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## Water (Prevention and Control of Madhya Pradesh Pollution) Rules, 1975

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# Water (Prevention & Control of Pollution) (Madhya Pradesh) Rules 1975

Bhopal, the 8th December 1975

No. 3816:-XXXIII.- In exercise of the powers conferred by section 64 of the Water (Prevention and Control of Pollution) Act, 1974 (No.6 of 1974), the State Government, after consultation with the State Board for the Prevention and Control of Water Pollution, hereby makes the following rules,

namely:-

## CHAPTER I - PRELIMINARY

1. **Short title and commencement.** - (1) These rules may be called the Water (Prevention and Control of Madhya Pradesh Pollution) Rules, 1975.

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

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

- (a) **"Act"** means the Water (Prevention and Control of Pollution) Act, 1974 (No. 6 of 1974);
- (b) **"Chairman"** means the Chairman of the State Board;
- (c) **"State Board Laboratory"** means a laboratory established or recognised as such under sub-section (2) of Section 17;
- (d) **"State Water Laboratory"** means a laboratory established or specified as such under sub-section (1) of Section 52;
- (e) **"Form"** means a form set out in Schedule I;
- (f) **"Member"** means a member of the State Board and includes the Chairman thereof;
- (g) **"Member-Secretary"** means the Member-Secretary of the State Board;
- (h) **"Section"** means a section of the Act;
- (i) **"Schedule"** means a schedule appended to these rules;
- (j) **"Year"** means the financial year commencing on the first day of April.

## CHAPTER II - TERMS AND CONDITIONS OF SERVICE OF THE MEMBERS OF THE STATE BOARD AND OF COMMITTEES OF STATE BOARD

3. **Salaries, allowances and other conditions of service of the Chairman.** - (1)

The terms and conditions of service of the Chairman including the scales of pay and allowances payable to him shall be such as may be specified in his order of appointment payable and in the absence of being so specified, such terms and conditions shall be as far as may be, the same as are applicable to the Head of

Department of the State Government of corresponding Status.

(2) Notwithstanding anything contained in sub-rule (1)-where a Government servant is appointed as Chairman, the terms and conditions of his service shall be such as may be specified by the State Government from time to time.

(3) The Chairman of the Board shall be entitled to travel by Air or Air-conditioned First Class compartment of railway and he shall be entitled to the actual lodging charges in addition to daily allowances subject to the such actual lodging expenditure limited to rupees 75 per day.

**"4 (1) 'Appointment Salaries, Allowances and other conditions of Member Secretary :-** The terms and conditions of service of the Member Secretary, including the scales of pay and allowances payable to him shall be such as may be specified in his order of appointment and in the absence of . being so specified, such terms and conditions shall be so far as may be, the same are applicable to a grade-I officer of corresponding status of the State Government.

(2) The State Government may also appoint an officer on deputation from Public Health Engineering Department or any other Technical Department or Institution, who possess the qualifications prescribed in clause (1) of sub-section (2) of Section 4 of the Water (Prevention and Control of Pollution) Act. 1974. (No.6 of 1974). The terms and conditions of services including the scale of pay and allowances payable to the Member Secretary will be the same as in his Parent Department or Institution; and he will be entitled to get deputation allowances as per Government Rules.

(3) The Member Secretary of the Board shall be entitled to the actual lodging charges in addition to daily allowance subject to such actual lodging expenditure limited to Rs. 50/- per day."

**5. Terms and Conditions of service of members of the State Board.-** Non-official members of the State Board shall be paid an allowance of Rupees 25 per day for each day of the actual meeting of the State Board.

(2) Non official members shall be paid I st class railway fares both ways for the railway journey undertaken by them for attending any of the Board's meeting from the normal place of their residence to the place of meeting.

(3) In case of journey by means of communication other than rail, thefare shall be limited to the amount as given in sub-clause (2).

(4) In respect of journeys for places not connected by rail he shall be eligible for actual bus fares plus 5 paise per km. to the nearest rail head.

(5) Non-official members, who are entitled to travelling allowance shall also be paid incidental charges at rupees 15/- for each journey to cover expenses of transport from the" residence at the headquarters to the bus stand / railway station or vice versa, porter charges, reservation, charges etc. for

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I. Substituted vide notification No. F-12-145-32-97, dated 19 May, 1995.

departure from the headquarters and for arrival back to the headquarters. No incidental charges shall be paid for expenses that may be incurred for similar purpose at places of halts during the tour. Provided that in case a Member of the Legislative Assembly who is also a member of the State Board, the said daily and travelling allowances and incidental charges will be admissible when the Assembly is not in session and on production of certificate by the member that he has not drawn any such allowance for the same journey and halts from any other Government source or any other body.

(6) Government official members shall be governed by the Government T.A. and D.A. Rules as applicable to them.

**6. Fees and allowances to be paid to such members of a committee of the State Board as are not members of the Board under sub-section (3) of**

**Section. 9.-** A member of the committee of the State shall be paid in respect of meetings of the committee traveling and daily allowance if he is a nonofficial, at the rates specified in rule 5, as if he were a member of the State Board and, if a Government servant. at rates, admissible under the relevant rules for Government servants.

