | | | | | | | | |

| | | | | | | | | |
|-----|-----|-----|-----|-----|-----|-----|------|-----|
| | | | | | | | year | |
| (1) | (2) | (3) | (4) | (5) | (6) | (7) | (8) | (9) |
| | | | | | | | | |

Accounts Officer

Member-Secretary

Chairman

¹**THE
KARNATAKA AIR (PREVENTION AND CONTROL OF POLLUTION)
(AMENDMENT) RULES, 1987**

GSR 168.—In exercise of the powers conferred by Section 54 of the Air (Prevention and Control of Pollution) Act, 1981 (Central Act 14 of 1981) Government of Karnataka in consultation with the Karnataka State Pollution Control Board, hereby makes the following rules further to amend the Karnataka Air (Prevention and Control of Pollution) Rules, 1983, namely.—

1. Short title and commencement— (1) These rules may be called the **Karnataka Air (Prevention and Control of Pollution) (Amendment) Rules, 1987.**

(2) They shall come into force at once.

2. Amendment of Rule 7.— Rule 7 of the Karnataka Air (Prevention and Control of Pollution) Rules, 1983, shall be *renumbered* as Rule 6 and after the Rule 6 as so *renumbered*, the following rule shall be *inserted*, namely.—

"7. Terms and conditions of service of the Secretary.—The Secretary shall be entitled to.—

- (a) such salary as may be fixed by the Government;
- (b) travelling allowance for the journey in connection with the duties of the Board at the rates admissible under the Karnataka Civil Services Rules;
- (c) such other allowances as are admissible to an Officer of the equivalent grade in State Civil Services".

²**THE
KARNATAKA
AIR (PREVENTION AND CONTROL OF POLLUTION)
(AMENDMENT) RULES, 1991**

GSR 10.—In exercise of the powers conferred by Section 54 of the Air (Prevention and Control of Pollution) Act, 1981 (Central Act 14 of 1981), the Government of Karnataka after consultation with Karnataka State Pollution Control Board, hereby makes the following rules further to amend the Karnataka Air (Prevention and Control of Pollution) Rules, 1983, namely.—

1. Short title and commencement.—(1) These rules may be called the **Karnataka Air (Prevention and Control of Pollution) (Amendment) Rules, 1991.**

¹ Published in the Karnataka Gazette, Extraordinary, dated 17-8-1987, *vide* Notification No. DEE 138 ENV 86, dated 12-8-1987

² Published in the Karnataka Gazette, Extraordinary, dated 8-1-1992, *vide* Notification No. DEE 121 ENG 91, dated 31-12-1991

(2) They shall come into force on the date of their publication in the Official Gazette.

2. Amendment of Rule 20.— In Rule 20 of the Karnataka Air (Prevention and Control of Pollution) Rules, 1983, in sub-rule (1), for clauses (a) to (e) and the entries relating thereto, the following shall be *substituted*, namely.—

| Sl. No. | Category of Industries | Consent Fee in Rs. |
|--|---|--------------------|
| Industries with a capital investment of.— | | |
| (a) | exceeding rupees ten crores | 15,000 |
| (b) | exceeding rupees five crores but not exceeding rupees ten crores | 10,000 |
| (c) | exceeding rupees one crore but not exceeding rupees five crores | 7,500 |
| (d) | exceeding rupees fifty lakhs but not exceeding rupees one crore | 4,000 |
| (e) | exceeding rupees twenty five lakhs but not exceeding rupees fifty lakhs | 2,000 |
| (f) | exceeding rupees ten lakhs but not exceeding rupees twenty five lakhs | 1,500 |
| (g) | exceeding rupees five lakhs but not exceeding rupees ten lakhs | 1,000 |
| (h) | exceeding rupees one lakh but not exceeding rupees five lakhs | 250 |
| (i) | rupees one lakh and below | 100 |

**¹THE
KARNATAKA
AIR (PREVENTION AND CONTROL OF POLLUTION) (AMENDMENT)
RULES, 1994**

GSR 162.— In exercise of the powers conferred by Section 54 of the Air (Prevention and Control of Pollution) Act, 1981 (Central Act 14 of 1981), the Government of Karnataka after consultation with the Karnataka State Pollution Control Board, hereby makes the following rules further to amend the Karnataka Air (Prevention and Control of Pollution) Rules, 1983, namely.—

¹ Published in the Karnataka Gazette, dated 20-10-1994, *vide* Notification No. FEE 130 ENV 94, dated 26-8-1994

1. Title and commencement.— (1) These rules may be called the **Karnataka Air (Prevention and Control of Pollution) (Amendment) Rules, 1994.**

(2) They shall come into force on the date of their publication in the Official Gazette.

