



HARYANA STATE POLLUTION CONTROL BOARD

C-11, SECTOR 6, PANCHKULA.

Ph. No. 0172-2577870-873

No. HSPCB/Estt./2018/EG-36/ 3139-3143

Dated: 01/08/18

To

1. The Chairman,
Haryana State Pollution Control Board, Panchkula.
2. The Director,
Environment Department, Haryana,
SCO No. 1-3, Sector 17-D, Chandigarh.
3. The Director,
Urban Local Bodies, Haryana,
Bays No. 11-14, Sector-4, Panchkula.
4. The Principal Chief Conservator of
Forests, Haryana, Panchkula.
5. The Transport Commissioner, Haryana,
30-Bays Building, Chandigarh.
6. The Engineer-in-Chief, Haryana,
Public Health Engineering Department, Panchkula.
7. The Managing Director,
Haryana State Industrial and Infrastructure
Development Corporation, Panchkula.
8. The Managing Director,
Haryana Power Generation Corporation,
Panchkula.
9. Sh. Arvind Kapoor, MD,
Rico Auto Industries,
38KM Stone Delhi-Jaipur Highway,
Gurgaon.
10. Shri Sunil Rao,
S/o Rao Jaswant Singh,
Ex MLA,
H. No. 444, Sector-3, Urban Estate,
Rewari.
11. Sh. Tarun Yadav,
VPO Palawas, Bohra Bhawan
Jherigarh, Tehsil Kosli, District Rewari.

12. The Member Secretary,
Haryana State Pollution Control Board,
Panchkula.

Subject: Minutes of the 178th meeting of the Haryana State Pollution Control Board held on 30.01.2018.

Kindly refer to this office letter No. HSPCB/Estt./2018/EG-36/3095-3106 dated 25.01.2018 on the subject cited above.

Please find enclosed the Minutes of the 178th meeting of the Board held on 30.01.2018 for information and necessary action.

DA/As above.

S. Laxayana
MEMBER SECRETARY
1721

Endst. No. HSPCB/Estt./2018/EG-36/ 3144

Dated: 01/02/18

A copy of the above is forwarded to the Additional Chief Secretary to Government of Haryana, Environment Department, Chandigarh for information with reference to this office letter Endst. No. HSPCB/Estt./2018/EG-36/3107 dated 25.01.2018.

S. Laxayana
MEMBER SECRETARY
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Endst. No. HSPCB/Estt./2018/EG-36/ 3145

Dated: 01/02/18

A copy of the above is forwarded to Sh. Shaleen, IAS, Additional Secretary, Finance, Finance Department, Haryana, Chandigarh for information with reference to this office letter Endst. No. HSPCB/Estt./2018/EG-36/3108 dated 25.01.2018.

S. Laxayana
MEMBER SECRETARY
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Minutes of 178th meeting of the Haryana State Pollution Control Board, Panchkula, held at 1130 Hrs on 30.01.2018 under the Chairmanship of Sh. Ashok Kheterpal, Chairman, Haryana State Pollution Control Board, Panchkula.

The 178th meeting of the Haryana State Pollution Control Board (HSPCB) was convened at 1130 Hrs on 30.01.2018 at the Conference Room of HSPCB under the Chairmanship of Sh. Ashok Kheterpal, Chairman, HSPCB. The list of participants is at **Annexure-I**. Leave of absence was granted to the Members who could not attend the meeting. The Member Secretary of HSPCB, welcomed all the participants and presented the agenda items before the Board. A detailed discussion was held on all the agenda items and the minutes of the meeting are presented as below.

Agenda Item No. 178.1

Confirmation of the minutes of 177th meeting of the Haryana State Pollution Control Board.

Minutes of 177th meeting were confirmed.

Agenda Item No. 178.2

Action taken on the minutes of the 177th meeting of the Haryana State Pollution Control Board held on 17.05.2017.

The Board members were apprised of the action taken on the decisions taken in the 177th meeting and the same were noted.

Agenda Item No. 178.3

Grant of Bonus / Ex-gratia / Short-term incentives / token gifts to the Employees of Public Sector Undertakings.

The proposal contained in Agenda Note was approved.

Agenda Item No. 178.4

Strengthening of HSPCB – Creation of District-wise Regional Offices and creation of additional posts in HSPCB.

The detailed discussion about creation of 71 additional posts in the Board by the Government vide letter no. 2/24/2010-1Env. dated 06.06.2017 was held. After detailed discussion, the Board of Directors has accepted the approval of the Government to extent of creation of additional posts. Further it was decided to get the process completed for amendment in Haryana State Pollution Control Board (Group A,B,C and D) Service Regulations, 2004 and send to the Government for the approval and notification of the same, after approval from Board.

Agenda Item No. 178.5

Agenda regarding Delegation of Powers to engage the Advocates.

The proposal contained in Agenda Note was approved.

Agenda Item No. 178.6

Remote Sensing Study for area estimation of burning of Rice and Wheat Stubble in Haryana for the year 2017-18.

The proposal contained in Agenda Note was approved.

Agenda Item No. 178.7

Installation of Online Monitoring Devices by the industries/STP's/CETP's.

The proposal contained in Agenda Note was approved.

Agenda Item No. 178.8

Implementation of Haryana Civil Services (Revised Pay) Rules, 2016 and Haryana Civil Services (Assured Career Progression) Rules-2016.

The proposal contained in Agenda Note was approved.

Agenda Item No. 178.9

Exemption of green category of industries from Environmental Compliance Inspection.

The proposal contained in Agenda Note was approved.

Agenda Item No. 178.10

Ex-post-facto approval regarding relaxation in experience, for promotion of Senior Scientific Assistant to the post of Scientist 'B'.

After detailed discussion, the matter regarding acceptance of the Government letter no. 2/11/2017-1Env. Dated 14.06.2017 vide which 02 years of relaxation was accorded by the Govt. to Sh. Vikas Grewal, Senior Scientific Assistant for promotion to the post of Scientist 'B' was approved subject to availability of promotional quota posts. Further the approval for grant of relaxation of 9 months accorded by the Government in favour of Sh. Apamesh Kumar, Senior Scientific Assistant for promotion to the post of Scientist 'B' has been accepted by the Board.

Agenda Item No. 178.11

Qualification and Other terms and conditions of service of Chairman and Member Secretary of the Haryana State Pollution Control Board.

The proposal contained in Agenda Note was approved. The same may be forwarded to Government for requisite action.

Agenda Item No. 178.12

Notification of the State Government regarding HOD for the purpose of Section-48 of the Water Act, 1974 and other Acts.

The proposal contained in Agenda Note was approved.

Agenda Item No. 178.13

Afforestation drive in Haryana.

The proposal contained in Agenda Note was approved.

Agenda Item No. 178.14

Validity period for grant and renewal of Consent to Operate under Water (Prevention and Control of Pollution) Act, 1974 and Air (Prevention and Control of Pollution) Act, 1981 for Green category of industries/projects.

The proposal contained in Agenda Note was approved.

Agenda Item No. 178.15

Performance security for Green Category of industrial sector/projects

The proposal contained in Agenda Note was approved.

Agenda Item No. 178.16

Auto Renewal of Consent to Establish and Consent to Operate under Water (Prevention and Control of Pollution) Act, 1974 and Air (Prevention and Control of Pollution) Act, 1981 for Green Category project based on self certification.

The proposal contained in Agenda Note was approved.

Agenda Item No. 178.17

Delegation of powers to the Regional Officers of the Board in their respective area of jurisdiction for grant/refusal of Consent to Establish and Consent to Operate under section 25/26 of Water (Prevention and Control of Pollution) Act, 1974, section 21 of Air (Prevention and Control of Pollution) Act, 1981 and authorization under Rule 6 of Hazardous & Other Waste (M&TM) Rules, 2016, for green category of industries.

The proposal contained in Agenda Note was approved.

Agenda Item No. 178.18

Categorization of industrial sectors/projects for consent management under Water Prevention and Control of Pollution) Act, 1974 and Air (Prevention and Control of Pollution) Act, 1981.

The proposal contained in Agenda Note was approved.

Agenda Item No. 178.19

Budget Estimate of Haryana State Pollution Control Board for the Financial Year 2018-2019.

The detailed discussion was held about Budget Estimate of HSPCB for the Financial Year 2018-2019. After deliberation, the Board of Directors suggested that the Board will have to maintain proper heads of receipts and disbursing of funds under various heads and also submit quarterly break-up of the financial statement. Since, the work is a huge task, the Board may engage an expert as per outsourcing policy of the Government as per requirement. With these suggestions, the agenda item was approved.

Agenda Item No. 178.20

Ex-post Facto sanction of Rs. 3,43,970/- on account of analysis of samples to M/s BPIT in the matter of O.A. No. 6 of 2012 titled as Manoj Mishra Vs Union of India.

The proposal contained in Agenda Note was approved.

Agenda Item No. 178.21

Progress of Geo-mapping of industrial unit and establishment of GIS Cell in HSPCB.

The proposal contained in Agenda Note was approved. It was suggested that a demonstration be made to the Board Members in its next meeting.

Agenda Item No. 178.22

Procedure for grant and refusal of consent to establish and consent to operate under Water Prevention and Control of Pollution) Act, 1974 and Air (Prevention and Control of Pollution) Act, 1981.

The proposal contained in Agenda Note was approved.

Agenda Item No. 178.23

Fixing of the timeline for clearing applications for approvals granted by HSPCB.

The proposal contained in Agenda Note was approved.

Agenda Item No. 178.24 (S)

The Inspection Policy for Ex-Waste Recycler / Dismantler / Refurbrisher and Manufacturer Generating E-Waste

The proposal contained in Agenda Note was approved.

Agenda Item No. 178.25 (S)

Permitting new Common Biomedical Waste Treatment Facilities (CBWTF) in Haryana.

The proposal contained in Agenda Note was approved.

Agenda Item No. 178.26 (S)

Promotion to the post of Senior Scientist.

The proposal contained in Agenda Note was approved.

Agenda item No. 178.27 (S)

Estt. Group-A – Regarding Promotion to the post of Senior Environmental Engineer.

The matter regarding promotion to the post of Senior Environmental Engineers was discussed. The approval of 2 No. posts of Senior Environmental Engineer in Pay Scale of Rs. 37400-67000+8700 GP with mode of promotion as "By Promotion" with 7 years experience in the Board as Environmental Engineer or total 14 years experience as Environmental Engineer & Assistant Environmental Engineer subject to the condition that the candidate possesses Degree in Engineering was given vide Memo No. 2/24/2010-1Env. dated 06.06.2017. The candidates (1) Sh. Sat Pal Singh Rathi (2) Sh. Chand Saini possess A.M.I.E qualification which has been adjudged as

equivalent to Degree course for the purposes of promotion by Hon'ble High Court judgement dated 06.11.2012 in CWP No. 1640 of 2008 (O & M). However the Hon'ble High Court has declared that AMIE is equivalent to degree course for the purposes of promotion and not for the purposes of direct recruitment. Hon'ble Supreme Court vide judgment dated 03.11.2017 has accepted the view taken by Hon'ble High Court in Civil Appeal Nos. 17869-17870/2017. The officers were promoted from the post of Assistant Environmental Engineer to Environmental Engineer on the basis of the qualification of AMIE earlier.