**CHAPTER III - POWERS AND DUTIES OF THE CHAIRMAN AND MEMBER-SECRETARY AND APPOINTMENTS OF OFFICERS AND EMPLOYEES**

**7. Powers and duties of the Chairman.** - (1) The chairman shall have overall control over the day-to-day activities of the State Board.

(2) (i) The Chairman may undertake tours within India for carrying out the functions of the State Board:

Provided that he shall keep the State Government through the Secretary to Government, Madhya Pradesh Town and Country Planning Department and the State Board informed of his tours.

(ii) The Chairman may, with the prior approval of the State Government visit any country outside India.

(3) The Chairman shall have full powers to make appointment. promotion. confirmation and termination of services of the officers and the employees of the Board.

(4) The Chairman shall exercise other financial and administrative powers as detailed in annexure appended to these rules.

**8. Creation and abolition of posts.**- The State Board may create such posts as it considers necessary for the efficient performance of its functions and may abolish any post, so created:

Provided that for the creation of. and appointments to. posts, the maximum of the scale of which is above Rs. 1500 per month the State Board shall obtain prior sanction of the State Government.

**9. Powers and duties of the Member Secretary.-** The Member Secretary shall be subordinate to the Chairman and shall, subject to the control of Chairman, exercise the following powers, namely:

- (1) The Member-Secretary shall have full powers in matters of promotion, confirmation, transfer and termination of services of Class III and Class IV employees of the Board:

Provided such persons shall have the right of appeal against the orders of the Member-Secretary, to the Chairman in disciplinary action cases; Where the disciplinary action has been ordered by the Chairman, the appellate authority shall be the State Governments in respect of Class I and Class II officers of the Board.

- (2) The Member-Secretary shall be in charge of all the confidential papers of the Board and shall be responsible for preserving them.
- (3) The Member-Secretary shall make all arrangements for holding meetings of the State Board and meetings of the State Board and meeting of the Committees constituted by the State Board.
- (4) 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.
- (5) The Member-Secretary shall authorise, sanction or pass all payments against allotment made or estimates sanctioned.
- (6) The Member-Secretary shall exercise other financial and administrative powers as detailed in annexure appended to these rules.
- (7) 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 Board or by the Chairman.

**10. Recruitment of Staff-** (I) Recruitment to all posts under the Board shall be made :-

- (a) by direct recruitment or
- (b) by promotion or
- (c) by re-employment of retired Government servants when ever found necessary.

(2) Recruitment to all posts under the Board shall ordinarily be made subject to fulfilment of such standards as may be laid down for posts of corresponding status under the state Government from time to time.

**11. Scales of pay, Allowances and T.A. and Daily Allowance, leave etc. :-** (1) Scales of pay for the posts mentioned in column (1) of the table below shall be those as are specified in the corresponding entries in column (2) of the said table.

<b>FOR STATE BOARD OFFICE</b>	
Name of Post (1)	Scale of Pay (2)
Rs.	
<b>CLASS I POSTS</b>	
(a) Chief Chemist	680-1150
<b>CLASS II POSTS</b>	
(b) Asstt. Secretary	500-900
(c) Accounts Officer	500-900
(d) Asstt. Engineer (Civil)	425-900
(e) Asstt. Engineer (Chemical)	425-900
(f) Publi_Relations-cum-Statistical Officer	425-900
(g) Part time Legal Adviser	250 P.M.
<b>CLASS III POSTS (NON-MINISTERIAL)</b>	
(a) Junior Chemists	280-480
(b) Sub Engineers	280-480
(c) Tracers 169-300	
<b>CLASS III MINISTERIAL</b>	
(a) Office Superintendent	350-600
(b) Accountant Accounts	280-480
(c) Clerk	195-330
	(UDC Scale)
(d) Upper Division Clerk	195-330
(e) Lower Division Clerk	169-300
(g) Stenographer	280-480
Steno- Typist	169-300
	with special pay of Rs. 40 p.m.
<b>CLASS IV POSTS</b>	
(h) Peons	125-150
(i) Chowkidar	125-150
<b>STAFF FOR FIELD OFFICE</b>	
<b>CLASS I POSTS</b>	
(a) Superintending Engineer	1100-1500
(b) Executive Engineer	680-1 ]50
<b>CLASS II POSTS</b>	
(a) Assistant Engineer	425-900
<b>CLASS III - NON-MINISTERIAL</b>	
(d) Sub-Engineer	280-480
(e) Draftsman	280-480
(f) Tracer	169-300
<b>CLASS III - MINISTERIAL</b>	
(g) Office-Superintendent	280--180
(h) Accountant	280--180

