

Punjab Pollution Control Board

Vatavaran Bhawan, Nabha Road, Patiala

No. CEE(HQ)/2016/ 142Dated : 21/3/16**Office Order****Subject: Policy for empanelment of Chartered Institute / Chartered Engineer for implementation of Environmental Laws/ Rules.**

As a step forward towards providing ease of doing business by simplifying various procedures to instill confidence amongst the investors and to provide for third party inspection / facilitation for obtaining 'consent to establish' and / or 'consent to operate' of the Board, the Punjab Pollution Control Board in its 170th meeting held on 27/01/2016 has approved amended policy relating to empanelment of Chartered Engineer / Institute for implementation of Environmental Laws / Rules. The detailed policy can be accessed at the website of the Board i.e. www.ppcb.gov.in.

The said policy shall come into force with immediate effect.


(Manpreet Singh, IAS)
Chairman

Endst No. 20569Dated: 22-3-16

✓ A copy of the above alongwith policy is forwarded to the Secretary to Government of Punjab, Deptt. of Science, Technology and Environment, Chandigarh for information please.

DA/- As above


Member Secretary

Dated: 22-3-16Endst No. 20570

A copy of the above alongwith policy is forwarded to the Commissioner-cum-Director, Industries & Commerce, Chandigarh for information please.

DA/- As above


Member Secretary

Dated: 22-3-16Endst No. 20571

A copy of the above alongwith policy is forwarded to the Chief Executive Officer, Punjab Bureau of Investment Promotion, Chandigarh for information please.

DA/- As above


Member Secretary

Dated: 22-3-16

through e-mail only 20572-614

Endst No.

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

1. The Chief Environmental Engineer, Punjab Pollution Control Board, Patiala/ PBIP / Ludhiana / Jalandhar.
2. The Sr. Environmental Engineer, Punjab Pollution Control Board, Zonal Office-I/II, Patiala / Ludhiana I/II/ Jalandhar / Sri Amritsar & Bathinda.
3. The Sr. Environmental Engineer (HQ-1/2/3), Punjab Pollution Control Board, Patiala.

4. The Special Secretary (P & G), Punjab Pollution Control Board, SAS Nagar.
5. The Senior Science Officer, Punjab Pollution Control Board, Patiala.
6. The Environmental Engineer, Punjab Pollution Control Board, Regional Office, Patiala / Ludhiana-1/2/3/4 / Jalandhar / Sri Amritsar / Hoshiarpur / Batala / Sangrur / Bathinda / Faridkot / Sri Fatehgarh Sahib & SAS Nagar.
7. The Environmental Engineer (CSA/SEIAA/SEAC/Const./RTI), Punjab Pollution Control Board, Patiala.
8. The Scientific Officer (Air Lab.)/ Deputy Director (P.R.), Punjab Pollution Control Board, Patiala.
9. The Administrative Officer - 1/2 / Senior Law Officer 1/2, Punjab Pollution Control Board, Patiala.
10. The Deputy Controller (F & A), Punjab Pollution Control Board, Patiala.
11. P.A. to Chairman / P.S. to Member Secretary, Punjab Pollution Control Board, Patiala.

DA/- As above


 Member Secretary

Dated: 22-3-16

Endst No. -20615

A copy of the above alongwith policy is forwarded to the Environmental Engineer (Computers), Punjab Pollution Control Board, Patiala is displaying on the website of the Board.

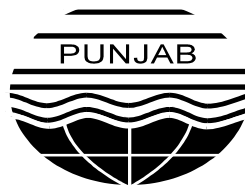
DA/- As above

 Member Secretary

TERMS OF REFERENCE (TOR)

&

**GUIDELINES FOR CHARTERED ENGINEER /
CHARTERED INSTITUTE**



JANUARY, 2016

PUNJAB POLLUTION CONTROL BOARD
Vatavaran Bhawan, Nabha Road, Patiala - 147 001

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TERMS OF REFERENCE (TOR) FOR THE CHARTERED ENGINEERS / CHARTERED INSTITUTES

1. SCOPE OF WORK:

Application preparation / verification / certification of environmental data / application submission for all category of industries, construction / area development projects and other establishments for the purpose of obtaining 'consent to establish' (NOC), ' consent to operate', renewal of consent under the Water (Prevention and Control of Pollution) Act, 1974, Air (Prevention and Control of Pollution) Act, 1981, Environment (Protection) Act, 1986 and the Rules made their under from the Punjab Pollution Control Board.