2. Insertion of new Rule 20-A and 20-B.— In the Karnataka Air (Prevention and Control of Pollution) Rules, 1983, (hereinafter referred to as said rules), after Rule 20, the following shall be *inserted*, namely.—

"20-A Directions.—(1) Any direction issued under Section 31(A) shall be in writing.

(2) The direction shall specify the nature of action to be taken and the time within which it shall be complied with by the person, Officer or the authority to whom such direction is given.

(3) The person, Officer or an authority to whom any direction is sought to be issued, shall be served with a copy of the proposed direction, and shall be given an opportunity of not less than 15 days from the date of service of a notice to file with an officer designated in this behalf, the objections, if any, to the issue of the proposed direction.

(4) Where the proposed direction is for the stoppage or regulation of electricity or water or any other service affecting the carrying on of any Industry, operation or process and is sought to be issued to an officer or an authority, a copy of the proposed direction shall also be endorsed to the Occupier of the Industry, operation or process as the case may be and objections if any, filed by the occupier with an officer designated now in this behalf shall be dealt with in accordance with procedure under sub-rules (3) and (5) of this rule.

(5) The State Board shall within a period of 45 days from the date of receipt of the objections, if any, or from the date upto which an opportunity is given to the person, Officer or authority to file objections, whichever is earlier, after considering the objection, if any, received from the person, Officer or Authority sought to be directed and for reason to be recorded in writing, confirm, modify or decide not to issue the proposed direction.

(6) In a case where the State Board is of the opinion that, in view of the likelihood of a grave injury to the environment it is not expedient to provide an opportunity to file objections against the proposed direction, it may for reasons to be recorded in writing, issue directions without providing such an opportunity.

(7) Every notice or direction required to be issued under this rule shall be deemed to be duly served.—

(a) Where the person to be served is a company, if the document is addressed in the name of the Company at its registered office or at its principal office or place of business and is either.—

(i) Sent by Registered post; or

(ii) delivered at its Registered Office or at the principal Office or place of business;

- (b) Where the person to be served is an officer serving Government, if the document is addressed to the person and a copy thereof is endorsed to his Head of the Department and also to the Secretary to the Government, as the case may be, in-charge of the Department in which, for the time being the business relating to the Department in which the Officer is employed is transacted and is either.—
 - (i) sent by Registered post; or
 - (ii) is given or tendered to him.
- (c) In any other case, if the document is addressed to the person to be served and.—
 - (i) is given or tendered to him; or
 - (ii) if such person cannot be found, is affixed on some conspicuous part of his last known place of residence or business or is given or tendered to some adult member of his family or is affixed on some conspicuous part of the land, or building, if any to which it relates; or
 - (iii) is sent by Registered Post to the person. Explanation.—For the purposes of this sub-rule.—
 - (a) "Company" means any body corporate and includes a Firm or other association of individuals;
 - (b) "A Servant" is not a member of the family.

20-B. Manner of giving notice under Section 43.— The manner of giving notice under clause (b) of sub-section (1) of Section 43 shall be as follows, namely.—

- (i) The notice shall be in writing in Form II-A;
- (ii) The person giving notice may send it to.—
 - (a) Board and (b) Department of Ecology and Environment (represented by the Secretary, Government of Karnataka);
- (iii) Notice shall be sent by Registered post with Acknowledgement Due; and
- (iv) Period of sixty days mentioned in clause (b) of sub-section (1) of Section 43 shall be reckoned from the date of its first receipt by one of the authorities mentioned above".

3. Insertion of new Form.— After Form II of the said rules, the following new Form shall be *inserted*, namely.—

"FORM II-A
[See Rule 20-B]

Karnataka State Pollution Control Board
Form of Notice of intention to make a complaint under Section 43
By registered post with acknowledgement due

From:

.....
.....
.....

To

.....

Notice under Section 43(1)(b) of the Air (Prevention and Control of Pollution) Act, 1981.

Whereas an offence under the Air (Prevention and Control of Pollution) Act, 1981 has been committed/is being committed by (2)

I/We hereby give Notice of 60 days under Section 43(1)(b) of the Air (Prevention and Control of Pollution) Act, 1981 of my/our intention to file a complaint in the

Court against (2) for violation of section(s) of the Air (Prevention and Control of Pollution) Act, 1981.

In support of my/our Notice. I am/we are enclosing the following documents (3) as evidence of proof of violation of the Air (Prevention and Control of Pollution) Act, 1981.

.....
Signature(s).

Place:

Dated:

Explanation.—(1) In case the Notice is given in the name of a company, documentary evidence authorising the Person to sign the Notice on behalf of the company shall be enclosed to this notice. Company for this purpose means a Company defined in explanation to Section 42 of the Air (Prevention and Control of Pollution) Act, 1981.