(1)	(2)
(i) Upper Division Clerks	Rs. 195-330
(j) Lower Division Clerks/Typist	169-300
(k) Steno- Typist	169-300
	with special pay of Rs. 40 p.m.
<b>CLASS IV</b>	
(l) Peons	125-150
(m) Chowkidar	125-150
<b>STAFF FOR CENTRAL ENVIRONMENT</b>	
<b>CLASS I POSTS</b>	
(a) Superintending Engineer	1100-1500
(b) Senior Scientists	680-1150
<b>CLASS II POSTS</b>	
(c) Scientists	425-900
<b>CLASS III- NON MINISTERIAL</b>	
(d) Junior Scientists	350-650
(e) Chemists	280-480
(f) Tracers	169-300
<b>CLASS III-MINISTERIAL</b>	
(g) Superintendent	280-480
(h) Accountant	280-480
(i) Upper Division Clerk	95-330
(j) Lower Division Clerk/Typist	169-300
<b>CLASS IV</b>	
(k) Laboratory Attendants.	125-150
(l) Peons	125-150

(2) The employees of the State Board shall be entitled to dearness allowance, city compensatory allowance, house rent allowance, conveyance allowance, travelling allowance and daily allowance at the rates as are applicable to the Government employees in the post carrying corresponding scales of pay.

(3) The employees of State Board shall be governed by the leave rule applicable to Government employees.

(4) For purposes of reimbursement of medical expenses and grant of loans and advances etc. employees of the State Board shall be governed by the rules as are applicable to Government employees.

(5) The employees of the State Board shall be governed by the same rules in respect of scales of pay, etc. as are prescribed by the State Government

for its employees of corresponding status.

(6) Class I and Class II Officers of the State Board shall get the actual lodging charges, in addition to daily allowance while on tour limited to Rs.25/- and Rs. 15/- per day respectively.

**12. Powers of the Board.**- The Board shall exercise powers in respect of other items as given in the Annexure appended to these rules.

#### **CHAPTER IV - TEMPORARY ASSOCIATION OF PERSONS WITH STATE BOARD**

##### **13. 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 if any of its meetings.

(2) If the person associated with the Board under sub-rule (1) happens to be a non-official, he shall be entitled to get allowance of Rupees 25/- per day for each day of actual meeting of the State Board in which he is so associated.

(3) If such person is non-resident in Bhopal, he shall be entitled to travelling allowance at the rates specified under sub-rule (2) to (6) under Rule 5.

(4) Notwithstanding anything in sub-rules (2) and (3), if such person is a Government servant or an employee of any other organisation he shall be entitled to travelling and daily allowance only at the rates admissible under the relevant rules applicable to him.

#### **CHAPTER V - CONSULTING ENGINEER**

**14. Appointment of consulting engineer.** - For the purpose of assisting the State Board in the performance of its functions, the State Board may appoint a consulting engineer to the State Board for a specified period not exceeding four months:

Provided that the State Board may, with the prior approval of the State Government extend the period of the appointment from time to time:

Provided further that if at the time of the initial appointment the State Board had reason to believe that the services of the consulting engineer would be required for a period of more than four months, the State Board shall not make the appointment without the prior approval of the State Government.

**15. Power to terminate appointment.**- Notwithstanding the appointment of a consulting engineer for a specified period under rule 14, the State Board shall have the right to terminate the services of the consulting engineer before the expiry of the specified period, if, in the opinion of the Board, the consulting engineer is not discharging his duties properly or to the satisfaction of the Board or such a course of action is necessary in the public interest.

**16. Emoluments of the consulting engineer.**- The State Board may pay the consulting engineer suitable emoluments of fees depending on the



nature of work, and the qualifications and experience of the consulting engineer:

Provided that the State Board shall not appoint any person as consulting engineer without the prior approval of the State Government if the emoluments or fees payable to him exceeds rupees one thousand five hundred per month.

**17. Tours by consulting engineer.** - The consulting engineer may undertake tours within the country for the performance of the duties entrusted to him by the State Board and in respect of such tours he shall be entitled to travelling and daily allowances as admissible to a Grade I Officer of the State Government. He shall, however, get the prior approval of the Chairman to his tour programme.

**18. Consulting engineer not to disclose information.**- The consulting Engineer shall not disclose any information other given by the State Board or obtained during the performance of the duties assigned to him either from the State Board or otherwise, to any person other than the State Board without the written permission of the Board.

**19. Duties and functions of the consulting engineer.**- The consulting engineer shall discharge such duties and perform such functions as are assigned to him, by the State Board and it will be his duty to advise the Board on all technical matters referred to him by the Board.

#### **CHAPTER VI - BUDGET OF THE STATE BOARD**

**20. 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, II, 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 II.

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

(2) After approval of the budget estimates by the State Board, four 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 before the 15th October each year.

**22. 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 (I) 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-rules (I) and (2) is not likely to be fully utilised, a suitable lump-sum deduction shall be made from total amount estimated.

**23. 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.

**24. Power to incur expenditure.** - *The* State Board shall incur expenditure out of the funds received by it in accordance with the powers delegated to the Board and the Chairman and the Member-Secretary as laid down in rules of the Board and where no specific Rules have been framed by the Board the financial rules of the State Government and other instructions issued by the Government from time to time shall apply,

**25. 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 other officer of the State Board who may be so empowered by the State Board.