In view of above Board agreed with proposal of promotion and desired that approval of the Government may be obtained considering AMIE qualification equivalent to Degree in Engineering for the purposes of promotion in view of Hon'ble High Court judgement dated 06.11.2012 in CWP No. 1640 of 2008 (O & M) and Hon'ble Supreme Court judgment dated 03.11.2017 in Civil Appeal Nos. 17869-17870/2017.

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ANNEXURE-I

LIST OF PARTICIPANTS

1. Sh. Ashok Kheterpal,
Chairman,
Haryana State Pollution Control Board, Panchkula.
2. Sh. Nitin Kumar Yadav, IAS,
Director,
Urban Local Bodies, Haryana,
Bays No. 11-14, Sector-4, Panchkula.
3. Sh. G.K. Ahuja, IFS,
Principal Chief Conservator of Forests,
Haryana, Panchkula.
4. Sh. Raja Shekhar Vundru, IAS,
Managing Director,
Haryana State Industrial & Infrastructure
Development Corporation Ltd., Panchkula.
5. Sh. R.K. Chauhan, Scientist Grade-I &
Sh. Radhey Shyam, Scientist Grade-I
on behalf of Director,
Environment Department, Haryana, Chandigarh.
6. Sh. S.K. Khungar, CE/Planning,
on behalf of Managing Director,
Haryana Power Generation Corporation Ltd., Panchkula.
7. Sh. S. Narayanan, IFS,
Member Secretary,
Haryana State Pollution Control Board,
Panchkula.

**The inspection Policy for E-Waste
Recycler/Dismantler/Refurbisher
and Manufacturer Generating E-Waste**

The ministry of Environment and Forests, Govt. of India vide notification no, GSR no. 338 (E) dated 23.03.2016 has issued the E-Waste (Management) Rules, 2016 applicable w.e.f. 01.10.2016 and authorized the State Pollution Control Board for grant of authorization to Manufacturer, Recycler, Dismantler and Refurbisher of E-Waste specified in schedule -I of the E-Waste (Management) Rules, 2016.

The applicant desirous for Recycling, Dismantling and Refurbishing of E-Waste shall submit the application regarding grant / renewal of authorization for Recycling / Dismantling / Refurbishing of E-Waste on Form 1(a) / Form 4. The Recycler / Dismantler / Refurbisher will apply for the authorization / renewal of authorization along with copy of the consent to establish, copy of certificate of registration from DIC, proof of installed capacity issued by the DIC or any other authorized Govt. agency, along with other documents as mentioned in the check list given at **Annexure- A**. The manufacture generating E-Waste shall submit an application of authorization on form 1(a), with the details of appropriate facilities, technical capabilities and equipments to handle the E-Waste.

After the receipt of complete case from Recycler/Dismantler/Refurbisher of E-Waste, inspection shall be carried out by a team of officers of the Board consisting of Regional Officer and Concerned field officer along with one AEE / Scientist -B of adjoining Region to verify whether the applicant has installed the e-waste processing facility with Environmentally sound technologies and possessed adequate technical capabilities, requisite facilities and equipment for dismantling / recycling / refurbishing of E-Waste, and required pollution control measures as per provision of the Rules and Guidelines issued there under by CPCB. The inspection of the manufacturers will be carried out by the concerned area in-charge/field officer. The regional officer will prepare the detailed report on the prescribed format given at **Annexure -B** and submit the same to the H.O. along with all original documents submitted by the applicant within

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21 days to the Head Office giving definite recommendations for refusal / grant of authorization. The authorization shall be issued on the pass book as prescribed by HSPCB or will be refused on the merits of the case after following the due procedure.

The Authorization issued to the recycler / dismantler / manufacturer will carry the validity of 05 years and refurbisher need to take only one time authorization from the Board.

The status of all such authorization granted by the Board will be displayed on the website of the Board under the heading "Authorized Dismantler/ Recycler/Refurbisher in State of Haryana under E-Waste (Management) Rules, 2016".

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Annexure-A

1. Duly filed up application in Form 4/Form 1(a) in triplicate.
2. Consent to Establish granted by the Board under Water Act, 1974 and Air Act, 1981.
3. Certified copy of registration issued by the District Industries Centre.
4. Proof of Annual installed capacity of plant and machinery for dismantling/ recycling of e-waste issued by the District Industries Centre or any other government agency authorized in this behalf.
5. Process flow chart for recycling/ dismantling of E-Waste.
6. Details of storage facility separate for raw material segregated material, dismantled parts, Hazardous Waste, Bag Filter Residue/ Floor Cleaning dust, ETP sludge, non recycler able/non removable components etc.
7. Details of air pollution control devices (APCDs) installed in the unit along with the diagramed and design scheme.
8. Details of effluent treatment plants installed in the unit along with diagram and design scheme.
9. Member ship and registration with TSDF operator authorized under Hazardous Waste (MH&TM) Rules, 2008 for disposal of hazardous & other wastes.
10. Power of attorney/authority letter of sign to the applicant.
11. Detail of facilities and arrangement provided at the facility for handling, dismantling/recycling/Refurbishing of E-Waste and management of hazardous waste as per provisions of rules and guidelines issued by the MoEF/CPCB.
12. Copy of the allotment letter with HUDA/HSIIDC/Municipal Corporation/Committee/ CLU with details of land and Building Plan

Annexure-B

Spot inspection report of E-Waste Recycler

1.	Name of the unit	
2.	Address of the unit	
3.	Date of Receipt of application	
4.	Capital investment cost of the unit	
5.	Date of inspection	
6.	Date of completion of the project	
7.	Name & designation of the officers conducted inspection	
8.	Name of the representative of the unit present at the time of inspection	
9.	Category of E-Waste to be processed (as per schedule-1) (Submit details in codes as per Annexure-I as enclosed)	
10.	No. & Date of NOC(Consent to establish)	
11.	No. & Date of Consent (Consent to operate) (only in case of renewal of authorization)	
12.	Status of maintaining of records of E-waste handled or generated on form 2 at site. (Only in case of renewal of authorization)	
13.	Status of up-to date annual returns under E-Waste Rules on form 3 (only in case of renewal of authorization)	
14.	Status of annual return under HWOM Rules on form IV (only in case of renewal of authorization)	
15.	Status of record regarding E-waste manifest on form 6 (only in case of renewal of authorization) (Submit copies of E-Waste manifest for last 06 months).	
16.	Latest Analysis reports for air emissions and effluent discharged (only in case of renewal of authorization)	
17.	Whether the unit submitted the certificate of registration with DIC or any other agency, enclosed the copy of the same	

18.	The installed capacity of plant and machinery as declared by the unit through application form	
19.	The proof of installed capacity of plant and machinery issued by the DIC or any other Govt. agency authorized, enclosed copy of the same.	
20.	The source of E-Waste to be procured	
21.	Quantity of E-Waste to be reprocessed	
22.	<p>Detail of recycling processes (The following processes should be employed by recyclers:</p> <ul style="list-style-type: none"> (i) Manual / semi- automatic / automatic dismantling operations (ii) Shredding / crushing / fine grinding/wet grinding/ enrichment operations, gravity/magnetic/density/eddy current separation (iii) Pyro metallurgical operations - Smelting furnace (iv) Hydro metallurgical operations (v) Electro-metallurgical operations (vi) Chemical leaching (vii) CRT/LCD/Plasma processing (viii) Toner cartridge recycling (ix) Melting, casting, moulding operations (for metals and plastics) 	
23.	Land details with area (As a general rule a recycler of capacity of 1 Ton per day shall require a minimum of 500 square meters area. Authorisation to recyclers may be preferred if they have minimum operational capacity of 5 MT/day with an area of about 2500 square meter).	
24.	The details of the CRT/LCD/Plasma TV dismantling and recycling facilities. (For recycling of CRT Monitors and TV care should be taken to contain release of harmful substances).	
25.	Detail Of Fluorescent And Other Mercury Containing Lamp Recycling Facilities. (The Norm For Mercury Emission Is 0.2 Mg/ M ³ (Normal) as prescribed under EP Act, 1986 and for discharge of effluent the limit of mercury (Hg) should be less than 0.01 mg/ltr)	
26.	Detail of effluent generation from the recycling facility	Domestic _____ KLD
		Trade _____ KLD
27.	Detail of treatment of effluent generation from the recycling facility	Domestic Effluent
		Trade effluent
28.	Final mode of disposal of effluent with quantity: Domestic -Trade	Domestic Effluent
		Trade effluent

29.	Component wise detail of the effluent treatment plant provided by the recycling facility with comment on adequacy	
30.	Component wise detail of APCM with comments of adequacy as per CPCB guidelines (Off gas treatment, wet/alkali ne/packed bed scrubber and carbon filter, bag filters) (Fume hoods connected with bag dust collectors followed wet (chemical) scrubbers and carbon filters shall be installed for control of fugitive emissions from furnaces or reactor)	
31.	Noise control arrangement (Noise control arrangement for equipment like crusher, grinder and shredder needs to be provided).	
32.	Status of acoustic enclosures on DG sets with stack height along with detail of DG sets.	
33.	Height of Stacks/chimneys for all sources/APCM. (In case of furnace minimum stack height of 30 meter shall be installed depending upon emission rate of SO ₂)	
34.	Status of Energy meter installed on PCD's.	
35.	Detail of collection & storage facility for bag filter residue, floor cleaning dust, ETP sludge and other hazardous material.	
36.	Mode of disposal of hazardous Waste & Non recyclable /non recoverable components	
37.	Detail of membership/agreement with TSDF operators for disposal of hazardous waste.	
38.	Type of operation of dismantling.(Manual/semi manual/automatic/mechanized)	
39.	Detail of operations involved in dismantling	
40.	Detail of segregation operations.	
41.	Detail of gas recovery equipment & arrangement/facilities for storage, reuse & disposal for CFCs and HCFCs (in case of refrigerator & air conditions).	
42.	Detail of arrangement for handling/storage disposal of hazardous electronic components such as Hg Switches, PCBs etc.	
43.	Detail of collection boxes with capacity for dismantled components (in case of manual dismantling).	
44.	Detail of equipment along with numbers and specifications for use of workers to dismantling of e-waste	
45.	Detail of hood, ducting, bag dust collectors and chimney (in case of manual dismantling)	
46.	Detail of bag house & chimney on crusher (in case of mechanized dismantling)	

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47. Detail of storage facilities for disassembled spare parts with adequacy	
48. Detail of containers for storage of batteries and capacitor containing PCBs or PCT with adequacy	
49. Detail regarding weather proof proofing and impermeable working surfaces and pavements with detail of area and spillage collections facilities, decanters, degassers and degreasers with adequacy report.	
50. The detail of facilities for destroying or permanently deleting data stored in the memory of end of life products (Hard Disk, telephones, mobile phones)	
51. Detail of storage facility with area and with the comment on adequacy. I. Raw material. II. Segregated material. III. Dismantled parts. IV. Dismantling operations V. Office and other utilities.	
52. Detail of weigh bridge along with number and capacity.	
53. The details along with number and address of the collection centers part of channelization of E-Waste of the recycler.	
54. The details of the producers along with EPR authorization issued by the CPCB to whom the recycler is the part of channelization of their E-waste. Submit copy of such agreements.	
55. Details of the dismantlers of E-waste, along with authorization, who are supplying or supposed to supply their E-Waste	
56. Other details of arrangements and facilities provided as site as per CPCB guidelines (not covered above)	
57. Details of the authorized recyclers of metals/ non metals/ plastic if any, where the recovered E-Waste is being supplied for further processing or recycling/ use	
58. Details of the personal protective equipments provided to workers for dismantling/ recycling operations	
59. Detail of shortcomings/deficiencies in facility at site (as per CPCB guidelines).	