2. FUNCTIONS OF CHARTERED ENGINEER / CHARTERED INSTITUTE:

The Chartered Engineer(s)/ Chartered Institute(s) will be entitled to perform one or more of the following functions :

- 2.1 Compilation and completion of documents required for applying for the 'consent to establish' (NOC) / 'consent to operate' / authorization / registrations and any other permission / approvals required under the provisions of the Water (Prevention and Control of Pollution) Act, 1974, Air (Prevention and Control of Pollution) Act, 1981 and Environment (Protection) Act, 1986 and the Rules made thereunder, as prescribed by the Board from time to time.
- 2.2 To facilitate and ensure filing of online applications by the project proponent for obtaining various consents / authorizations / registrations and other approvals, wherever required.

- 2.3 Checking of feasibility reports for the proposed pollution control systems and its adequacy to meet with the standards and checking the adequacy of existing / installed pollution control systems provided.
- 2.4 Visit to the proposed / existing site for verifying all the facts related to the application in question, including confirmation of the site meeting with the siting criteria laid down by the Board.
- 2.5 Coordinate and facilitate the project proponent for getting the sampling / monitoring done for the industry specific parameters from the Labs approved for consent purposes by the Board.
- 2.6 Suggesting measures which can be adopted by it for achieving;
- a) Energy efficiency
 - b) Conservation of resources
 - c) Waste minimization
 - d) Adoption & upgradation to cleaner technology
- This should be reported at the time of submitting the application for 'consent to establish' (NOC) / 'consent to operate' / varied consents / renewal of consent on behalf of the industrial unit / project.
- 2.7 To calculate the total water balance, material balance of industrial process and optimizing its operation.
- 2.8 To study the energy consumption and fuel consumption to optimize the operation of boilers, thermo packs, furnaces etc. installed in the industry.

- 2.9 To calculate the pollution load in terms of water, air and hazardous waste / solid waste generated by the project and check the adequacy and efficacy of pollution control devices / equipments and certify that treated effluent / emissions shall meet with the standards prescribed for such type of industries and hazardous waste / solid waste is disposed off in an environmentally sound manner as per provisions of law.
- 2.10 Facilitating adoption of sound environmental practices by the owner / partner / director of the industry and placing environmental information in public domain.
- 2.11 To facilitate the project proponent in preparing the Environmental Audit Statement (EAS) / Environmental Audit Report (EAR) and certification of the same that EAS/EAR is in order as per Environmental Laws.
- 2.12 Any other issues asked to be reported by the Board from time to time.

3. APPLICABILITY OF THE SCHEME :

- 3.1 This scheme shall be applicable to;
- a) All Large, Medium & Small Scale industries under Red, Orange & Green category situated in the State of Punjab.
 - b) All construction projects established / being established in the State of Punjab.
 - c) All common facilities i.e. CETP's / TSDF's / CBWTSDF's in the State of Punjab.

4. PROCEDURE FOR PREPARATION AND SUBMISSION OF APPLICATIONS :

- 4.1 The Chartered Engineer / Chartered Institute shall obtain and submit an authority letter from the concerned industry / project proponent to represent (on behalf of industry) to the Punjab Pollution Control Board on his / its behalf.
- 4.2 The Chartered Engineer / Chartered Institute will compile and complete the application in all respects as per the requirements of the Board and thereafter submit the same to the concerned Regional Office of the Board. The Chartered Engineer / Chartered Institute must ensure that all the documents are duly signed and authenticated by the project proponent as well as by Chartered Engineer / Chartered Institute representative. However, Chartered Engineer / Chartered Institute representative is not authorized to sign the application, which should be signed by the industry / project proponent only.
- 4.3 The application shall also be accompanied with a checklist-cum-assessment report incorporating all the details as per the relevant performa. This report should be duly signed by the project proponent as well as the Chartered Engineer / Authorized person of Chartered Institute with official seal.
- 4.4 The Chartered Engineer / Chartered Institute while processing the application on behalf of the industry / project proponent shall certify that the project fulfills all the applicable Laws / Acts / Rules / Guidelines / Directions issued by the Government / Board from time to time.

5 ELIGIBILITY CRITERIA & EXPERIENCE FOR AN CHARTERED ENGINEER / CHARTERED INSTITUTE :

The Chartered Engineer / Chartered Institute must have manpower, experience and qualifications as stated under to qualify under this policy :

5.1 FOR CHARTERED INSTITUTE :

The Chartered Institute team must comprise of atleast 4 members having following individual qualifications as below :

QUALIFICATION :

- 5.1.1 A degree in Environmental Engineering or a degree in Civil Engineering with specialization in Environmental Engineering as an elective subject awarded by the recognized University or Institute in India or abroad.
- 5.1.2 A degree in Chemical Engineering / Technology awarded by a recognized University or Institute in India or abroad.
- 5.1.3 A degree in Chemistry or Environmental Science awarded by a recognized University or Institute in India or abroad.
- 5.1.4 Masters / Doctorate in Micro Biology / Bio-chemistry / Chemistry / Bio-technology awarded by a recognized University or Institute in India or abroad.