**26. Opening of Account in Bank.-** (I) Bank accounts shall be opened in the name *of* the Board in any scheduled Bank and such accounts shall be operated by the following authorities upto the limits as shown against them :

- |    |   |   |
|----|---|---|
| 1. | Chairman  | Full Powers.  |
| 2. | Member-Secretary  | Upto Rs. 1.00/- (Rs. One Lakhs)'<br>in one transaction  |
| 3. | Chief Scientific Officer/<br>Chief Engineer/Finance Officer | Upto Rs. 10,000/- (Rs. Ten <i>Thou-</i><br><i>sand</i> )<br>in the absence of Member Secre-<br>tary in one transaction: |

Provided that the Chairman may delegate his power to Member Secretary, or any other officer to sign the cheques for amounts exceeding Rs. 50,000/- (Rs. Fifty Thousand) in the event *of* his absence.

(2) Cheques draw'n in favour *of* the Board shall be endorsed by the Chairman or the Member-Secretary.

(3) The Member-Secretary may at any time retain in his hand a sum not

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LAs amended "ide notification No. F-5- I 14/32/91. dated 12-8-97.

exceeding Rs. One thousand to meet current expenditure of an urgent nature.

**27. Maintenance of Cash Book :**

- (1) The Cash Book shall be maintained by the Member-Secretary.
- (2) The Member-Secretary shall immediately bring into account in the Cash Book all moneys received and spent by the Board.

**28. Saving.** - Nothing in this Chapter shall apply to a budget already finalised or expenditure already incurred before the commencement of these rules.

**CHAPTER VII- ANNUAL REPORT OF THE STATE BOARD**

**29. 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 III I (and shall be submitted to the State Government by the 15th of May each year.]

**CHAPTER VIII - ACCOUNT OF THE STATE BOARD**

**30. Form of annual statement of accounts of the State Board.-** The annual statement of accounts of the State Board shall be in forms V to IX.

**CHAPTER IX - REPORT OF STATE BOARD ANALYST**

31. 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.

**CHAPTER X - STATE WATER LABORATORY**

**32. Functions of the State Water Laboratory.-** The State Laboratory shall cause to be analysed any 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.

**33. Fees for report.-** The fees for each such report shall be such as may be notified by the State Government from time to time.

**CHAPTER XI - APPLICATION FOR CONSENT**

**34. Form of notice--** A notice under clause (a) of sub-section (3) of Section 21 shall be in form XII.

**35. Application for consent.-** An application for obtaining the Consent of the State 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

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I. D\_kted \_ide Notification No, 1'-5/114/32'9. dated 18-3-1993. 2,  
Substituted vide \olificalion No, 11-5/86!3\_ dated 31-5-91.

use any new or altered outlet for the discharge of sewage or beginning to make any new discharge of sewage under section 25 or for continuing an existing discharge of sewage under section 26 shall be made to the State Board in the form prescribed under Water (Prevention and Control of Pollution) (Consent) Madhya Pradesh Rules, 1975.

**36. Procedure for making inquiry into application for consent.-** (I)

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 for obtaining such further particulars of information as such office may consider necessary. Such officer may, for the purpose, inspect any place where plants 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 plants, 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 purpose of inspection under sub-rule (1) above, give notice to the applicant of his intention to do so in Form XIII. The applicant shall furnish to such officer all facilities that such officer may legitimately require for the purpose.

(3) An officer of 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.

**"37. Directions.-** (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 fifteen 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

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I. Inserted vide notification No. F-II-5 /32 dated 31-5-91

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 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, consider the objections and for reasons to be recorded in writing, confirm, modify or decide not to issue the proposed direction.

(6) In case where the State Board is of the opinion that there is likelihood of a grave injury to the environment and 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 in charge of the Department in which for the time being the business relation to the Department in which the officer is employed is transacted and is either :
  - (i) 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 that person.

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

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

**38. 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 from XIV;  
(2) If the alleged offence has taken place in any part of the State, the person giving notice may send notice to:  
(i) the State Board, and  
(ii) Housing and Environment Department (represented by Secretary to Government of Madhya Pradesh.)  
(3) The notice shall be sent by registered post with acknowledgement due; and  
(4) The period of sixty 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 \_y one of the authorities mentioned in clause (2)".

**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 defined in the Explanation to section 47 of the Act.  
(2) Here give the name and address of the alleged and offend. In case of a 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."

ANNEXURE

DELEGATION OF POWERS

Under sub-rule (4) of Rule 7, sub-rule (6) of Rule 9 and Rule 12 of Water (prevention & Control of Pollution) Madhya Pradesh Rules, 1975.