(2) Here give the name and address of the alleged offender. In case of manufacturing/processing/operating unit, indicate the name/location/nature of activity *etc.*

(3) Documentary evidence shall include photographs/technical reports/health reports of the area *etc.*, for enabling enquiry into the alleged violation/offence."

¹**THE
KARNATAKA
AIR (PREVENTION AND CONTROL OF POLLUTION)
(AMENDMENT) RULES, 1998**

GSR. 11.— In exercise of the powers conferred by Section 51 of the Air (Prevention and Control of Pollution) Act, 1981 (Central Act 14 of 1981), the Government of Karnataka in consultation with the Karnataka State Pollution Control Board hereby makes the following rules further to amend the Karnataka Air (Prevention and Control of Pollution) Rules, 1983, namely.—

1. Short title and Commencement.—(1) These rules may be called the **Karnataka Air (Prevention and Control of Pollution) (Amendment) Rules, 1998.**

(2) They shall come into force from the date of their publication in the Official Gazette.

2. Amendment of Rule 20.—In Rule 20 of the Karnataka Air (Prevention and Control of Pollution) Rules, 1983, for sub-rule (1) the following shall be *substituted*, namely.—

"(1) An application under sub-section (2) of Section 21 shall be in Form I and shall be accompanied by a fee as specified in the Table below.—

TABLE

| Sl. No. | Capital investment by Industries | Consent fee in rupees for different categories of industries | | |
|---------|--|--|-----------------|----------------|
| | | Category Red | Category Orange | Category Green |
| (a) | Exceeding Rs. 1000 crores | 2,00,000 | 1,75,000 | 1,50,000 |
| (b) | Exceeding rupees 500 crores but not exceeding rupees 1000 crores | 1,50,000 | 1,25,000 | 1,00,000 |
| (c) | Exceeding rupees 250 crores but not exceeding rupees 500 crores | 1,00,000 | 90,000 | 75,000 |
| (d) | Exceeding rupees 50 crores but not exceeding rupees 250 crores | 75,000 | 60,000 | 50,000 |
| (e) | Exceeding Rs. 25 crores but not exceeding rupees 50 crores | 50,000 | 40,000 | 30,000 |
| (f) | Exceeding rupees 10 crores but not exceeding rupees 25 crores | 30,000 | 25,000 | 20,000 |

¹ Published in the Karnataka Gazette, dated 2-4-1998, *vide* Notification No. FEE 115 ENV 95(P), dated 19-2-1998

| | | | | |
|-----|--|--------|--------|--------|
| (g) | Exceeding rupees 5 crores but not exceeding rupees 10 crores | 20,000 | 17,500 | 15,000 |
| (h) | Exceeding rupees 1 crore but not exceeding rupees 5 crores | 15,000 | 12,500 | 10,000 |
| (i) | Exceeding rupees 50 lakhs but not exceeding rupees 1 crore | 6,000 | 5,000 | 4,000 |
| (j) | Exceeding rupees 25 lakhs but not exceeding rupees 50 lakhs | 3,000 | 2,500 | 2,000 |
| (k) | Exceeding rupees 10 lakhs but not exceeding rupees 25 lakhs | 2,000 | 1,750 | 1,500 |
| (l) | Exceeding rupees 5 lakhs but not exceeding rupees 10 lakhs | 1,500 | 1,250 | 1,000 |
| (m) | Exceeding rupees 1 lakh but not exceeding rupees 5 lakhs | 500 | 250 | 200 |
| (n) | Rupees one lakh and below | 200 | 150 | 100 |

Categorising of Industries into "RED", "ORANGE", "GREEN" is as per Government of India, Ministry of Environment and Forests, Official Memorandum No. J20011/15/88-IA/ dated 27th September, 1988 read with amendment issued time to time."

¹**THE
WATER POLLUTION (PROCEDURE FOR
TRANSACTION OF BUSINESS) RULES, 1975**

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GSR 3(E).— In exercise of the powers conferred by Section 63 of the Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974), the Central Government after consultation with the Central Board for the Prevention and Control of Water Pollution hereby makes the following rules, namely.—

1. Short title and commencement.— (1) These rules may be called the **Central Board for the Prevention and Control of Water Pollution (Procedure for Transaction of Business) Rules, 1975.**

¹ Published in the Gazette of India, Extraordinary, Part 11, dated 10-1-1975, *vide* Notification dated 10-1-1975

(2) They shall come into force on the date of their publication in the Official Gazette.

2. Definitions.— In these rules, unless the context otherwise requires.—

- (a) "Act" means the Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974);
- (b) "Government" means the Central Government;
- (c) "Chairman" means the Chairman of the Central Board;
- (d) "Member" means a member of the Central Board and includes the Chairman thereof;
- (e) "Member-Secretary" means the Member Secretary of the Central Board;
- (f) "Meeting" means a meeting of the Central Board;
- (g) "Section" means a section of the Act.