60. Comments of the team regarding installation of facility for handling, dismantling/recycling of e-waste with Environment sound technology in environmental sound manner with adequacy of pollution control measures as per provisions of E-waste (Management) Rules, 2016 & guidelines issued there under by CPCB:	
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61. Recommendations :-

Annexure-I

Schedule - I

Sr. No.	Categories of electrical and electronic equipment Information technology and telecommunication equipment :	Electrical and electronic equipment code
	Centralised data processing: Mainframes, Minicomputers	ITEW1
	Personal Computing: Personal Computers (Central Processing Unit with input and output devices)	ITEW2
	Personal Computing: Laptop Computers(Central Processing Unit with input and output devices)	ITEW3
	Personal Computing: Notebook Computers	ITEW4
	Personal Computing: Notepad Computers	ITEW5
	Printers including cartridges	ITEW6
	Copying equipment	ITEW7
	Electrical and electronic typewriters	ITEW8
	User terminals and systems	ITEW9
	Facsimile	ITEW10
	Telex	ITEW11
	Telephones	ITEW12

	Pay telephones	ITEW13
	Cordless telephones	ITEW14
	Cellular telephones	ITEW15
	Answering systems	ITEW16
ii.	Consumer electrical and electronics:	
	Television sets (including sets based on (Liquid Crystal Display and Light Emitting Diode technology)	CEEW1
	Refrigerator	CEEW2
	Washing Machine	CEEW3
	Air-conditioners excluding centralised air conditioning plants	CEEW4
	Fluorescent and other Mercury containing lamps	CEEW5

Spot inspection report of E-Waste Dismantler

1. Name of the unit	
2. Address of the unit	
3. Date of Receipt of application	
4. Capital investment cost of the unit	
5. Date of inspection	
6. Date of completion of the project	
7. Name & designation of the officers conducted inspection	
8. Name of the representative of the unit present at the time of inspection	
9. Category of E-Waste to be processed (as per schedule-1) (Submit details in codes as per Annexure-A as enclosed)	
10. No. & Date of NOC(Consent to establish)	
11. No. & Date of Consent (Consent to operate) (only in case of renewal of authorization)	
12. Status of maintaining of records of E-waste handled or generated on form 2 at site. (Only in case of renewal of authorization)	
13. Status of up-to date annual returns under E-Waste Rules on form 3 (only in case of renewal of authorization)	
14. Status of annual return under HWOM Rules on form IV (only in case of renewal of authorization)	
15. Status of record regarding E-waste manifest on form 6 (only in case of renewal of authorization) (Submit copies of E-Waste manifest for last 06 months).	
16. Latest Analysis reports for air emissions and effluent discharged (only in case of renewal of authorization)	
17. Whether the unit submitted the certificate of registration with DIC or any other agency, enclosed the copy of the same	
18. The installed capacity of plant and machinery as declared by the unit through application form	

19. The proof of installed capacity of plant and machinery issued by the DIC or any other Govt. agency authorized, enclosed copy of the same.	
20. The source of E-Waste to be procured	
21. Quantity of E-Waste to be reprocessed	
22. Detail of operation provided for dismantling of E-waste (Dismantling operation is essentially manual operation for segregating various components/ parts and sending them to respective users/ recyclers. Directly usable components can be sent only to an authorised refurbisher. The other parts can be sent to recyclers having valid CTO / authorised ewaste recyclers depending upon the nature of the part. For example, steel or aluminium part which contains no hazardous constituents can be sent to respective recyclers Dismantlers may perform the following operations (i) De-dusting (ii) Manual dismantling)	
23. Detail of facilities provided for dismantling of E-Waste	
24. Land details with area (A dismantler needs space for storage of electrical and electronic equipment up to 180 days, for process of dismantling and volume reduction and space for storage of dismantled and segregated material and free space for movement and office/ administration and other utilities. It is estimated that a minimum of 300 square meter area for a dismantling capacity of 1T/day is required for storage of raw material, segregated material, dismantling operations and office/ administration & other utilities).	
25. Details of the equipments along with numbers used for dismantling operations (screwdrivers, wrenches, pliers, wire cutters, tongs and hammers etc)	
26. Details of the collection boxes provided for collection of dismantled E-Waste at each level of dismantling	
27. Details of the De-dusting system to maintain desirable work zone air quality as per Factories Act at various level of dismantling. (The de dusting system should consist of suction hoods over dismantling table connected with a cyclone, bag filter and venting through a chimney of three-meter height above roof level)	
28. Detail of the safe storage facilities for (i) Batteries (ii) Printed Circuit Boards (PCBs) of EEE (iii) Toner cartridges (iv) Plastic (v) External Electrical Cables, which need to be securely and safely transported to the authorized recycler	

29. The facilities provided for volume/size reduction for the dismantled parts like steel/aluminium/plastic, for ease of transportation and the facilities provided for dust/ noise control during such size/ volume reduction process	
30. Details of facilities for dismantling of refrigerators/ air conditioners (In case of dismantling refrigerators and air conditioners, only skilled manpower having required tools and personal protective equipment (PPEs) must be deployed to manually separate compressors. Prior to dismantling the compressors, adequate facilities should be provided for collection of coolant/refrigerant gases and compressor oil)	
31. Detail of Facilities for managing leakage of for compressor oils, coolant/refrigerant gases such as CFCs/HCFs and mercury from end of life fluorescent and other mercury containing lamp etc. Spills involving broken Fluorescent lamps, Oils spills should first be contained to prevent spread of the material to other areas. This may involve the use of dry sand, proprietary booms / absorbent pads, stabilizing chemicals etc. for subsequent transfer to hazardous waste TSDFs	
32. Whether the dismantler fulfilling the following requirement: a) Water proof roofing and impermeable surfaces. b) Storage space for disassembled spare parts. c) Separate containers for storage of batteries, capacitors containing PCBs (Polychlorinated biphenyls) or PCTs (Polychlorinated terphenyls)	
33. Detail of effluent generation from the recycling facility	Domestic _____ KLD Trade _____ KLD
34. Detail of treatment of effluent generation from the recycling facility	Domestic Effluent Trade effluent
35. Final mode of disposal of effluent with quantity: Domestic -Trade	Domestic Effluent Trade effluent
36. Component wise detail of the effluent treatment plant provided by the dismantling facility with comment on adequacy	
37. Component wise detail of APCM with comments of adequacy as per CPCB guidelines	
38. Noise control arrangement	
39. Status of acoustic enclosures on DG sets with stack height along with detail of DG sets.	
40. Height of Stacks/chimneys for all sources/APCM.	

41. Status of Energy meter installed on PCD's.	
42. Detail of collection & storage facility for bag filter residue, floor cleaning dust, and other hazardous material.	
43. Mode of disposal of hazardous Waste & Non recyclable /non recoverable components	
44. Detail of membership/agreement with TSDF operators for disposal of hazardous waste.	
45. Detail of arrangement for handling/storage of hazardous electronic components such as Hg Switches, PCBs etc.	
46. Detail of hood, ducting, bag dust collectors and chimney	
47. Detail of storage facilities for disassembled spare parts with adequacy	
48. Detail of containers for storage of batteries and capacitor containing PCBs or PCT with adequacy	
49. The detail of facilities for destroying or permanently deleting data stored in the memory of end of life products (Hard Disk, telephones, mobile phones)	
50. Detail of storage facility with area and with the comment on adequacy. I. Raw material. II. Segregated material. III. Dismantled parts. IV. Dismantling operations V. Office and other utilities.	
51. Detail of weigh bridge along with number and capacity.	
52. The details along with number and address of the collection centers part of channelization of E-Waste of the dismantler.	
53. The details of the producers along with EPR authorization issued by the CPCB to whom the dismantler is the part of channelization of their E-waste. Submit copy of such agreements.	
54. Details of the recyclers of E-waste, along with authorization, to whom the dismantlers are associated or supplying their dismantled E-Waste for recycling	
55. Other details of arrangements and facilities provided as site as per CPCB guidelines (not covered above)	

56. Details of the authorized recyclers of metals/ non metals/ plastic if any, where the dismantled E-Waste is being supplied for further processing or recycling/ use	
57. Details of the personal protective equipments provided to workers for dismantling/ recycling operations	
58. Detail of shortcomings/deficiencies in facility at site (as per CPCB guidelines).	
59. Comments of the team regarding installation of facility for handling, dismantling/recycling of e-waste with Environment sound technology in environmental sound manner with adequacy of pollution control measures as per provisions of E-waste (Management) Rules, 2016 & guidelines issued there under by CPCB:	
<p>60. Recommendations :-</p> <p>Note: The dismantlers shall not carry out the following operations:</p> <ol style="list-style-type: none"> 1. Dismantlers shall not carry out shredding / crushing / fine grinding/wet grinding/ enrichment operations and gravity/ magnetic/density/eddy current separation of printing circuit board or the components attached with the circuit board. → 2. Dismantlers shall not be permitted for dismantling of fluorescent and other mercury containing lamps, CRT / LCD / Plasma TV. 3. Dismantlers shall not be permitted for chemical leaching or heating process or melting the material. 4. Dismantled circuit boards, capacitors, batteries, capacitors containing PCBs (Polychlorinated biphenyls) or PCTs (Polychlorinated terphenyls) etc. shall not be stored in open. 	