S. No.	Particulars of Powers	Powers of Chairman	Powers of Member Secretary	Powers of Board
1	2	3	4	5
1	To Countersign T.A. Bills and Medical reimbursement Bills.	Full powers for himself and for a II other class I and Class" officers and T.A. Bills of Non-official member's of the Board. Powers could be delegated.	Full powers in respect of Class II. Class III and class IV employees of the Board. Powers could be delegated.	Nil
2	To sanction journeys of Boards officers and employees outside the State.	Full powers	Nil	Nil
3	To grant exemption from the rule limit of payment of daily allowance to halts on tour 10 days in each case.	Full powers upto 30 days.	Full powers upto 15 days. in respect of Class II. Class III & Class IV employees of the Board.	Full powers beyond 30 days.
4	Power to sanction special pay not exceeding 10% of the minimum pay of the additional post held.	Full powers	For period not exceeding 12 months in respect of Class III and Class IV employees of the Board.	Nil

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1	2	3	4	5
5	(a) To sanction contingent expenditure.  (b) To make petty purchase from local market without calling quotations etc.	Upto Rs. 30,000/- for single item of non-recurring nature and Rs. 15,000/- for item of recurring nature.	Upto Rs. 10,000/- for single item of non-recurring nature and Rs. 2,500/- for item of recurring nature.  The Member Secretary may purchase anyone article not exceeding one thousand rupees in value at a time in cash from local market. No article of the value of which exceeds one Thousand rupees shall be purchased in cash by the Member Secretary without the approval of the Chairman. Upto Rs. 1500/- per month.	Full power  Nil
6	Hiring of Building for Show-rooms, garages, office etc.	Full powers		Nil
7	Purchase of stationary articles etc.	Upto Rs. 15,000/- at a time subject to the provisions in the Budget.	Upto Rs. 10,000/- per annum.	Nil
8	Purchase of Books and Journals	Full powers to the extent of Budget provisions.	Upto Rs. 5,000/-	Nil
9	Write off dead stock	Upto Rs. 5,000/- in each case.	Upto Rs. 2,000/- in each case	Full powers
10	To purchase furniture by inviting tenders.	Full powers to the extent of Budget provisions and upto Rs. 15,000/- at a time.	Upto Rs. 25,000/- per annum.	Nil.



1	2	3	4	5
11	To approve estimates for civil works and purchase of equipments.	Upto Rs. 20,000/-	Upto Rs. 5,00,000/-	Full powers
12	To sanction expenditure on entertainment and other miscellaneous items in connections with the affairs of the Board.	Upto Rs. 2,500/- at a time	Upto Rs. 500/- at a time.	Full powers
13	Creation of posts of contingency paid staffs.	Full powers. Powers could be delegated.	Nil	Nil
14	Acceptance of Tenders	Upto Rs. 15,00,000/-	Upto Rs. 3,00,000/-	Full powers
15	(a) Open tenders and more than one valid tenders.	Upto Rs. 15,00,000/-	Upto Rs. 3,00,000/-	Full powers
	(b) A single tender by acceptance of contracts by negotiations.	Upto Rs. 5,00,000/-	Upto Rs. 2,00,000/-	Full powers
	(c) Acceptance without calling tenders of contracts due to emergency.	Upto Rs. 2,00,000/-	Upto Rs. 50,000/-	Full powers
	(d) Open tenders on the basis of lowest quotations.	Upto Rs. 2,00,000/-	Upto Rs. 20,000/-	Full powers
	(e) Open tenders where lowest quotation is not to be accepted.	Upto Rs. 1,00,000/-	Upto Rs. 20,000/-	Full powers
	(f) Purchase on the basis of quotation.	Upto Rs. 1,00,000/-	Upto Rs. 20,000/-	Full powers

1	2	3	4	5
16	Purchase of Laboratory equipments. . Sanction of	Upto Rs. 2,50,000/-	Upto Rs. 20,000/-	Full powers I'
17	advertisement/ printing charges.	Upto Rs. 10,000/- at a time	Upto Rs. 2,500/-	Full powers
18	To declare stores as surplus unserviceable and to fix their . reserve/resale price and to prescribe the mode of their disposal.	Upto Rs 50,000/-	Upto Rs. 10,000/-	Full powers
19	Expenditure for emergency construction of works other than items of purchase.	Upto Rs. 1,00,000/	Upto Rs. 20,000/- .	Full powers
20	To sanction write off losses:			Full powers Upto Rs.
	(a) Not due to theft, fraud and negligence.	5,000/- in each	Upto Rs. 2,000/- in each	Full powers case, case.
	(b) Due to fraud, theft or negligence subject to enquiry.	Upto Rs 3,000/- in each Upto Rs. 5,000/- at a time	Upto Rs. 1,000/- in each Upto Rs. 1,000/- at a time	Full powers cash case Full powers'
21	Sanction of demurrage/ Wharf age			
22	Investment of funds Payment	Full powers		
23	of advance to the employees:			
	(a) Motor Car/Motor Cycle/ Cycle	Full powers	Full powers in respect; of class III and Class IV em- ployees.	
	(b) House Building	Full Powers.	Do	

