

Cess Utilization

MOEF Notification dated 28/12/98

No. Q-17011/1/88-CP

Govt. of India

Ministry of Environment & Forests,

Paryavaran Bhavan, CGO Complex,

Lodi Road, New Delhi 110 003.

Dated: 28/12/1998.

ORDER

Section 8 of the Water (Prevention & Control of Pollution) Cess Act, 1977 provides that the proceeds of the cess levied under section and shall first be credited to the Consolidated Fund of India and the Central Government may, if Parliament by appropriation made by law in this behalf, so provides, pay to the Central Board and every State Board, from time to time, from out of such proceeds, after deducting the expenses on collection, such sums of money, as it may think fit for being utilized under the Water (Prevention & Control of Pollution) Act, 1974. Provided that while determining the sum of money to be paid to any State Board under this Section, the Central Government shall have regard to the amount of cess collected by them.

The need for review of the norms for distribution of cess formulated in 1992 has been discussed with the State Pollution Control Boards and State Department of Environment. The views of the Central Pollution Controls Boards and have also been taken by the Central Government.

In view of the above and after careful consideration, it has been decided, in supersession of this Ministry's earlier Order of even No. Dated 15.07.1992

regarding formula of cess reimbursement of water cess to State Pollution Control Boards/Pollution Control Committees that the following criteria shall be adopted for distribution of water cess amount to be Central Board and concerned State/Board/Pollution Control Committee effective from 01/04/1998.

1. Upto eighty per cent of the cess amount collected by the Pollution Control Boards in the States and Pollution Control Committees in the Union Territories will be reimbursed to the Boards/ Committees in accordance with section 8 of the Water (Prevention & Control Of Pollution) Cess Act, 1977 for meeting their approved expenditure requirements. Of the cess amount collected upto twenty percent will remain with the Central Government for undertaking specific projects in any part of the country through the Central Pollution Control Board subjects to approval by the Central Government.
2. The Central Pollution Control Board in the states and Pollution Control Committees in the Union Territories shall utilize the amount released to them for preventing and controlling pollution in accordance with section 17 of the Water (Prevention & Control of Pollution) Act, 1974. The expenditure incurred on office operations and establishment by the Pollution Control of Boards in the States and Pollution Control Committees on the Union Territories should not exceed 25% of lised on programmes and activities directly related to the prevention and control of pollution.
3. The Pollution Control Boards in the States and Pollution Control Committees in the Union Territories shall inform the Central Government about the programmes and activities carried out by them in utilizing the cess amount reimbursed to them.

4. The Central Pollution Control Board shall monitor the programmes and activities undertaken by the Pollution Control Boards in the states and Pollution Control Committees in the Union Territories relating to the aforementioned provisions and report to the Central Government from time to time.

(VIJAY SHARMA)
JOINT SECRETARY TO THE GOVT. OF INDIA

Copy to:

1. The Chairman, Central Pollution Control Board, Delhi.
2. The Chairman, All State Pollution Control Boards and Pollution Control Committees of UTS.
3. The Secretary, Deptt. of Environment, all States and UTS.
4. The Secretary, Deptt. of Finance, all States and UTS.
5. The Accountant Generals, all States and UTS.
6. The Member Secretary, all State Pollution Control Boards/Committees of UTS.
7. Deputy Secretary, FD/Accounts Officer B & A, MoEF.

Indicative list of Programme Areas

- Water (Surface and groundwater) quality monitoring.
- Air quality monitoring
- Inventorisation of polluting industries and control programmes.
- Action programme for problem areas.
- Identification of CETP sites for clusters of small scale industries.
- Surveillance of pollution control systems in industries and polluting sources.
- Hazardous waste management – inventorisation , identification of hazardous waste disposal sites and impact assessment.
- Vehicular pollution.
- Noise pollution.
- Area wise pollution profiles and statistics.
- Zoning Atlas for siting industries.
- Catalytic support for municipal wastes management (solid waste and waste water).
- Demonstration projects.
- Research and development.
- Environmental awareness programme.
- Any other location specific programme.