



ANDHRA PRADESH POLLUTION CONTROL BOARD
Dr. YSR Paryavaran Bhavan, APIIC Colony Road,
Gurunanak Colony, Autonagar, Vijayawada- 520007
Phone. No.0866-2463200, Website : <https://pcb.ap.gov.in/>



Circular No. APPCB-11022/103/2024-TEC-CFO-APPCB

Dt. 13/02/2024

Sub: APPCB – CTO – Standard Operating Procedure (SOP) for levy of Environmental Compensation (EC) to the industries / facilities for exceeding the standards prescribed by the Board based on Real Time Pollution Monitoring System (RTPMS) data – Instructions – Issued - Reg.

- Ref:
1. Report of the CPCB In-house Committee on Methodology for Assessing Environmental Compensation and Action Plan to Utilize the Fund
 2. Board Resolution No. 257/2024 of 13th Board Meeting held on 19.01.2024
 3. APPCB Standing Counsel legal opinion dated 07.02.2024.

* * *

The Board in its meeting held on 19.01.2024 placed an agenda item on “Standard Operating Procedure (SOP) for levy of Environmental Compensation (EC) to the industries / facilities for exceeding the standards prescribed by the Board based on Real Time Pollution Monitoring System (RTPMS) data.” A **copy of the Board agenda is enclosed for ready reference.**

The Board vide Resolution No.257/2024 resolved as following:

Resolution No. 257/2024

STANDARD OPERATING PROCEDURE (SOP) FOR LEVY OF ENVIRONMENTAL COMPENSATION (EC) TO THE INDUSTRIES / FACILITIES FOR EXCEEDING THE STANDARDS PRESCRIBED BY THE BOARD BASED ON REAL TIME POLLUTION MONITORING SYSTEM (RTPMS) DATA – REG.

Approved. Legal Opinion may be sought form the counsel before implementation.

Accordingly, the Board obtained legal opinion dated 07.02.2024 from the Standing Counsel. A copy of the same is enclosed. The operational paragraph of the opinion of Standing Counsel is as following:

“the Environmental Compensation and the restoration of the environment and imposition of compensation as emphasized by the NGT Act of 2010, a Polluter Pays Principle is a significant provision. The NGT is directing all the SPCB/PCC to implement the degradation of environment by imposition of penalty against the damage to the environment by way of Environmental compensation. The subject matter is a right direction to impose the EC to the errant industry/facility as guided by CPCB in order to give clean environment to the citizens

as guaranteed under Article 21 of the Constitution of India as said Apex Court in the Sterlite matter.

My considerable opinion is that the imposition of Environmental Compensation against the industry/facility is the first step to rectify the mistake of the industry/facility in order to give clean environment to the citizens. The Board is empowered to impose the penalty by way of Environmental Compensation as guided by the CPCB.”

In view of the above, the ROs and ZOs, therefore directed to comply with the procedure that is stipulated in approved SOPs for levy of Environmental Compensation (EC) to the industries / facilities for exceeding the standards prescribed by the Board based on Real Time Pollution Monitoring System (RTPMS), duly complying with the procedure in the agenda, approved by the Board.

B SREEDHAR IAS, MS(BS), O/o MEMBER SECRETARY-APPCB

**To
All the ZOs and ROs.**

Copy to

1. The Chief Environmental Engineer, APPCB, Head Office, Vijayawada for information
2. All the Divisional Heads, Head Office, Vijayawada for information.