	2	3	4	5
	(c) Travelling Allowances.	Full powers and also non official members of the Board.	Full powers in respect of Class I, Class II, Class III, and Class IV employees	
24	To sanction advance 'for publishing advertisements, to the Director, information and publicity.	Rs, 20,000/- at a time		
25	To cesponsor seminar, workshop etc. with any recognised institution and Pollution Control	Upto Rs. 7,500/- at a time		Full powers
<b>Administrative Powers</b>				
	Power to grant/withhold annual increments.	Full powers in respect of Class I & Class II Officers. IV Em-	Full power in respect of Class III & Class	Nil
2	Power to sanction crossing of efficiency bars.	Do	ployees.	Nil
3	To sanction casual leave and special casual leave.	Do	Do	Nil
4	To sanction all kinds of leave and study leave within India.	Do	Do	Nil
5	Power to take disciplinary action in accordance with classification control & appeal rules. Approval of Tour Programmes Writing of	Do	Do	Nil
6	Confidential reports	Do	Do	Nil
7				Nil

**SCHEDULE I**

**FORM I**

**State Board for Prevention and Control of Water Pollution detailed Budget Estimates for the year**

*(See Rule 20)*

**ADMINISTRATION**

*(Expenditure)*

Head of Account	Actuals for the past three years			Sanctioned estimate for the current year		Actuals of six months of the current year
	19	19	19	19	19	
( 1 )	(2)	(3)	(4)	(5)		(6)

Actuals of six months of the current year	Revised estimates for the current year	Budget estimates for the next year	Variations between columns 5 and 8	Variations between columns 8 and 9	Explanation for columns 10 and 11
(7)	(8)	(9)	(10)	( 11 )	( 12 )

**FORM II**

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

**ESTABLISHMENT**

Statement of details of provision for pay of officers/Establishment for the year 19...

(See Rule 20)

Name and Designation	Reference to page of estimate from	Sanctioned Pay of the Post			Amount of provision for the year at the rate in Column e (c)	Increment falling due within the year			Total provision for the year i.e. total of columns 4 and 5 (c)	Remarks
		Mini.	Maxi.	Actual		Date of increment	Rate of increment	Amount of increment for the year		
		(a)	(b)	(c)		(b)	(b)	(c)		
(1)	(2)	(3)			(4)	(5)			(6)	(7)

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

*(See Rule 20)*

Revised Esti

Actual Sanc- tioned	Particulars posts	of	Sanc- tioned Grnat 19	Budge t 19 No. of Pay and posts allow- included nace	19 mated No. of Pay and posts allow- include d ances	Budget 19 Pay and allowances	Estimates 19 Revised Esti	Explanation for the difference be tween sanctioned Budget Grant, Re- vised Budget Grant, mated and Budget	
(1)	(2)		(3)	(4)	(5)	(6)	(7)	(8)	(9)
	<b>I Officers</b>								
	(a) Posts filled								
	(b) Posts Vacant								
	Total-I-Officers								
	<b>II Establishment</b>								
	(a) Posts filled								
	(b) Posts vacant								
	Total II Establishment								
	..								
	<b>III Class IV</b>								
	(a) Posts filled								
	(b) Posts vacant								
	Total III- Class IV								
<hr/>									
	Grand Total I, II and III								
<hr/>									

**FORM V**  
**State Board for the Prevention and Control of Water Pollution**  
 Receipts and Payment for the year ended  
(See Rule 30)

Previous Year (1)	Receipts	Previous Year (3)	Payment (4)
I. Opening Balance Grants received (a) from Government (b) from other agencies II. Fees  III. Fines and Forfeitures IV. Interest on investments 'v'. Miscellaneous Receipts  VI. Miscellaneous Advances VII. Deposits	Total.....	I. 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 II. Revenue Expenditure A. Administrative (i) Pay of Officers (ii) Pay of Establishment (iii) Allowance and Honoraria (iv) Leave Salary and Pension contributions. (v) Contingent Expenditure	

(1)	(2)	(3)	(4)
Opening Balance	Deduct Recoveries B. (i) Board Laboratory (ii) Charges to be paid to the Central 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 3. Purchase 4. Miscellaneous 5. Advances 6. Deposits Closing Balance		Total:.....

.....  
Accounts Officer

.....  
Member Secretary

.....  
Chairman



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

Income and Expenditure Account for the year ended 31st March, 1997

(See Rule 30)

Previous Year	Expen- diture	Details	Total of Sub- head	Total of Major head	Previous Year	Income	Total of Sub- -head	Total of Major Head
Rs.	(2)	(3)	Rs.	Rs.	(5)	(6)	(7)	Rs.
To					By			
					(I) Grants Received:			
Revenue expenditure					(a) From Government			
(A) Administrative:					(b) From other agencies			
(i) Pay of Officers					Total:.....			
(ii) Pay of establishment (iii)								
Allowance and Honoraria					Less:			
(iv) Leave salary and Pension					Amount utilised for Capital ex-			
Contributions					penditure			
(v) Board's Contribution to					Net grant available for Revenue			
the staff Provident Fund					expenditure			
(vi) Contingent expenditure					(II) Fees			
Deduct Recoveries								
(B) Running expenses of Labora-					(11I) Service Rental Charges			
tories :								
(i) Main Laboratory								



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	(2)	(3)	(4)	(5)	(6)	(7)	(8)
(vi) Tools and plants							
(I) Miscellaneous:							
(i) Write off of losses (as per details in the state statement attached).							
(ii) Other miscellaneous ex- penditure							
(J) Fees for Audit							
(K) Excess of Income over expen- diture.							
 Total.....							

