

Haryana State Pollution Control Board.

Dy. No. 3533

Dated: 07/01/11

भारत सरकार

पर्यावरण एवं वन मंत्रालय

GOVERNMENT OF INDIA

MINISTRY OF ENVIRONMENT & FORESTS

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No. Q-17015/01/2010-CPW

Dated: 20th December, 2010

ORDER

This Ministry's Order No.Q-17011/1/88-CPW dated 28.12.1998 relating to the modalities of distribution of cess proceeds between the Central Pollution Control Board (CPCB) and State Pollution Control Boards (SPCBs) / Pollution Control Committees (PCCs) provides reimbursement of upto 80% of the cess amount collected to the SPCBs/PCCs with the stipulation that the expenditure incurred on establishment and office operations of the SPCBs/PCCs should not exceed 25% of the amount so received.

Of late, a number of SPCBs have reported difficulties in timely utilization of Water Cess funds released to them on account of the existing 25% ceiling on establishment and office expenses, which appears to be inadequate to meet their requirements. This has also impeded efforts for augmentation of the technical manpower of the SPCBs/PCCs.

In view of the facts outlined above, the existing arrangement as per the aforesaid order dated 28.12.1998 is hereby modified and the existing ceiling of 25% on establishment and office operations of SPCBs/PCCs is revised upwards to 50%. This enhancement of 25% is earmarked for (i) establishment costs related to scientific and technical manpower, including augmentation thereof; and (ii) e-governance and IT applications in the SPCBs/PCCs, including online consent management.

It is to be noted that henceforth, 25% of the cess funds available for project activities shall be earmarked for monitoring of air, water and noise and creation of related infrastructure.

It is also made clear that the state PCBs/PCCs shall ensure that a minimum of 3% of the total cess funds are utilized for the purpose of e-governance and IT applications.

(Dr Rajneesh Dube)

Joint Secretary

Tel: 011-24363956

Copy to :

1. The Chairman, Central Pollution Control Board, Delhi.
2. The Chairman, All State Pollution Control Boards and Pollution Committees.
3. The Secretary, Deptt. of Environment, All States and UTs.
4. The Secretary, Department of Finance, All States/UTs.
5. The Accountant Generals, All States/UTs.
6. The Member Secretary, All State Pollution Control Boards/Committees.
7. Director of Audit, CW & Misc. to IP Estate, New Delhi
8. Under Secretary, IFD/Account Officer B&A, MoEF.
9. Guard File/Spare Copies.



जहाँ है हरियाली/
वहाँ है खुशहाली।।

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ORDER

The policy statement for abatement of pollution notified by the Government on February 26, 1992 states that steps have to be taken to "ensure that the polluter pays for the pollution and control arrangements" and to encourage and develop and apply the best available and practicable technology. Priority for treatment of sewage and support to small scale industries have been indicated in the policy. The Cess (Prevention & Control of Pollution) Amendment Act 1991 has been made effective from January 26, 1992 and enhances the Cess rates and incorporates a scheme of incentives/disincentives based on the pollution load. The norms for water consumption have been notified on February 28, 1992. Rules have been notified for submission of quarterly information to the Central Government on the demand, collection and balance of the Water Cess. A computer based accounting system on Cess management has been developed by Central Pollution Control Board and National Informatic Centre (DoE).

2. The matter regarding norms for distribution of the Cess was discussed with the State Pollution Control Boards and State Depts. of Environment in November 1991 and again in January 1992, wherein the States have given their input on the subject.

3. According to Section 8 of the Water (Prevention & Control of Pollution) Cess Act 1977, the proceeds of Cess are credited to the Consolidated Fund of India. The section also provides that the Central Government may pay to every State Pollution Control Board such sums of money as it, thinks fit for being utilized under the Water (Prevention & Control of Pollution) Act, 1974, having regard to the amount collected from each State Board.

4. The need for review of the norms for distribution of the Cess formulated in 1979, has been discussed with the State Governments. The views of Central Pollution Control Board have also been taken by the Central Government. In the light of the Policy Statement, the following criteria for the distribution of Cess with effect from 1.4.1992 may be adopted.

25% of the total amount will be retained by the Central Government to encourage R&D of clean technologies and assist local bodies in

Class II & III towns to set up treatment systems, according to need.

The remaining 75% will be released to the concerned State Boards according to the following guidelines:-

25% to be utilized according to the decisions of the State Pollution Control Boards for pollution control measures.

25% to be utilized according to the decisions of the State Pollution Control Boards for assisting industrial units in the adoption of clean process technologies and sewage treatment systems in Class II & III towns.

The remaining 25% will be reimbursed to the State Pollution Control Boards on the basis of collection of the target for that year/quarter i.e. 10% for collecting 85% of the target for collection of Cess, at the minimum, and additional 1% for each additional percent of the Cess collected. The amount will be utilized according to the decisions of the State Pollution Control Board.

- (i) To ensure timely disposal, proper book-keeping and facilitate reconciliation of accounts the Central Government will use the facilities of the State Bank of India, CGO Complex Branch, located in the building in which we are housed. Each State Pollution Control Board will then be required to also open their account in the State Bank of India to facilitate transactions.
- (ii) Assistance will be given only to those local bodies who are contributing to the Cess.
- (iii) Assistance to local bodies and small scale industries will not be given directly to the units concerned but would be the part of the project which has an institutional credit component and a contribution by the concerned local body or small scale industries. The maximum amount of assistance would be worked out by the Central Government in consultation with the financial institutions. This is being done to ensure uniformity and consistency with policies.

The Central Government may give, from time to time, directions for the utilization of the funds by the State Pollution Control Boards.

(MURUL SARKAR)
Joint Secretary to the Govt. of India.