

**Office Order NO 83 of 2014**

***SUB: Visit and Sampling Reports; Bank Guarantees, Consent Conditions and Directions***

It is noticed that the systems with regards to Visit and Sampling Reports in the Board do not appear to be in good shape as has been evident from the cases coming for consideration for renewal before CAC – CC meetings. The supervision of Regional Offices in this regard has also been found wanting. This has been even emphasized by Hon. National Green Tribunal in certain matters. Similar is the situation with the Bank Guarantee submission and follow up on the Consent conditions directions issued by the Board.

The problem has been under active consideration of the Board and it has been generally felt that immediate corrective steps are needed in this regard as it is impinging upon the effectiveness of Board's regulatory powers. It is proposed to constitute a special **Compliance Unit** under Technical Advisor (2) comprising of **Legal personnel, Accounts personnel, Technical personnel and Lab personnel.**

The specific responsibilities of these personnel would be as follows:

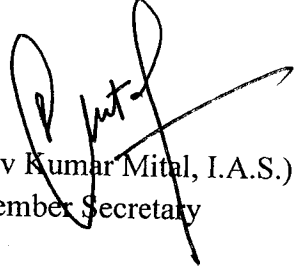
- **Legal personnel** : Bank Guarantees and Directions;
- **Accounts personnel**: Bank Guarantees;
- **Technical personnel**: Visit Reports and Directions ;
- **Lab personnel** : Sampling Reports;

**Responsibilities and Functions of the Compliance unit:**

- 1) The Compliance Unit will primarily streamline and develop systems at RO level /SRO level for maintaining industry related data related to Visit and Sampling Reports; Bank Guarantees and Directions in a systematic and orderly fashion. Any information related to these matters to particular industry should be made available within 10 mins.
- 2) The Compliance Unit will get the monthly visit and sampling schedule of each sub-region and analyze whether it is in accordance with the principles of prioritization in this regard.

- 3) The Compliance Unit at the end of the month will evaluate the achievement with regards to visit and sampling schedule SRO-wise and prepare suitable management statement for the Chairman and MS in this regard.
- 4) The Compliance Unit would within a period of 2 months maintain a shadow database of Visit and Sampling Reports; Bank Guarantees, consent conditions and Directions of CAC and CC cases since 1<sup>st</sup> April 2013. The cell would also be guided by the principle of 10 minutes retrievable time.
- 5) The Compliance Unit at the end of the month will evaluate the compliance with regards to Submission of Bank Guarantees, consent conditions and Directions of CAC and CC cases and prepare suitable management statement for the Chairman and MS in this regard.
- 6) The Compliance Unit will place proposals for action in cases of default in compliance with respect to Consent conditions, Directions and Submission of BGs. The cell will also propose release of BGs in case of compliance of associated directions.
- 7) The Compliance Unit will provide necessary support to CAC-CC cell for processing of consent cases and penal action cases.

Separate orders will be issued for posting of personnel in this Compliance Unit.

  
(Rajeev Kumar Mital, I.A.S.)  
Member Secretary

Copy to:

WPAE / APAE/ AS(Tech) / PSO / CC-CAC cell / CAO / Sr LO

Copy forwarded with compliments to :

Hon. Chairman, MPCB, Mumbai