3. Notice of meetings.— (1) Meetings of the Central Board shall ordinarily be held at Delhi on such dates as may be fixed by the Chairman.

(2) The Chairman shall, upon the written request of not less than five Members of the Central Board or upon a direction of the Central Government, call a special meeting of the Central Board.

(3) Fifteen clear days' notice of an ordinary meeting and three clear days' notice of a special meeting specifying the time and the place at which such meeting is to be held and the business to be transacted thereat, shall be given by the Member-Secretary to the members;

(4) Notice of a meeting may be given to the member by delivering the same by messenger or sending it by registered post to his last known place of residence or business or in such other manner as the Chairman may, in the circumstances of the case, think fit.

(5) No member shall be entitled to bring forward for the consideration of the meeting any matter of which he has not given ten clear days' notice of the Member-Secretary, unless the Chairman, in his discretion, permits him to do so.

¹[(6) (a) The Central Board may adjourn its meetings from day to day, or to any particular date;

(b) Where a meeting of the Central Board is adjourned from day-to-day, notice of such adjourned meeting shall be given to the Members available in the city, town or other place where the meeting which is adjourned is held, either by telephone or by special messenger and it shall not be necessary to give notice of the adjourned meeting to other members;

¹ Substituted by GSR No. 1489. dated 11-10-1976

(c) Where a meeting of the Central Board is adjourned not from day-to-day but from the day on which the meeting is held to another date, notice of such meeting shall be given to all the members as provided in sub-rules (3) and (4)].

(7) ¹[x x x]

4. Presiding Officer.— Every meeting shall be presided over by the Chairman and, in his absence, a Chairman for the meeting to be elected by the members present from amongst themselves.

5. All questions to be decided by majority.— (1) All questions at a meeting shall be decided by a majority of votes of members present, and voting shall be by raising of hands in favour of the proposal.

(2) In case of an equality of votes, the presiding officer shall have a second or casting vote.

6. Quorum.— (1) Five members shall form the quorum for any meeting.

(2) If at any time fixed for any meeting or during the course of any meeting a *quorum* is not present, the presiding officer shall adjourn the meeting and if a *quorum* is not present on the expiration of fifteen minutes from such adjournment the presiding officer shall adjourn the meeting to such hours on the following or on some other future date as he may fix.

(3) No *quorum* shall be necessary for the adjourned meeting.

(4) No matter which had not been on the agenda of the original meeting shall be discussed at such adjourned meeting.

²[(5) (a) Where a meeting of the Central Board is adjourned under sub-rule (2) for want of *quorum* to the following day, notice of such adjourned meeting shall be given to the members available in the city, town or other place where the meeting which is adjourned is held, either by telephone or by special messenger and it shall not be held, either by telephone or by special messenger and it shall not be necessary to give notice of the adjourned meeting to other members.

(b) Where a meeting of the Central Board is adjourned under sub-rule (2) for want of *quorum* not to the following day but to another date, notice of such adjourned meeting shall be given to all the members as provided in sub-rules (3) and (4).]

7. Minutes.— (1) Record shall be kept of the names of members, who attend the meeting and of the proceedings at the meeting in a book to be maintained for that purpose by the Member-Secretary.

(2) The minutes of the previous meeting shall be read at the beginning of the every

¹ Omitted by GSR No. 1489, dated 11-10-1976

² Substituted by GSR No. 1489, dated 11-10-1976

succeeding meeting, and shall be confirmed and signed by the presiding officer at such meeting.

(3) The proceedings shall be open to inspection by any member at the office of Central Board during office hours.

8. Maintaining order at meeting.— The presiding officer shall preserve order at meeting.

9. Business to be transacted at meeting.— Except with the permission of the presiding officer, no business which is not entered in the agenda or of which notice has not been given by a member under sub-rule (5) of Rule 3, shall be transacted at any meeting.

10. Order of business.— (1) At any meeting business shall be transacted in the order in which it is entered in the agenda.

(2) Either at the beginning of the meeting or after the conclusion of the debate on a motion during the meeting the presiding officer or a member may suggest a change in the order of business as entered in the agenda and if the meeting agrees, such a change shall take place.

11. Procedure for transaction of business of Committees constituted by the Board.— (1) The time and place of the meetings of the committees constituted by the Central Board under sub-section (1) of Section 9 shall be as specified by the Chairman.

(2) The *quorum* for a meeting of a committee constituted under sub-section (1) of Section 9 shall be one-half of the total number of members of the committee.

(3) Subject to sub-rule (1) and sub-rule (2) the meetings of any of the committees constituted under sub-section (1) of Section 9 shall, as far as may be governed by the rules applicable to the meetings of the Central Board.