Spot inspection report of E-Waste Re-furbisher

1. Name of the unit	
2. Address of the unit	
3. Date of Receipt of application	
4. Capital investment cost of the unit	
5. Date of inspection	
6. Date of completion of the project	
7. Name & designation of the officers conducted inspection	
8. Name of the representative of the unit present at the time of inspection	
9. Category of E-Waste to be processed (as per schedule-1) (Submit details in codes as per Annexure-A as enclosed)	
10. No. & Date of NOC(Consent to establish)	
11. Whether the unit submitted the certificate of registration with DIC or any other agency, enclosed the copy of the same	
12. The installed capacity of plant and machinery as declared by the unit through application form	
13. The proof of installed capacity of plant and machinery issued by the DIC or any other Govt. agency authorized, enclosed copy of the same.	
14. The source of E-Waste to be procured	
15. Quantity of E-Waste to be reprocessed	
16. Land/plot/details with area (As a general rule a refurbisher of capacity of 1 Ton per day shall require a minimum of 150 square meters' area for refurbishing, temporary storage of e waste generated and space for refurbished EEE).	
17. The details of the various refurbishing operations involved in the refurbishment	
18. The details of E-Waste generating during the refurbishment process.	

19. The details of various equipments along with numbers used for refurbishing operation	
20. Details of the De-dusting system to maintain desirable work zone air quality at various level of refurbishing/E-Waste handling	
21. The details of the technical expertise along with details of technical experts available with the refurbisher for carrying out the refurbishing facility.	
22. The details of the producers (along with EPR authorization from CPCB) to whom the refurbished E-Waste will be supplied or being supplied. The copy of such agreement need to be submitted	
23. If the refurbisher opts to sell the refurbished EEE, than he is required to seek EPR authorization from CPCB. Provide copy of such EPR authorization (In no circumstances, the refurbisher shall sell any refurbished EEE without having EPR authorization)	
24. Details of the facility provided to manage leakage of coolant/refrigerant gases and compressor oils from used electrical and electronic equipment during refurbishing operations.	
25. Whether the dismantler fulfilling the following requirement: a) Water proof roofing and impermeable surfaces	
26. Detail of effluent generation from the refurbishing facility	Domestic _____ KLD Trade _____ KLD
27. Detail of treatment of effluent generation from the refurbishing facility	Domestic Effluent Trade effluent
28. Final mode of disposal of effluent with quantity: Domestic / Trade effluent	Domestic Effluent Trade effluent
29. Component wise detail of the effluent treatment plant provided by the Refurbishing facility with comment on adequacy (if any required/provided)	
30. Component wise detail of APCM with comments of adequacy as per CPCB guidelines	
31. Noise control arrangement	
32. Status of acoustic enclosures on DG sets with stack height along with detail of DG sets.	
33. Height of Stacks/chimneys for all sources/APCM.	

34. Status of Energy meter installed on PCD's.	
35. Detail of collection & storage facility for bag filter residue, floor cleaning dust, and other hazardous material.	
36. Mode of disposal of hazardous Waste & Non recyclable / non recoverable components	
37. Detail of membership/agreement with TSDF operators for disposal of hazardous waste.	
38. Detail of arrangement for handling/storage of hazardous electronic components such as Hg Switches, PCBs etc.	
39. Detail of hood, ducting, bag dust collectors and chimney	
40. Detail of containers for storage of batteries and capacitor containing PCBs or PCT with adequacy	
41. The details along with number and address of the collection centers part of channelization of E-Waste of the refurbisher	
42. The details of the producers along with EPR authorization issued by the CPCB to whom the refurbisher is the part of channelization of their E-waste. Submit copy of such agreements.	
43. Details of the recyclers of E-waste, along with authorization, to whom the refurbisher is associated or supplying their dismantled E-Waste for recycling	
44. Other details of arrangements and facilities provided as site as per CPCB guidelines (not covered above)	
45. Details of the authorized recyclers of metals/ non metals/ plastic if any, where the E-waste generated during refurbishing, is being supplied for further processing or recycling/ use	
46. Details of the personal protective equipments provided to workers for refurbishing	
47. Detail of shortcomings/deficiencies in facility at site (as per CPCB guidelines).	

48. Comments of the team regarding installation of facility for handling, Refurbishing of e-waste with Environment sound technology in environmental sound manner with adequacy of pollution control measures as per provisions of E-waste (Management) Rules, 2016 & guidelines issued there under by CPCB:

49. **Recommendations :-**

Spot inspection report of E-Waste- Manufacturer

1. Name of the unit	
2. Address of the unit	
3. Date of Receipt of application	
4. Capital investment cost of the unit	
5. Date of inspection	
6. Name & designation of the officers conducted inspection	
7. Name of the representative of the unit present at the time of inspection	
8. Category of E-Waste to generated (as per schedule-1) (Submit details in codes as per Annexure-A as enclosed)	
9. Quantity of E-Waste to be generated annually	
10. details of appropriate facilities, technical capabilities and equipments to handle the E-Waste.	
11. Details of storage facility for E-Waste generated	
12. Whether the manufacturer fulfilling the following requirement: a) Water proof roofing and impermeable surfaces	
13. Mode of disposal of hazardous E-Waste & Non recyclable /non recoverable components (E-Waste)	
14. Detail of membership/agreement with TSDF operators for disposal of hazardous E-Waste.	
15. Detail of arrangement for handling/storage of hazardous electronic components such as Hg Switches, PCBs etc.	
16. The details along with number and address of the collection centers part of channelization of E-Waste of the manufacturer	
17. The details of the producers along with EPR authorization issued by the CPCB to whom the manufacturer is supplying their electronic/electric components	

18. Details of the Recyclers/Dismantlers of E-waste, along with authorization, to whom the manufacturer is associated or supplying their E-Waste for recycling	
19. Other details of arrangements and facilities provided as site as per CPCB guidelines (not covered above)	
20. Details of the personal protective equipments provided to workers for handling E-Waste.	
21. Detail of shortcomings/deficiencies in facility at site (as per CPCB guidelines).	
22. Comments of the team regarding installation of facility for handling, storage and disposal (through dismantler/recycler) of e-waste with Environment sound technology in environmental sound manner with adequacy of pollution control measures as per provisions of E-waste (Management) Rules, 2016 & guidelines issued there under by CPCB:	
23. Recommendations :-	

Agenda Item 178.25 (S)

**Permitting new Common
Biomedical Waste Treatment
Facilities (CBWTF) in Haryana**

The Government vide its order dated 18.07.2016 (**Annexure I**), ordered that,

'No additional Common Biomedical Waste Treatment Facilities (CBWTF) shall be issued authorization by the HPCB till the time the existing CBWTFs are operating within the 'coverage area' norms specified by the CPCB in the BMW treatment facilities guidelines. Further no request for issue of authorization in this regard shall be entertained and allowed by the HPCB till the time the existing CBWTFs, which would be affected by issue of such additional authorization, do not attain a capacity utilization (the ratio of 'waste available to them for handling' and their respective 'existing treatment capacity').....

.....In the event any eventuality so arises which requires to remove any difficulty / doubt or to seek any clarification, etc., while giving effect to these order, reference may be made to the Government seeking such clarification or direction as the Government may deem fit to issue in that regard and such clarification or direction must be abided by the HPCB in so far as they relate to giving effect to the subject matter and intent of these orders'

Presently, there are 11 CBWTFs operating in Haryana. The Board, in the meanwhile, received two new applications (for creation of new CBWTF) from State Environment Impact Assessment Authority (SEIAA) requesting the Board to conduct Public Hearing and in view of the above mentioned Government Order, the Board referred them back to SEIAA, informing that since the Government has already ruled against the creation of new facilities, the public hearing may not be conducted in these two cases. Besides these two some more applications have been received for grant of EC for new, upgradation of existing facilities as well as change of locations.

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The two applicant firms (M/s Uphaar Waste Solutions and M/s Shakti Waste Management Facility) appealed to the Board for consideration of their requests to conduct public hearing. These two cases were sent to Government for a final decision and Hon'ble Environment Minister has asked to submit the proposal through AD. M/s Uphaar Waste Solutions, made another representation to CPCB with a copy to the Board on 17.02.2017, citing the revised guidelines issued by CPCB, claiming that, as per the revised guidelines a CBWTF can be installed at a distance of minimum 75 km radial coverage and since the Board issued its order dated 18.07.2016 (It is clarified that the claim is wrong, as the order was issued by the Government) based on the old guidelines, it requested CPCB to issue direction to HSPCB, to withdraw the order dated 18.07.2016 of Government of Haryana.

The Board conducted a preliminary exercise with the available annual reports, documents and inspection records to ascertain 'the quantity of waste generated by all HCFs in the State' and 'the actual capacity as well as the quantity treated by the facilities'. However it could not be ascertained beyond doubt.

The revised guidelines for CBWTFs issued by CPCB on 21.12.2016 provides that, 'All the SPCBs and PCCs shall conduct the gap analysis and based on the gap analysis, action plan for development of new CBWTFs is required to be prepared and submitted to MoEF & CC & CPCB within six months' time'. Therefore, if any new CBWTF is proposed to be developed, it should be based on the gap analysis and after assessing the requirement. Also, as per the amended rules, 'No occupier shall establish on-site treatment and disposal facility, if a service of CBWTF is available at a distance of 75 km'.

For gap analysis, it is necessary to assess both 'the quantity of waste generated by all HCFs in the State' and 'the capacity of all existing CBWTFs operating in the State'. Though assessment of the capacity of CBWTFs is relatively an easier task, quantifying the waste generated by different HCFs is a big task

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and needs to be outsourced. **Therefore, gap analysis may need to be conducted professionally and for the same a professional agency/ professionals need to be hired having expertise in the field of Environment/ Bio Medical field.**

Accordingly, it is proposed that the Board may for approve the proposal for hiring a professional agency/ professionals for conducting the gap analysis in the field for Bio Medical Waste generation, collection and treatment. The applicants, seeking permission for new CBWTFs may be informed accordingly **to wait till the gap analysis is conducted and assessment of requirement of new CBWTF is done.** Thereafter, after getting the gap analysis report, may if required, the Government may also be advised accordingly for withdrawing the orders dated 18.07.2016 and in-principle approval for the allowing the new CBWTF may be taken from the Government.

The matter is placed before the Board for its consideration and approval.

25/4/17

GOVERNMENT OF HARYANA
DEPARTMENT OF ENVIRONMENT

ORDER

No: 16/17/2016-35w [under clause 16 of the MoEF&CC, Notification dated 28th March, 2016 bearing No. G.S.R. 343(E)]
Dated: Chandigarh the 18/2/16

Sub: Appeal preferred under section 16(1) of the Bio-Medical Waste Management Rules, 2016 - Regulating the Bio-Medical Waste Management in the State of Haryana.

Briefly stated, at various point in time in past, authorization to establish and operate Common Bio-Medical Waste Treatment Facility (CBMWTF) was accorded by the prescribed authority in the State of Haryana for collection, reception, storage, transport, treatment, disposal or any other form of handling of Bio-Medical Waste. At present, there are 11 such authorized CBMWTF operators (hereinafter referred to as 'existing Operators').