EXPERIENCE :

- 5.1.5 It should have an experience of atleast 5 years in the field of environmental pollution control / research & development / teaching **environment related subjects.**

5.2 FOR CHARTERED ENGINEER :

QUALIFICATION :

5.2.1 A degree in Environmental Engineering or a degree in Civil Engineering with specialization in Environmental Engineering as an elective subject awarded by the recognized University or Institute in India or abroad.

5.2.2 A degree in Chemical Engineering / Technology awarded by a recognized University or Institute in India or abroad.

EXPERIENCE :

5.2.3 At least five years practical experience in the field of environmental pollution control.

6. GUIDELINES FOR INSPECTION OF INDUSTRIES / PROJECTS:

6.1 The Chartered Engineer / Chartered Institute shall verify the contents of the application submitted by the industries / project proponent. In case of any variation, the Chartered Engineer / Chartered Institute will get it corrected from the industry / project proponent before submitting to the Board.

6.2 The Chartered Engineer / Chartered Institute shall carryout photography of the site conditions and pollution control equipments / outlets / mode of disposal / energy meter / flow meter etc. and will submit the same alongwith the visit report / consent application.

6.3 The validity of the visit report will be 15 days from the date of visit till the submission of the same to the Board. Thereafter, the Chartered Engineer / Chartered Institute will have to re-visit the site / industry and prepare a fresh visit report / agenda note.

- 6.4(a) The Chartered Engineer is not allowed to authorize any other person to visit the site / industry on his / her behalf unless and until such persons are authorized by the Punjab Pollution Control Board.
- 6.4(b) The Chartered Institute shall not sublet any work regarding visit to the site / industry etc. on its behalf unless and until such persons / Chartered Institutes are authorized by the Punjab Pollution Control Board.
- 6.5 The Chartered Engineer / Chartered Institute shall be totally self sufficient and there shall be no dependence on other agencies for site visit of industries, collection of data etc. and finally preparation of reports and there shall be no sub-contracting. Any violation in this regard shall lead to derecognition of the Chartered Engineer / Chartered Institute.
- 6.6 The Chartered Engineer / Chartered Institute must clearly report to Punjab Pollution Control Board about any inconsistency and malpractice being committed / practiced by the industry e.g. dilution of effluents, bye - pass / stagnation of untreated effluent or any other activities which are likely to create environmental pollution problems; & contrary to the directions issued through consent orders & other letters under the different Acts; by Punjab Pollution Control Board.
- 6.7 No Chartered Engineer / Chartered Institute shall work as a consultant to the industry / group of affiliated industries where one or more directors / proprietor / partners are common; for which he is appointed / selected as Chartered Engineer / Chartered Institute. The consultancy work includes (1) analysis of effluent (waste water, air emission and solid / Hazardous Waste)

(2) design / operation/ upgradation of Environment Management System (3) Carrying out EIA studies etc.

6.8 Visit to the industries by Chartered Engineer / Chartered Institute will be as under :-

S.N.	Category of Industry	Visit by whom
1.	17 category / grossly polluting	Chartered Institute
2.	Large Scale (Red Category)	Chartered Institute / Chartered Engineer
3.	All other categories of industries	Chartered Institute / Chartered Engineer
4.	CETPs/ TSDFs/ CBWTSDFs	Chartered Institute
5.	Construction Projects	Chartered Institute / Chartered Engineer

6.9 All 17 categories and grossly polluting industries and common facilities i.e. CETPs/ TSDFs/ CBWTSDFs shall be visited by at least 2 of the team members of the institute consisting of one from engineering and one from scientific side.

6.10 In case of change in the man power (any member of the team); same shall be communicated to the Punjab Pollution Control Board in advance and the Chartered Engineer / Chartered Institute shall also obtain the permission of the Board for its replacement.

6.11 High levels of integrity, sincerity and ethics shall be maintained and followed by the Chartered Engineer / Chartered Institute.

7. GENERAL TERMS & CONDITIONS :

- 7.1 The Chartered Engineer / Chartered Institute should have a complete knowledge of all the Environmental Laws / Acts / Rules and notifications / circulars / documents regarding Environmental Laws issued by the State Pollution Control Board, State Government, Central Pollution Control Board and Ministry of Environment and Forests, New Delhi and other related departments.
- 7.2 The Chartered Engineer / Chartered Institute will certify with seal that all the documents and applications, which have been submitted to the Board, are true copies of the originals and no forged / false information is being supplied to the Board.
- 7.3 The Chartered Engineer / Chartered Institute shall inform the Board, if false / wrong / incorrect / misleading information has been given to them by the industry or otherwise action will be initiated against the Chartered Engineer / Chartered Institute as deemed fit including cancellation of the recognition certificate. The Chartered Engineer / Chartered Institute shall be liable for errors of commission and / or omission as per provisions of the Water (Prevention and Control of Pollution) Act, 1974, Air (Prevention and Control of Pollution) Act, 1981 and Environment (Protection) Act, 1986 and Rules made thereunder as amended from time to time or any other law as applicable.
- 7.4 The Chartered Engineer / Chartered Institute will not issue any receipt / certificate / any other document to the industry on behalf of the Board.