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..... Accounts Officer	..... Member-Secretary	..... Chairman
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**FORM VII**  
**State Board for Prevention and Control of Water Pollution**  
**Annual Statement of Accounts**  
 Balance Sheet as at 31 st March; 197  
 (See Rule 30)

<u>Capital and Liabilities</u>				<u>Property and Assets</u>			
Previous Year	De tails	Total of head	Total of Major head	Previous Year	De- tails	Total of Sub- head	Total of Major head
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
A. Capital Fund							
(i) Grants received <i>from</i> Govern- ment <i>for</i> Capital expenditure-				1. Works			
(a) Amount utilised up to 31st March 197				(As per Form VIII).			
(b) Unutilised balance on 31 st March 197				2. Fixed Assets			
ii) Grant from other agencies <i>for</i> capital expenditure:				(As per Form IX)			
(a) Amount utilised up to 3 I st March 197				(a) Value of land provided by Government (at cost) (b)			
(b) Unutilised balance on 31 st March 197 (iii) Value of land provided by Govt. (per contra)				Buildings-Balance as per last Balance sheet Additions during the year Total.....			
				Less: Depreciation during the year			
				Total.....			

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
B. Capital Receipts							
C. (i) Deposits received for works form outside bodies Deposits Less Expenditure				3. Other Assets (As per Form IX)			
(ii) Other Expenditure				(a) Laboratory Equipment as 'per last Balance Sheet-additions during the year.			
D. Amount due:							Total.....
(i) Purchase				Less:			
(ii) Others				Depreciation during the year			Total.....
E. Excess of income over expenditure							
(i) Up to 31st March 197				(b) Vehicles as per last balance sheet			
(ii) Add for the year				Additions during the year			Total.....
(iii) Deduct-Excess of Expendi ture over income.							
				Less :Depreciation during the year			Total.....
				(c) Furniture and Fixture			
				As per limit Balance Sheet			
				Additions during the year			Total.....
				Depreciation during the year			Total.....

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
				(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) Amount due from outside bodies for expenditure incurred			
				Expenditure			
				Less amount received			
				(ii) Other Sundry Debtors			
			5.	Advances-			
				a) Miscellaneous Advances (b) Other amount recoverable			

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
				Cash			
				(a) Notice/Short Term Deposits			
				(b) Cash at Bank			
				(c) Cash in had			
				(d) Cash in transit			
Total.....					Total.....		

.....  
Accounts Officer

.....  
Member-Secretary

.....  
Chairman

**FORM VIII**

**State Board for Prevention and Control of Water Pollution**

**Annual Statement of Accounts**

*Expenditure on Works as on 31st March, 1997*

(Item-I-Assets of the Balance Sheet)

(See Rule 30)

S. No.	Name of work	Up to 31st March 197			During the year 197			Upto 31st March 197		
		Direct Expenditure	Over-head Charges	Total Expenditure	Direct expenditure	Over-head Charges	Total Expenditure	Direct expenditure	Over-head Charges	Total Expenditure
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)
	Total.....									

.....  
Accounts Officer

.....  
Member Secretary

.....  
Chairman



**FROM IX**

State Board for Prevention and Control of Water Pollution  
Annual Statement of Accounts  
Fixed Assets as on 31st March 1997  
(Item-2-Assets of the Balance Sheet) (Item 3 Assets of the Balance Sheet)  
(See Rule 30)

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S.No.	Particulars of Assets	Balance as on 31 March 19	Additions during the year	Total	Depreciation during the year	Sales or write off during the year	Balance as on 31st March 19	Cumulative Depreciation as ' on 31st March 19
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)

---

.....  
Accounts Officer

.....  
Member Secretary

.....  
Chairman

**FORM X**  
**REPORT BY THE STATE BOARD ANALYST**  
(Seerule31).

Report No ..... ,.....

Dated the .....19

I hereby certify that I, (1) ..... 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 (II).....  
..... day of ..... 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:-

:  
(V) .....  
.....

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

.....

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

.....  
(Signature)  
State Bank analyst.

Address  
.....  
To  
.....  
.....

- 
- (I) Here write the full name of the State Board 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 met I) ad of  
analysis. If the space is not adequate the details may be given on a separate sheet of paper.

**FORM XI**  
**REPORT BY THE GOVERNMENT ANALYST**  
(See rule 32)

Report No.....

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

I hereby certify that L (1)..... Government analyst duly appointed under sub-section" (2) of Section 53 of the Water (Prevention and Control of Pollution) Act, 1974 (No.6 of 1974) received on the (II)

..... day of ..... 19 ..... from (III) ..... a sample of..... for analysis. The samples 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 ;

(V) .....