2. In the meanwhile, the Central Government published the Bio-Medical Waste Management Rules, 2016 on 28th March, 2016 (hereinafter referred to as 'the Rule'). The Rules, apart from making many other provisions, also imposed some additional duties on the Operators by way of either up-grading the existing provisions or introducing some new compliances. For doing so, however, the Rules also prescribed a timeframe. Further, the Rules also prescribed the procedure for authorization to the Operator by the prescribed authority for grant (or denial thereof), refusal to renew, cancellation or suspension of authorization.

3. The Haryana State Pollution Control Board (hereinafter referred to as 'the Board') apparently failed to notify to the Operators, clearly laying down the timeframe, such of the specific counts which were either to be up-graded or introduced afresh. Further, the Board also apparently failed to lay down the policy within which fresh proposal of new authorization would either be entertained or granted.

4. Aggrieved by this, the existing Operators felt that there existed a cause for them to prefer an appeal under section 16(1) of the Rules on following counts:

- i. By giving information and analyzing them while making a comparison with the neighboring State of Punjab, the appellant has tried to demonstrate that the capacity already created in the State of Haryana is much in excess to the requirement to treat the waste being presently generated in Haryana. Thereafter, the appellant has made a case for freezing further grant of authorization in the State of Haryana, as any such grant would make the operations of existing Operators absolutely and utterly unviable economically;
- ii. As the up-gradations warranted by the Rules would require some additional investment to be made and would require some time as well, the existing CBMWTF should be given 2 years of time to up-grade the facilities and during the said interval of 2 years, no new CBMWTF should be granted the authorization by the Board (being the prescribed authority in terms of the Rules).

5. The appellants were given an opportunity of being heard at 11.30 am on 15th July by the undersigned. During the course of hearing, they, by and large, reiterated forcefully the averments made in the written memo of Appeal submitted for consideration. They also submitted two documents, namely: (i) A letter (No. B-31011(BMW)/30/93/2013/HWMD

/14081 dated 25.3.2013 written by the Member Secretary of Central Pollution Control Board (CPCB) to the Member Secretary, Chandigarh Pollution Control Committee (CPCC); and (ii) an excerpt from the 'Final and Updated Annual Report - 2013 as on 26.3.2015' of the 'Central Pollution Control Board' dealing with the subject of handling and management of 'Bio-Medical Waste'.

6. The averments so advanced by way of memo of appeal and the submissions made during the personal hearing, while arguing for seeking a decision that no more CBWTF should be permitted to be commissioned in the State of Haryana, are summarized below in brief:

- i. The Central Pollution Control Board (CPCB) has notified guidelines for setting up BMW (Bio-Medical Waste) Facilities - a category to which the CBMWTFs belong, which should ordinarily be taken as guiding principles in this regard, unless there exist compelling reasons or specific circumstances warranting different yardsticks to be adopted. The relevant provision laying down the norms for the optimal number of such facilities is included in para 'D' thereof, which reads as under:

D. COVERAGE AREA OF CBWTF

In any area, only one CBWTF may be allowed to cater up to 10,000 beds at the approved rate by the prescribed authority. A CBWTF shall not be allowed to cater healthcare units situated beyond a radius of 150 km.

However, in an area where 10,000 beds are not available within a radius of 150 km, another CBWTF may be allowed to cater the healthcare units situated outside the said 150 km.

- ii. It has been demonstrated, relying on the data sourced from the report of 'CPCB Status of CBWTF - 2013', that the number of beds in the State of Haryana, in the year 2015 would be approximately 41,150 (a 25% growth on the relevant figure in the year 2013 as included in the CPCB report that projects the number of beds in Haryana at 32,920 beds in 2013). In the neighboring State of Punjab, based on the same projections, reports and figures, it has been projected that the number of beds in 2015 stood at approximately 50,700. It has been averred that
- iii. Punjab has authorized 5 CBWTF whereas in Haryana, 11 CBWTF has already been authorized by the prescribed authority. Further, it has also been averred that the special condition/circumstances of insufficient beds found within the radius of 150 km, and justifying another CBWTF even without meeting the minimum bed requirement of 10,000 beds are not attracted in case of Haryana.
- iv. It has further been averred that as against the Total Installed Capacity of 55.6 MT per day in Haryana (with 11 CBWTF in place), the actual available waste generation in the relevant category was approximately 5.5 MT per day in 2013 and, with an assumed growth of a further 25%, would be approximately 6.9 MT per day in 2015. Thus, at present, the CBWTFs are actually running at capacities running between 10 to 15% of the installed capacity.
- v. Comparison has been made with the State of Punjab, where as against a total of 26.2 MT per day of installed capacity, the respective availability of waste as obtained following the same source and assumptions happens to be 10.9 MT per day and 13.6 MT per day

for 2013 and 2015 respectively. Thus the CBWTFs in Punjab are presently running on capacities over 50% of the installed capacity.

- vi. Attention was drawn to the letter bearing No. B-31011(BMW)/30/93/2013/HWMD /14081 dated 25.3.2013 written by the Member Secretary of CPCB to the Member Secretary, CPCC. This letter is advisory in nature and, while reiterating the norms fixed by the CPCB for fresh authorization of CBWTFs that has been discussed above, the other relevant part thereof reads as under:

'Permitting establishment of additional CBWTF in a region where a CBWTF is already in operation be considered based on the quantum of waste generated to avoid unhealthy competition among the CBWTFs due to non-availability of adequate quantity of bio-medical waste which can lead to improper disposal, unless the operation is economical viable, and thus there is more possibility for violation of provisions of BMW Rules.

In view of the above said reasons, encouraging more CBWTFs with installed treatment capacity far beyond the waste generated in a particular locality would upset the bio-medical waste management in the State.'

----- 'Economic viability and feasible operation of the facilities in the State need to be ensured for proper treatment and disposal of bio-medical waste.'

- vii. Attention was also drawn to the excerpts of the updated Annual Report - 2013 of the CPCB (Hazardous Waste Management Division), where, in the relevant portion ('7. Issues and Recommendations on Bio-medical Waste Management' under S.No. 5) following have been included:

S.No.	Particulars	Issues	Recommendations
1	2	3	4
5	Improper implementation of guidelines for CBWTFs by the SPCBs/PCCs	Some of the States like Haryana, Gujarat and Karnataka are allowing more number of CBWTFs violating the location criteria and coverage area as stipulated under CBWTF guidelines due to which mushrooming of CBWTFs is taking place and leading to court matters.	Additional CBWTFs be allowed in the States/U.T.s only after examining the gap between the bio-medical waste generation & the existing treatment capacity as well as techno-economic viability and feasible operation of the CBWTFs.

By and large, based on these reasons and analysis, a case was forcefully made not to permit any new CBWTF to be commissioned in Haryana as it is not only not required at present, but rather would affect the viability of the existing Operators, some of whom are already operating un-economically, very adversely making them all absolutely unviable.

7. On the other count and in support of their plea, i.e. to permit an additional time duration of 2 years to comply with the requirements of the Rules whereby they have been directed to make improvements in the existing facilities by way of either up-grading the existing provisions or introducing some new facilities, the only argument that they had was that in want of clarity as to whether additional CBWTF would be authorized or not, they kept the up-gradations, etc. on hold as the up-gradations warranted by the Rules would require some additional investment to be made. They preferred the appeal and waited for its outcome to be known before committing to additional expenditure as, as it is their operations were not earning them good dividend, and

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uncertainty in the matter of the possibility of grant of additional authorization for CBWTF made their decision making to commit additional investment more risky and tentative.

8. Arguing for the Board, Sh. Sandeep Kumar, AEE, appearing for the Board, made the following submissions on the subject and in response to the arguments preferred by the appellants:

i. As per the assessment of the Board, the authorized health care facilities in the State of Haryana are about 2,664 (Hospitals with Beds: 2184; Hospitals without Beds: 472; Others (veterinary Hospitals/Research Organizations, etc.: 8) and the total number of beds in Haryana is approximately 40,059, which works out to be approximately 3,641 beds on an average per existing CBWTF. This figure is indeed much less than the prescribed optimal number of beds per facility as 10,000 by the CPCB.

ii. In addition to the improvements required to be made by the existing CBWTF in terms of the Rules, they are also obliged to make further improvements as conveyed vide letter of CPCB dated 15th October, 2015 bearing No. B-31011(BMW)/30/2015/hwmd/12269.

9. Arguments on the issues in question were concluded thereafter.

10. I have given a very thoughtful consideration to the issues in hand, the arguments advanced from the affected parties, the guidelines regulating the authorization of CBWTF, and all other aspects available for consideration. On such a careful consideration, I reach following conclusions:

i. Ordinarily, the guidelines and modalities suggested by the CPCB should be respected and adhered to by the SPCBs in the matters like one in hand. The guidelines (issued in the matter of establishing and authorizing CBWTFs) and suggestion (given to the CPCC) of the CPCB seems very appropriate and reasonable as it is very holistic, taking into consideration the interest of all stakeholders including the CBWTF operators, the State and the Health Care Facilities. It aims at avoiding unhealthy competition and making the operations economically viable, lest the operator would be tempted to dispose off these wastes in an unsatisfactory manner;

ii. The case of Haryana has been singled out particularly in the report by listing it one amongst the three defaulting States while recommending, in such like cases, 'to allow additional CBWTFs only after examining the gap between the bio-medical waste generation & the existing treatment capacity as well as techno-economic viability and feasible operation of the CBWTFs';

iii. As has been demonstrated, the existing capacity of treatment in Haryana is far far in excess to the bio-medical waste being generated at present forcing the existing CBWTFs to operate at capacities much below the economically optimal (viable) capacity;

iv. On the issue of affording more time to complete the up-gradations warranted by the Rules, it is to be noted that the Rules itself provides for timeframe in certain categories of up-gradations and remains silent about others, thereby implying as expeditiously as possible;

v. On the count of making further improvements as conveyed vide letter of CPCB dated 15th October, 2015 bearing No. B-31011(BMW)/30/2015/hwmd/12269, there is no doubt that the existing CBWTFs are absolutely obliged to make these improvements expeditiously.

vi. Based on these, it is, accordingly, ordered that:

Promotion for post of Senior Scientist.

The Govt. Vide memo No. 2/24/2010-1Env. Dated 06.06.2017 (Annexure I) has sanctioned 01 post of Senior Scientist in pay scale of Rs. 5400-67000+8700 GP in the Board and prescribed the following mode of recruitment. Qualification and Experience for the post:-

Mode of Recruitment :-

"By Promotion"

Prescribed Qualification and Experience:-

"7 years experience in the Board as Scientist 'C' or total 14 years experience as Scientist 'C' & Scientist 'B' subject to the condition that the candidate possess post Graduate Degree in Science"

The service regulations of the employees of the Board were notified in October 2004 and at that time the post of Senior Scientist was not existing as the post has been sanctioned in June 2017.