- 7.5 The Chartered Engineer / Chartered Institute shall have proper office and transport facilities. The Board will not provide any such facilities.
- 7.6 The Chartered Engineer / Chartered Institute shall not sublet or delegate the functions entrusted to him by Punjab Pollution Control Board to any other person.
- 7.7 All the responsibility of false information / documents or concealment of any fact lies jointly and severally with the industry and the Chartered Engineer / Chartered Institute.
- 7.8 All the recognized Chartered Engineers / Chartered Institutes shall submit the Bank Guarantee amounting to Rs.2,00,000/- only (Rupees two lacs only), as an assurance to comply with terms of reference prescribed for Chartered Engineer / Chartered Institute and for ensuring proper working by them. It is to be furnished in the format as prescribed by the Board and as amended from time to time.
- 7.9 The Chartered Engineer / Chartered Institute shall maintain all the record for inspection and for providing the same under the provisions of RTI Act, 2005.
- 7.10 The Chartered Engineer / Chartered Institute shall be liable to submit the report and their certification to the Board on the format as prescribed by the Board from time to time.
- 7.11 The Chartered Engineer / Chartered Institute shall be bound to perform such duties / functions as assigned by the Board from time to time.
- 7.12 In case of any wrong reporting, harassment to industry / project proponent or doing of any other unauthorized activity not

covered under TOR by the Chartered Engineer / Chartered Institute, the Board will be at liberty to encash the Bank guarantee, revoke / cancel the recognition certificate / authorization given to the Chartered Engineer / Chartered Institute and to initiate legal action as per law.

8. FEE TO BE CHARGED BY THE CHARTERED ENGINEER / CHARTERED INSTITUTE :

The Chartered Engineer / Chartered Institute is allowed to charge fee for the inspection / processing of an application from various industries as follows :

S.N.	Scale of the industry	Rate	
		Facilitation charges (as per policy guidelines)	Preparation of Environmental Audit Report
1.	i) Large scale units (under 17 category & grossly polluting)	Rs.30,000/-	Rs.15,000/-
	ii) Large scale units (under Red Category)	Rs.25,000/-	Rs. 10,000/-
	iii) Large scale units (under Orange Category)	Rs.20,000/-	
	iv) Large scale units (under Green Category)	Rs.15,000/-	
2.	i) Medium scale units (under Red category)	Rs.20,000/-	Rs.7,500/-
	ii) Medium scale units (under Orange category)	Rs.15,000/-	
	iii) Medium scale units (under Green category)	Rs.10,000/-	
3.	i) Small Scale Units (Red Category)	Rs.7500/-	Rs.5000/-
	ii) Small Scale Units (Orange Category)	Rs.5,000/-	Rs.2,500/-
	iii) Small Scale Units (Green Category)	Rs.3,000/-	

9. VALIDITY OF EMPANELMENT :

- 9.1 In the first instance, the period of recognition certificate will be valid for a period of two years, which may be further extended from time to time after assessing the performance of the Chartered Engineer / Chartered Institute.
- 9.2 The Chartered Engineer / Chartered Institute shall not perform the function unless & until it has valid recognition certificate of the Board.
- 9.3 The recognition certificate issued by the Punjab Pollution Control Board can be suspended / revoked / cancelled during the validity period by the Competent Authority without assigning any reason.

10. JURISDICTION:

The Chartered Engineer / Chartered Institute shall be authorized to work in an area of jurisdiction for which Chartered Engineer / Chartered Institute has been authorized by the Board. The number of Chartered Engineer / Chartered Institute to be authorized will be decided by the Board and shall be reviewed from time to time.

11. COMPLAINTS AGAINST CHARTERED ENGINEER / CHARTERED INSTITUTE:

Complaints against the actions or conduct of a recognized Chartered Engineer / Chartered Institute of the Board shall be reviewed and investigated by Punjab Pollution Control Board using documented procedures. A valid substantiated complaint may result in cancellation of certification / recognition.

12. DISPUTES :

12.1 Any dispute arising between the Chartered Engineer / Chartered Institute and the owner of the industrial unit shall be decided by such officer of the Board who has been authorized by the Board on its behalf, on the receipt of the application from either party.

13. TERMINOLOGY :

NOC	No Objection Certificate
CETP	Common Effluent Treatment Plant
TSDF	Treatment Storage & Disposal Facility for Hazardous Waste
CBWTSDF	Common Bio-medical Waste Treatment Storage & Disposal Facility
EAS	Environmental Audit Statement
EAR	Environmental Audit Report
EIA	Environment Impact Assessment
RTI	Right to Information