



ਪੰਜਾਬ ਪ੍ਰਦੂਸ਼ਣ ਕੰਟਰੋਲ ਬੋਰਡ
PUNJAB POLLUTION CONTROL BOARD

No.613.....

Dated: 23/12/2021

OFFICE ORDER

Subject: Procedure for extending an opportunity of personal hearing to the industries and other establishments.

It has been observed that the hierarchical officers in the technical cadre of the Board, at the time of issuing the notices for various violations of Pollution Control Laws to the entrepreneurs also provide an opportunity of hearing to appear in person before the Competent Authority. Sometime, the violations are of very minor nature or pertains to only documentary incompletions which could be easily be addressed either by issuing an advisory or show cause notice for submitting compliances or objections in writing in a time bound period. The procedure of providing personal hearing to the entrepreneur(s) takes considerable time and as such is to be discouraged in the first instance. Keeping in view, various relevant aspects, it has been decided that the industries shall not be extended an opportunity of personal hearing in the first instance, unless the case is of grave injury to the environment or of other emergency where it is necessary in the public interest to extend the opportunity of hearing. It is, thus imperative that the following procedure shall be adopted at the time of issuing notices for the violations to the entrepreneurs:

- 1) In normal cases of violation with minor deficiencies or documentary in completions, show cause notice with an opportunity to file objections in writing within 10 days' or so time period shall be issued to the entrepreneur by the officers.
- 2) The notice(s) shall be delivered to the authorized person through registered post as well as through official email or in person so as to ensure the receipt of show cause notice and / or presence of the industry / concerned person in hearing.
- 3) The confirmation of receipt of show cause notice shall be ensured with proof of acknowledgment.
- 4) In case the entrepreneur fails to file the objections within the time allowed or the reply submitted is not found satisfactory, then an opportunity of personal hearing shall be extended on a case to case basis.

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- 5) The entrepreneur must appear in person or if feasible present his / her case through virtual mode (Video Conference) for the purpose of personal hearing. In this regard, an option has to be given by the entrepreneur in writing for video conference at least 3 days before the date of hearing, through an email ID of the concerned office (the email ID needs to be mentioned in the hearing notice by the concerned officer).
- 6) That in case the authorized officer of the Government Department fails to appear for hearing before the Competent Authority or to make compliance of the directions of the Board, the facts of the case shall be brought to the notice of the higher authorities of the concerned department with a request to ensure the appearance of the concerned officer and the compliance of directions of the Board.
- 7) In case of emergency situation or serious violations, the opportunity of personal hearing may be extended in the first instance through show cause notice.
- 8) In no case, the entrepreneur shall be called to any office of the Board for video conference (VC).
- 9) Hearing shall be afforded if there is statutory requirement under the Pollution Control Laws or compliance of Court orders is to be made.

These orders will come into force with immediate effect.

Prof. (Dr.) Adarsh Pal Vig
Chairman

Endst. No. SEE(HQ2)/2021/_____

Dated_____

A copy of the above is forwarded to the following for information and necessary action:

- 1) The Chief Environmental Engineer, Punjab Pollution Control Board, Patiala / Ludhiana / Jalandhar / Bathinda / HQ/ PBIP.
- 2) The Special Secretary (G&P), Punjab Pollution Control Board, Mohali.
- 3) The Senior Environmental Engineer, Punjab Pollution Control Board, HQ-I/II, Zonal Office, Patiala-I/II, Jalandhar, Amritsar / Bathinda / EPA.
- 4) The Environmental Engineer, Punjab Pollution Control Board, EPA/ Mega / HQ-I/II/ Regional Office, Patiala / Sangrur / Bathinda / Faridkot / Batala / Jalandhar-I/II, Hoshiarpur / Mohali / Roopnagar / Amritsar / Fatehgarh Sahib and Ludhiana I/II/III/IV.

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- 5) The Scientific Officer (Water / Air Laboratory), Punjab Pollution Control Board, Head Office, Patiala.
- 6) The Senior Law Officer / Administrative Officer / Deputy Controller (F&A), Punjab Pollution Control Board, Head Office, Patiala.
- 7) PS to Chairman / PA to Member Secretary, Punjab Pollution Control Board, Patiala.

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Member Secretary

Endst. No. SEE(HQ2)/2021/27632

Dated 23/12/2021

A copy of the above is forwarded to the Environmental Engineer (Computer), Punjab Pollution Control Board, Patiala for uploading the office order on the website of the Board.


Member Secretary