It is pertinent to mention here that the Govt. has sanctioned the posts, approved the mode of recruitment along with pay scale and has prescribed the qualification and experience, but has not provided about competent authority for the purpose of promotion to the post of Sr. Scientist.

In that eventuality we have to look at the rules which provides in sub rule 3 of rule 5 of Haryana (Water Prevention and Control of Pollution) Rules, 1978.

" Subject to rules, if any, made under sub-section (3) of section 12, the Chairman shall have full powers in the matters of appointment, promotion, confirmation, transfer and termination of services of the officers and employees of the Board, except in the case of the officers and employees the maximum stage of whose pay-scale exceeds [Rs.2,600 -] for officers whose maximum stage of exceeds [Rs.2,600 -] all such powers shall vest in the Board."

A bare perusal of the above rule reveals that the Board is fully competent in the matters of appointment, promotion, confirmation, transfer and termination of services of the officers whose pay-scale are exceeding Rs.2,600/- subject to rules made if any under subsection 3 of section 12 of the act.

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Now, what is important for consideration to search whether any rules under sub-section 3 of section 12 of the act have been made by the Govt. regarding the promotion to the post of Senior Scientist. The Answer is negative and so keeping in view of the answer of the question and facts that Govt has already approved the mode of recruitment, Pay-scale, qualification and experience, it is crystal clear that Board is fully competent to promote to the post of Senior Scientist.

Sh. Dinesh Kumar was appointed as Scientist 'B' on 01.08.1984. He is M.Sc. in Chemistry and M.Tech. He was promoted as Scientist 'C' on 19.01.2005 and was designated Senior Scientist by the Board on 11.02.2014 in his own pay scale. Since then, he is performing the responsibilities of above said post.

He fulfills the eligibility criteria prescribed by the Govt. as well as approved by the Board. The last 10 years ACR record of the officer is as under:-

- a) Outstanding-2
- b) Very Good-8

No contemplated disciplinary proceedings or vigilance enquiry is pending against the officer.

The proposed promotion to the post of Senior Scientist from the post of Scientist 'C' is one cadre to another. Hence, there is no need of departmental promotion committee.

Sh. Dinesh Kumar, Scientist 'C' (Designated as Senior Scientist) fulfill the eligibility criteria for promotion to the post of Senior Scientist in the pay Scale 300-67,000 --8,700 - GP.

Keeping in view of the above mention facts that the board is competent to promote Sh. Dinesh Kumar to the post of Senior Scientist.

Submitted for consideration and approval please.

ms-5163

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Annexure-1

The Additional Chief Secretary to Govt. Haryana,
Environment Department

The Chairman,
Haryana State Pollution Control Board,
C-11, Sector-6, Parkside

STE 6/6/17
6/6/17 E.A.

Memo No. 2/24/2010-1Env.
Dated :- 6-6-2017.

Subject: Proceedings of the meeting of Standing Committee on Public Enterprises held on 17.04.2017 at 10.00AM.

Reference your letter No. HSPCB/Estt./2016/10237 dated 20.12.2016 on the subject mentioned above.

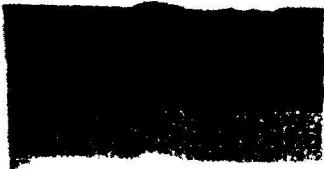
Govt. accords approval to create the following additional Posts:-

Name of Post	Pay Scale (Rs.)	No. of Posts	Mode of Recruitment	Prescribed Qualification & Experience
Senior Environmental Engineer	37400-67000+8700 GP	2	By Promotion.	7 years experience in the Board as Environmental Engineer or total 14 years experience as Environmental Engineer & Assistant Environmental Engineer subject to the condition that the candidate possesses Degree in Engineering.
Senior Scientist	37400-67000+8700 GP	1	By promotion.	7 years experience in the Board as Scientist 'C' or total 14 years experience as Scientist 'C' & Scientist 'B' subject to the condition that the candidate possesses Post Graduate Degree in Science.
Environmental Engineer	15600-39100+6000 GP	5	As per existing Service Rules of the Board.	As per existing Service Rules of the Board.
Scientist 'C'	15600-39100+6000 GP	01	-Do-	-Do-
Assistant Environmental Engineer	9300-34800+5400 GP	16	-Do-	-Do-
Scientist 'B'	9300-34800+5400 GP	9	-Do-	-Do-

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Environmental Engineer	9300-34800+ 4000 GP	2	-Do-	-Do-
Law Officer	9300-34800+ 5400 GP	1	By promotion or by transfer or deputation.	Should have worked at least for 5 years in the Board as Assistant Law officer. OR On deputation from Prosecution Department from the cadre of Deputy District Attorney
Administrative Officer	9300-34800+ 5400GP	1	By selection or by transfer or deputation	Superintendent/ Private Secretary with 3 years experience having qualification atleast OR On deputation from the cadre of Haryana Secretariat Services equivalent to Superintendents with 3 years experience.
Development Team Leader	15600-39100+ 6600GP	1	By promotion or by transfer or deputation	The prescribed qualifications/ experience and nature of duties of the post will be as per letter No. 2/13/Vol-IV/1434 dated 17.6.2014 issued by Secretary for Information Technology, Government of Haryana.
Software Developer	9300-34800+ 5400GP	1	By direct recruitment or by promotion or on deputation	-Do-
Software Developer	9300-34800+ 4600 GP	2	By direct recruitment or by promotion or on deputation	-Do-
Accounts Officer	9300-34800+ 5400GP	1	By promotion or on deputation from Finance Department	As prescribed by the Finance Department.
Private Secretary	9300-34800+ 4200GP	1	As per existing Service Rules of the Board	As per existing Service Rules of the Board.
Deputy Superintendent	9300-34800+ 4000 GP	1	By Promotion	5 years experience as Accountant/Assistant/Assistant (Computer) in the Board.

26/5/26



Senior Scientific Assistant	9300-34800-4000GP	3	As per existing Service Rules of the Board.	As per existing Service Rules of the Board.
Junior Scientific Assistant	9300-34800-3600GP	4	-Do-	-Do-
Stenographer	9300-34800-3600GP	13	-Do-	-Do-
Lab Attendant	5200-20200-1900GP	6	-Do-	-Do-
Total		71		

There is only one post of Computer Operator in the Board which is equivalent to that of (Senior). Therefore, it is approved to re-designate the post of Computer Operator as Assistant Computer Operator.

Approval is further accorded that the Board may engage Legal Assistants on contract in accordance with the State Outsourcing Policy as per need based requirement subject to a maximum of 46 numbers.

The following existing posts in the Board may also be placed in diminishing cadre:-

No.	Name of Post	No. of Posts
1	Registrar	1
2	Statistical Assistant	1
3	Steno-typist	5
4	Clerk	8
	Total	15

This issues with the concurrence of Haryana Bureau of Public Enterprises, Finance Department conveyed vide their U.O. No. 20/3/2017/Accu/11BPE (FD) dated 03.05.2017.

Adnan
 Superintendent, Environment
 for Additional Chief Secretary to Govt. Haryana,
 Environment Department.

Order No. 2/24/2010-1Env

Dated:-

A copy is forwarded to Sr. Research Officer, Haryana Bureau of Public Enterprises, Finance Department for information w.r.t. their U.O. No. 20/3/2017/Accu/11BPE (FD) dated 03.05.2017.

Superintendent Environment,
 for Additional Chief Secretary to Govt. Haryana,
 Environment Department

Estt. Group-A – Regarding Promotion to the post of Senior Environmental Engineer.

The Government of Haryana vide Memo No. 2/24/2010-1Env., Dated 06.06.2017 accorded approval to create two posts of Senior Environmental Engineers in the pay scale of Rs. 37400-67000+8700 GP (**Annexure-A**). The experience, qualifications criteria & mode of recruitment prescribed in the approval granted by the Government is reproduced as under:-

Sr. No.	Name of Post	Pay Scale (Rs.)	No. of Posts	Mode of Recruitment	Prescribed Qualification & Experience
1	Senior Environmental Engineer	37400-67000+8700 GP	2	By Promotion.	7 years experience in the Board as Environmental Engineer. or total 14 years experience as Environmental Engineer & Assistant Environmental Engineer subject to the condition that the candidate possesses Degree in Engineering.

The above posts are not included in the Haryana State Pollution Control Board (Group A, B, C and D) Service Regulations, 2004 and the regulations of posts have not been notified. After creation of 71 numbers of additional posts which includes above post also, the amendment in existing Service Regulations, 2004 is in process, which is a time-consuming process and it will take time for the notification of the rules due to long procedure. In this regard, the opinion of Ld. District Attorney of the Board has been sought, which is reproduced hereunder:-

"The post of Senior Environmental Engineer is a newly created post and does not include in the Employees Service Regulations 2004, hence, regulation of this post are not notified. The Board was constituted in the year, 1974 and Employees Service Regulations were notified in October, 2004. Prior to October, 2004 all the promotions were made according to the draft service regulations. The Board has approved Service Regulations of the post of Sr. Environmental Engineer in Board's 174th Meeting. The Hon'ble High Court in LPA 800 of 2012 (O & M) held that the draft service rules were regulating the service conditions of the employees of the Board who had a clear intention to enforce the same in near future.

In view of above, the promotions to the posts of Sr. Environmental Engineer may be considered on the basis of draft Service Regulations approved by the Board in its 174th meeting".

The above mentioned two posts of Sr. Environmental Engineers are meant for promotion quota as per seniority list.

As per Government Instructions, last 10 year ACRs of the officer are to be taken into consideration for promotion to next higher post. Out of total, 70% record should be very good and above category for promotion to a higher post. There should be no adverse

remarks regarding integrity. No disciplinary action under Rule-7 or vigilance enquiry should be pending against the officer.

The tentative seniority list of Environmental Engineers is placed at **Annexure-B**. As per seniority, Sh. Satpal Singh Rathi is at Sr. No. 1 and Sh. Chand Saini is at Sr. No.2. Their record is discussed as under:-

1. Sh. Satpal Singh Rathi :- He was appointed as Junior Environmental Engineer in the Board on 31.03.1981. At the time of his appointment, he was having 3 years Diploma in Civil Engineering and thereafter he acquired qualification as AMIE from Institution of Engineers (India), Kolkatta on 03.07.1989. He was promoted to the post of Assistant Environmental Engineer on 15.10.1992. Thereafter promoted as Environmental Engineer on 12.05.2000. He was designated as Senior Environmental Engineer on 27.06.2012 in his own pay-scale without any financial benefit after approval of the Board vide Agenda Item No. 164.13 (S) in its 164th meeting held on 24.06.2012, as the post of Senior Environmental Engineer was not sanctioned at that time. He has acquired more than 17 years as Environmental Engineer/Senior Environmental Engineer. The ACR of Sh. Sat Pal Singh Rathi for the year 2009-10, 2010-11 and 2011-12 for the period 01.04.2011 to 18.11.2011 recorded up to the level of Reporting Officer. Reviewing and Accepting Authority has since been retired. The ACR for the year 2016-17 is also recorded up to the level of Reporting Officer. The period of Reviewing and Accepting Authority is less than 3 months which needs not to be recorded for the less 3 months period as per Government Instructions. Therefore these ACRs may be treated as final as recorded by the Reporting Officers for the mentioned years. Out of 10 ACRs, 70% ACRs of the officer are of good and above category. There is no adverse remarks regarding his integrity. No disciplinary action under Rule-7 or vigilance enquiry is pending against him. The ACR for the last 10 years is placed below at **Annexure-C**.