.....

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

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

(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**  
**STATE BOARD FOR THE PREVENTION AND CONTROL OF**  
**WATER POLLUTION**

Notice of intention to have sample analysed  
(See rule 34)

To,  
.....  
.....  
.....

Take notice that it is intended to have analysed the sample of water/  
sewage effluent/trade which is being taken today the .....  
day of ..... 19..... 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,  
.....  
.....  
.....

**FORM XIII**  
**STATE BOARD FOR PREVENTION AND CONTROL OF**  
**WATER POLLUTION**

Notice of Inspection  
[See Rule 36(2)]

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

UY Any other parts thereof of 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

Copy t-o :

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

---

## SCHEDULE II

### BUDGET AND ACCOUNT HEADS

[See rule 20(3)]

#### HEADS OF EXPENDITURE

- 1. Salaries
  - ( 1 ) Pay of Officers
  - (2) Pay of Establishment and Contingent staff.
  - (3) Contribution of the Board towards employees provident fund.
- 2. Allowances.
  - (1) Dearness and Additional Dearness Allowances.
  - (2) Other allowances.
  - (3) Travelling allowance for officers only.
  - (4) Travelling allowance for non-officials of the Board (Members of the Board. Experts. Special Committees, etc.).
- 3. Remuneration (Fees Etc.).

- (1) To Members of the Board.
- (2) To Legal Adviser.
- 4. Contingencies (Office Expenses).**
  - (1) Rent, Rates and Taxes.
  - (2) Electric and Water Charges.
  - (3) Telephone Charges.
  - (4) Postal and telegrams charges.
  - (5) Furniture.
  - (6) Office equipment (Typewriters, Duplicators, cycle. clocks. etc.)
  - (7) Liveries.
  - (8) Stationery.
  - (9) Printing.
  - (10) Audit fees.
  - (11) Library books, Magazines. periodicals, etc.
  - (12) Advertising and publicity expenses.
  - (13) Court fees; prosecution expenditure.
  - (14) Purchase, Maintenance of Vehicles including P.O.L. charges etc.
  - (15) Miscellaneous.
- 5. Expenses in connection with setting up and maintenance of the Board's laboratories.**
  6. Write off/Losses.
  7. Pensions/Gratuities.
  8. Suspense.
  9. Other Charges.
  10. Works (Petty construction).
  11. Temporary loans and advances to employees.
    - (1) Festival advance.
    - (2) Car/Scooter and Cycle advance.
    - (3) Other advances.
  12. Refunds.
    - (1) Repayment of Loans.
    - (2) Repayment of Deposits.

**ITEMS OF INCOME (RECEIPTS)**

- (1) Grant from the State Government
- (2) Grant from the Central Government.
- (3) Subscriptions and donations.
- (4) Application fees.
- (5) Fines.
- (6) Inspection and Licence/Consent. fees, etc.
- (7) Refund (Repayment of advance given to employees).
- (8) Interest or Bank Deposits.

- (9) Loans if any.
- (10) Miscellaneous.

(See Rule 38)

**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 40 of Water (Prevention & Control of Pollution) Act, 1974 of my/our intention to file a complaint in the court against..... 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 document (s) as evidence of proof of violation of the Water (Prevention and Control of Pollution) Act, 1974.

Place .....  
Date .....

Signature (S)

---

1. Inserted vide Notification No. F-5-11/52, dated 31-5-91.

**"SCHEDULE - III"**

(See rule 29)

**STATE POLLUTION CONTROL BOARD  
ANNUAL REPORT FOR THE FINANCIAL YEAR**

<b>Chapter -1</b>	:	Introduction
<b>Chapter-2</b>	:	Constitution of the Board including changes therein:
<b>Chapter-3</b>	:	Meeting of the Board with major decision taken therein.
<b>Chapter-4</b>	:	Committees constituted by the Board and their activities.
<b>Chapter-5</b>	:	Monitoring Network for air, water and soil quality.
<b>Chapter-6</b>	:	Present State of environment, environmental problems and countermeasure.
<b>Chapter-7</b>	:	Environmental Research.
<b>Chapter-8</b>	:	Environmental Training.
<b>Chapter-9</b>	:	Environment Awareness and public participation.
<b>Chapter-10</b>	:	Environmental Standards including time schedule for their enforcement.
<b>Chapter-11</b>	:	1. Prosecutions launched and convictions secured for environmental pollution control.
<b>Chapter-11</b>	:	2. Directions given for closure of polluting industrial units.
<b>Chapter-12</b>	:	Finance and accounts of the Board.
<b>Chapter-13</b>	:	Annual Plan of the following year.
<b>Chapter-14</b>	:	Any other important matter dealt with by the State Board.

**ANNEXURES:**

1. Members of the Board
2. Organisation Chart
3. Staff strength including recruitment
4. Publications.
5. Training Courses/Seminars/Workshops organised or attended. Consents to establish Industries. operations and processes issued/refused.
- 6.
7. Consents to operate Industries operations and processes. Issued/refused."