2. Sh. Chand Saini :- He was appointed as Junior Environmental Engineer in the Board on 14.03.1988. At the time of his appointment he was having 3 years Diploma in Civil Engineering and thereafter he acquired qualification as AMIE from The Institution of Engineers (India), Kolkatta. He was promoted to the post of Assistant Environmental Engineer on 12.10.1993 and promoted as Environmental Engineer on 30.10.2002. He was designated as Senior Environmental Engineer on 27.06.2012 in his own pay-scale without any financial benefit after approval of the Board vide Agenda Item No. 164.13 (S) in its 164th meeting held on 24.06.2012, as the post of Senior Environmental Engineer was not sanctioned at that time. He has acquired more than 15 years as Environmental Engineer/Senior Environmental Engineer. The ACR of Sh. Chand Saini for the year 2009-10 (02.07.2009 to 31.03.2010), 2010-11 and 2011-12 (01.04.2011 to 18.11.2011) are recorded up to the level of Reporting Officer. Similarly the ACR for the year 2016-17 is recorded up to the level of Reporting Officer. Reviewing and Accepting Authority period is less than 3 months which is not required to be recorded to the Reviewing and Accepting Authority. Therefore these ACRs may be treated as final as per grading given by the Reporting Officers. Out of 10 ACRs, 70% record of the officer is good and above category. There is no adverse remarks regarding his integrity. No disciplinary action under Rule-7 or vigilance enquiry is pending against him. The ACR for the last 10 years is placed below at **Annexure-D**.

The requisite qualification for promotion to the post of Senior Environmental Engineer is as per Government letter no. 2/24/2010-1Env., Dated 06.06.2017 subject to condition that candidate possessed Degree in Engineering. They have acquired qualification as AMIE. On the basis of AMIE they have already been promoted as Environmental Engineer by the Government as per Draft Service Rules before publication of the Service Regulations, 2004.

27/3/529

Further, in relation to the AMIE qualification acquired by the above officers, it is submitted that Hon'ble Court of Punjab & Haryana vide judgement dated 06.11.2012 passed in the matter of Kartar Singh V/s Union of India & others, the AMIE qualification is considered valid qualification for the purposes of promotion and not for direct recruitment. The relevant para no. 203 of the above judgement is reproduced below:-

"In view of the above provisions of the statute, we respectfully endorse the view taken by the Division Bench in Jagtar Singh's case (supra) that qualification of AMIE is relevant for the purposes of promotion and not for direct recruitment, as an Associate Member becomes eligible for Membership only if he is engaged in engineering profession."

The above judgement has also been accepted by Hon'ble Apex Court of India in its judgement dated 03.11.2017 and so, the officers can be considered for promotion to next higher post i.e. Senior Environmental Engineer by the Government.

Since the newly created posts of Senior Environmental Engineer are not included in the Haryana State Pollution Control Board (Group A, B, C and D) Service Regulations, 2004, the matter may be placed before the Board of Directors for information, perusal and consideration for recommendation to the Government.

The promotion of Sh. Sat Pal Singh Rathi and Sh. Chand Saini, Environmental Engineers to the post of Senior Environmental Engineer in the pay scale of Rs. 37400-67000+8700 GP. This promotion case belongs to Class-I to Class-I. Therefore there is no need to put up the case in DPC as per Govt. instruction.

In view of above, the Agenda is submitted before the Board of Directors for information, perusal and consideration of the promotion case of Sh. Sat Pal Singh Rathi, Environmental Engineer (already designated as Senior Environmental Engineer) and Sh. Chand Saini Environmental Engineer (already designated as Senior Environmental Engineer) to the post of Senior Environmental Engineer in the pay scale of Rs. 37400-67000+8700 GP on the basis of AMIE qualification which has been considered as equivalent to the Degree in Engineering in view of judgment of Hon'ble High Court dated 06.11.2012 which was also accepted by the Apex Court vide order dated 03.11.2017 (Annexure-E) and their cases may be sent to the Government for promotion and making amendment in the column of qualification prescribed in letter dated 06.06.2017 as Degree in Engineering or its equivalent.

ATMS-5163

27/4/530

Annexure-A

From

The Additional Chief Secretary to Govt. Haryana,
Environment Department

To

The Chairman,
Haryana State Pollution Control Board,
C-11, Sector-6, Panchkula

S/E

6/6/17
6/6/17
E.A.I

Memo No. 2/24/2010-1 Env.

Dated :- 6-6-2017.

Subject:- Proceedings of the meeting of Standing Committee on Public Enterprises held on 17.04.2017 at 10.00AM.

Reference your letter No. HSPCB/Est./2016/10237 dated 20.12.2016 on the subject noted above.

2. Govt. accords approval to create the following additional Posts:-

Sr. No.	Name of Post	Pay Scale (Rs.)	No. of Posts	Mode of Recruitment	Prescribed Qualification & Experience
1.	Senior Environmental Engineer	37400-67000+ 8700 GP	2	By Promotion.	7 years experience in the Board as Environmental Engineer or total 14 years experience as Environmental Engineer & Assistant Environmental Engineer subject to the condition that the candidate possesses Degree in Engineering.
2.	Senior Scientist	37400-67000+ 8700GP	1	By promotion.	7 years experience in the Board as Scientist 'C' or total 14 years experience as Scientist 'C' & Scientist 'B' subject to the condition that the candidate possesses Post Graduate Degree in Science.
3.	Environmental Engineer	15600-39100+ 6000GP	5	As per existing Service Rules of the Board.	As per existing Service Rules of the Board.
4.	Scientist 'C'	15600-39100+ 6000GP	01	-Do-	-Do-
5.	Assistant Environmental Engineer	9300-34800+ 5400GP	16	-Do-	-Do-
6.	Scientist 'B'	9300-34800+ 5400GP	9	-Do-	-Do-

7.	Junior Environmental Engineer	9300-34800+ 4000 GP	2	-Do-	-Do-
8.	Law Officer	9300-34800+ 5400 GP	1	By promotion or by transfer or deputation.	Should have worked at least for 5 years in the Board as Assistant Law officer. OR On deputation from Prosecution Department from the cadre of Deputy District Attorney.
9.	Administrative Officer	9300-34800+ 5400GP	1	By selection or by transfer or deputation	Superintendent/ Private Secretary with 3 years experience having qualification atleast graduate OR On deputation from the cadre of Haryana Secretariat Services equivalent to Superintendent with 3 years experience.
10.	Development Team Leader	15600-39100+ 6600GP	1	By promotion or by transfer or deputation	The prescribed qualifications/ experience and nature of duties of the post will be as per letter No. 2/15/Vol-IV/1439 dated 17.6.2014 issued by Secretariat for Information Technology, Government of Haryana.
11.	Software Developer	9300-34800+ 5400GP	1	By direct recruitment or by promotion or on deputation	-Do-
12.	Junior Software Developer	9300-34800+ 4600 GP	2	By direct recruitment or by promotion or on deputation	-Do-
13.	Accounts Officer	9300-34800- 5400GP	1	By promotion or on deputation from Finance Department.	As prescribed by the Finance Department.
14.	Private Secretary	9300-34800- 4200GP	1	As per existing Service Rules of the Board	As per existing Service Rules of the Board.
15.	Deputy Superintendent	9300-34800- 4000 GP	1	By Promotion	5 years experience as Accountant/Assistant Assistant (Computer) in the Board.

27/6/532

16.	Senior Scientific Assistant	9300-34800+ 4000GP	3	As per existing Service Rules of the Board.	As per existing Service Rules of the Board
17.	Junior Scientific Assistant	9300-34800+ 3600GP	4	-Do-	-Do-
18.	Assistant	9300-34800+ 3600GP	13	-Do-	-Do-
19.	Lab Attendant	5200-20200+ 1900GP	6	-Do-	-Do-
	Total		71		

3. There is only one post of Computer Operator in the Board which is equivalent to that of Assistant. Therefore, it is approved to re-designate the post of Computer Operator as Assistant (Computer).

4. Approval is further accorded that the Board may engage Legal Assistants on contract basis in accordance with the State Outsourcing Policy as per need based requirement subject to a maximum of 48 numbers.

5. The following existing posts in the Board may also be placed in diminishing cadre:-

Sr. No.	Name of Post	No. of Posts
1.	Registrar	1
2.	Statistical Assistant	1
3.	Steno-typist	5
4.	Clerk	8
	Total	15

6. This issues with the concurrence of Haryana Bureau of Public Enterprises, Finance Department conveyed vide their U.O. No. 20/3/2017/Accu./HBPE (FD) dated 03.05.2017.

Alban
Superintendent, Environment
for Additional Chief Secretary to Govt. Haryana.
Environment Department.

Encls. No. 224/2010-1Env

Dated:-

A copy is forwarded to Sr. Research Officer, Haryana Bureau of Public Enterprises, Finance Department for information w.r.t. their U.O. No. 20/3/2017/Accu./HBPE (FD) dated 03.05.2017.

Superintendent Environment,
for Additional Chief Secretary to Govt. Haryana,
Environment Department

Annexure B

27/7/533

**HARYANA STATE POLLUTION CONTROL BOARD
C-11, SECTOR 6, PANCHKULA.**

No. HSPCB/Estt./08/EP-28/ 1736
To

Dated: 29/07/08

Sh. S.P. Rathi,
Environmental Engineer,
Regional Office, Bahadurgarh.

Subject: **Tentative Seniority List of Environmental Engineers of the
Haryana State Pollution Control Board, Panchkula.**

I have been directed to intimate that the tentative seniority list of Environmental Engineers has been prepared as on 28.05.2008 and a copy thereof is enclosed herewith for your information.

You are, therefore, requested to submit your objections/representations, if any, by 30.06.2008 positively, otherwise it will be presumed that you have no objection against the seniority list and it will be considered as final after the stipulated date.

→ A/Ac above

e/c

Superintendent (Estt.)
for Chairman

[Signature]
28/05/08

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TENTATIVE SENIORITY LIST OF ENVIRONMENTAL ENGINEERS

27/8/534

Sl. No.	Name	Date of Birth	Category to which belongs	Home of (District)	Date of entry in service a) Date of obtaining the age of 55 years b) Date of retirement	Present appointment		Date from which promoted as such	Source of Recruitment	Remarks
						a) Engineer b) Class-I	a) Environmental Engineer b) Class-I			
1	Sh. A.K. Rana	24.01.1954	General	New Delhi	a) 09.06.1980 b) 23.01.2009 c) 31.01.2012	a) Environmental Engineer b) Class-I	a) Environmental Engineer b) Class-I	26.11.1987	Promotion	Appointed as Assistant Environmental Engineer and now promoted as Environmental Engineer
2	Sh. R.K. Sharma	13.07.1953	General	New Delhi	a) 16.07.1976 b) 12.07.2008 c) 31.07.2011	a) Environmental Engineer b) Class-I	a) Environmental Engineer b) Class-I	12.05.1996	Promotion	Appointed as Junior Environmental Engineer and now promoted as Environmental Engineer
3	Sh. Bhagwan Singh	14.05.1952	B.C. 'B'	Ambala	a) 25.05.1977 b) 13.05.2007 c) 31.05.2010	a) Environmental Engineer b) Class-I	a) Environmental Engineer b) Class-I	12.03.1996	Promotion	Appointed as Junior Environmental Engineer and now promoted as Environmental Engineer
4	Sh. S.P. Rathi	28.08.1951	General	Panipat	a) 31.03.1981 b) 27.08.2016 c) 31.08.2019	a) Environmental Engineer b) Class-I	a) Environmental Engineer b) Class-I	12.05.2000	Promotion	Appointed as Junior Environmental Engineer and now promoted as Environmental Engineer
5	Sh. Chand Saini	27.07.1963	B.C. 'B'	Panchkula	a) 14.03.1988 b) 26.07.2018 c) 31.07.2021	a) Environmental Engineer b) Class-I	a) Environmental Engineer b) Class-I	03.10.2002	Promotion	Appointed as Junior Environmental Engineer & now promoted as Environmental Engineer
6	Sh. Sumeet Amrohi	02.07.1972	S.C.	Panchkula	a) 28.09.1994 b) 01.07.2027 a) 31.07.2030	a) Environmental Engineer b) Class-I	a) Environmental Engineer b) Class-I	07.12.2004	Promotion	Appointed as Assistant Environmental Engineer and now promoted as Environmental Engineer

27/9/535

7.	Sh. P.K. Gaur	20.10.1960	General	Hisar	a) 13.12.2004 b) 19.10.2015 c) 31.10.2018	a) Environmental Engineer b) Class-I	13.12.2004	Direct	Appointed Engineer as Environmental
8.	Sh. S.P. Saxhi	02.01.1962	General	Fatehabad	a) 13.12.2004 b) 01.01.2017 c) 31.01.2020	a) Environmental Engineer b) Class-I	13.12.2004	Direct	Appointed Engineer as Environmental
9.	Sh. Krishan Kumar	14.07.1962	General	Hisar	a) 13.12.2004 b) 13.07.2017 c) 31.07.2020	a) Environmental Engineer b) Class-I	13.12.2004	Direct	Appointed Engineer as Environmental
10.	Sh. Kapoor Singh Bhanthar	05.02.1960	S.C. 'B'	Hisar	a) 13.12.2004 b) 04.02.2015 c) 28.02.2018	a) Environmental Engineer b) Class-I	13.12.2004	Direct	Appointed Engineer as Environmental

Superintendent (Estt.)
for Chairman

27 / 10 / 536

Annexure - C

Summary of ACR for the last 10 years of Sh. Satpal Singh Rathi, Sr.
Environmental Engineer-I (Designated)

Sr. No.	Period	Assessment
1.	2007-08 (20.04.2007 to 19.11.2007)	Good
2.	2008-09 (01.04.2008 to 06.11.2008)	Very Good
3.	2009-10 (01.04.2009 to 08.07.2009) (09.07.2009 to 31.03.2010)	Very Good Very Good
4.	2010-11 (01.04.2010 to 31.03.2011)	Very Good
5.	2011-12 (01.04.2011 to 08.07.2011 & 08.08.2011 to 18.11.2011) (21.11.2011 to 31.03.2012)	Very Good Very Good
6.	2012-13 (01.04.2012 to 31.03.2013)	Very Good
7.	2013-14 (01.04.2013 to 30.11.2013 & 20.12.2013 to 31.03.2014)	Outstanding
8.	2014-15 (01.04.2014 to 18.11.2014)	Outstanding
9.	2015-16 (01.04.2015 to 15.02.2016)	Outstanding
10.	2016-17 (01.04.2016 to 31.03.2017)	Outstanding

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Supdt.

27/10/537

Annexure-D

Summary of ACR for the last 10 years of Sh. Chand Saini, Sr. Environmental Engineer-II (Designated)

Sr. No.	Period	Assessment
1.	2007-08 (20.04.2007 to 19.11.2007)	Very Good
2.	2008-09 (01.04.2008 to 06.11.2008)	Very Good
3.	2009-10 (01.04.2009 to 08.07.2009) (09.07.2009 to 31.03.2010)	Very Good
4.	2010-11 (01.04.2010 to 31.03.2011)	Missing
5.	2011-12 (01.04.2011 to 08.07.2011 & 08.08.2011 to 18.11.2011) (21.11.2011 to 31.03.2012)	Very Good
6.	2012-13 (01.04.2012 to 31.03.2013)	Very Good
7.	2013-14 (01.04.2013 to 30.11.2013 & 20.12.2013 to 31.03.2014)	Outstanding
8.	2014-15 (01.04.2014 to 18.11.2014)	Outstanding
9.	2015-16 (01.04.2015 to 15.02.2016)	Very Good
10.	2016-17 (01.04.2016 to 29.05.2016 & 13.12.2016 to 31.03.2017)	Very Good

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30/10/2018

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SUNITA
Supdt.

27/12/538

Annexure E

CWP No.1640 of 2008 (O&M)

(1)

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

Date of decision: 06.11.2012

CWP No.1640 of 2008

Kartar Singh

.....Petitioner

Vs.

Union of India & others

.....Respondents

**CORAM: - HON'BLE MR. JUSTICE HEMANT GUPTA
HON'BLE MR. JUSTICE RAJIV NARAIN RAINA**

Present: - Mr. Satbir Gill, Advocate, for the petitioner.

Ms. Ranjana Shahi, Advocate for respondent No.1.

Mr. N.R. Dahiya, Advocate, for respondent No.2.

Mr. Raghbir Tejpal, Advocate, for respondent No.3.

Mrs. Palika Monga, DAG, Haryana, and
Mr. Kshitij Sharma, AAG, Haryana, for respondent
Nos.4,5,6,7 and 8.

Mr. Ashwani K. Mata, Senior Advocate, with

M/s Deepak Kanwar, Sudhir Kumar and

Razeev Prasad Dubey, Advocates, for respondent No.10.

Mr. S.K. Monga, Advocate, for respondent No.13.

Ms. Anu Chatrath, Advocate, for respondent No.14.

Mr. Ravi Kamal Gupta, Advocate, for the applicants.

1. Whether Reporters of local papers may be allowed to see the judgment?
2. To be referred to the Reporters or not?
3. Whether the judgment should be reported in the Digest?

advancement of engineering and engineering sciences. The All India Council for Technical Education Act, 1987, does not act to repeal, abrogate or vary the earlier statute, the statute incorporating Institution of Engineers. Therefore, the certificates granted by such Institution have been rightly declared to be equivalent by the Central and the State Governments to the degree course. The AMIE has been declared equivalent to degree course for the purposes of promotion and not for the purposes of direct recruitment. Such classification cannot be said to be illegal or unwarranted in any manner. It is for the State to consider the equivalence of Section 'A' & 'B' examinations conducted by the Institution of Engineers. Therefore, we do not find that there is any justification in seeking equivalence to the degree for the purposes of direct recruitment or that the said examination and the membership cannot be rated as equivalent to the degree course for the purpose of promotion.

Reg.
AMIE

203. In view of the above provisions of the statute, we respectfully endorse the view taken by the Division Bench in Jagtar Singh's case (supra) that qualification of AMIE is relevant for the purposes of promotion and not for direct recruitment, as an Associate Member becomes eligible for Membership only if he is engaged in engineering profession.

204. The writ petitions, as mentioned above, are disposed of accordingly.

The Institute of Mechanical Engineers (India), Mumbai

205. In CWP No.12909 of 2009, the issue is in respect of Certificate of Membership obtained from the Institute of Mechanical Engineers (India), Mumbai (respondent No.4), as a degree for promotion to the post of Sub Divisional Engineer in terms of the Punjab Water Supply

Nursing Council or the Nursing Council of India finds that such qualification is not required to be approved by them, the AICTE will examine the same in consultation with the Commission.

(HEMANT GUPTA)
JUDGE

(RAJIV NARAIN RAINA)
JUDGE

November 06, 2012
vital ds

27/15/541

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REPORTABLE

~~IN THE SUPREME COURT OF INDIA~~
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NOS. 17869-17870 /2017
(Arising out of Special Leave Petition (C) Nos.19807-19808/2012)

ORISSA LIFT IRRIGATION CORP. LTDAPPELLANTS

VERSUS

RABI SANKAR PATRO & ORS.

....RESPONDENTS

With
CIVIL APPEAL NOS. 17871-17872 /2017
(Arising out of Special Leave Petition (C) Nos.19851-19852/2012)

CIVIL APPEAL NOS. 17899-17900 /2017
(Arising out of Special Leave Petition (C) Nos.19848-19849/2012)

CIVIL APPEAL NOS. 17897-17898 /2017
(Arising out of Special Leave Petition (C) Nos.19842-19843/2012)

CIVIL APPEAL NOS. 17895-17896 /2017
(Arising out of Special Leave Petition (C) Nos.19844-19845/2012)

CIVIL APPEAL NOS. 17879-17880 /2017
(Arising out of Special Leave Petition (C) Nos.19824-19825/2012)

CIVIL APPEAL NOS. 17885-17886 /2017
(Arising out of Special Leave Petition (C) Nos.19828-19829/2012)

CIVIL APPEAL NOS. 17881-17882 /2017
(Arising out of Special Leave Petition (C) Nos.19814-19815 /2012)

CIVIL APPEAL NOS. 17883-17884 /2017
(Arising out of Special Leave Petition (C) Nos.19830-19831/2012)

55. We thus accept the view taken by the High Court of Punjab and Haryana at Chandigarh and set aside the decision of the High Court of Orissa. With the aforementioned observations, appeals are disposed of. No order as to costs. No orders are called for in Contempt Petition Nos.194-197/2016 which stands disposed of.

.....J.
(Adarsh Kumar Goel)

.....J.
(Uday Umesh Lalit)

New Delhi,
November 3, 2017