

Jammu and Kashmir Pollution Control Committee

Parivesh Bhavan, Forest Complex || Silk Factory Road
Transport Nagar, Jammu, 180 006 || Rajbagh, Srinagar, 190 008

Subject: Delegation of powers to the Chairman, Jammu and Kashmir Pollution Control Committee.

Reference: Resolution 3.1 passed in the third meeting of J&K PCC held on 20 December 2023.

**JKPCC Order: 03 of 2024
Date: 05.01.2024**

In exercise of powers conferred under Section 11-A of the Water (Prevention and Control of Pollution) Act, 1974 (hereinafter referred to as the Water Act) and Section 15 of the Air (Prevention and Control of Pollution) Act, 1981 (hereinafter referred to as the Air Act) the Jammu & Kashmir Pollution Control Committee (hereinafter referred to as the Committee) hereby delegates the powers and functions specified hereinafter to the Chairman of the Committee:

1. To perform the functions mandated under section 17 of the Water Act and section 17 of the Air Act.
2. To obtain information under section 20 of Water Act and section 25 of the Air Act, and to empower any officer of the Committee for this purpose.
3. To take samples under section 21 of the Water Act and section 26 of the Air Act, and to empower any officer of the Committee for this purpose.
4. To enter and inspect, under section 23 of the Water Act and section 24 of the Air Act, and to empower any officer of the Committee for this purpose.
5. To approve or refuse grant of consent under section 25/26 of the Water Act and Section 21 of the Air Act, and to empower any officer of the Committee not below the rank of Regional Director for this purpose.
6. To review under section 27 of the Water Act the conditions of consent and the refusal of consent.
7. To direct or approve execution of such works under section 30 of the Water Act as are required for enforcing conditions imposed in consent granted under section 25/26 of the Act.



8. To direct or approve emergency measures under section 32 of the Water Act in case of pollution of stream or well.
9. To approve filing of an application to courts under section 33 of the Water Act and/or section 22-A of the Air Act for restraining apprehended water pollution and/or air pollution.
10. To issue directions under section 33-A of the Water Act and/or 31-A of the Air Act.
11. To approve filing of a complaint before Court under section 49 of the Water Act and/or section 43 of the Air Act.
12. To nominate Scientists/ Engineers of the Committee having prescribed qualifications as Board Analysts with the approval of the Government of UT of J&K under section 53 of the Water Act and/or section 29 of the Air Act.
13. To take such steps and such actions as are required to be taken in pursuance of directions received from the Central Government, Government of UT of Jammu and Kashmir, or the Central Pollution Control Board under the Air Act and/or the Water Act and rules made thereunder.
14. To categorize new or left-over industrial sectors in accordance with the criteria and guidelines provided in the Uniform Consent Mechanism prescribed by the Central Pollution Control Board.
15. To perform functions assigned under rule 12 and rule 13 of the Battery Waste Management Rules 2022.
16. To approve the grant, renewal, or refusal of authorization under relevant provisions of the E-waste (Management) Rules, 2022 to dismantler as per guidelines of the Central Pollution Control Board.
17. To approve or refuse registration of producers, recyclers and manufacturers under the Plastic Waste Management Rules 2016, and to renew, revoke, suspend or cancel the same in accordance with the provisions of the said rules.
18. To approve levy of Environmental compensation based on polluter pays principle under the Plastic Waste Management Rules 2016, in accordance with guidelines notified by the Central Pollution Control Board.



19. To take such steps and such actions as are required to be taken for performance of functions and role assigned to the Committee in terms of guidelines on extended producer responsibility for plastic packaging under the Plastic Waste Management Rules 2016.
20. To approve or refuse the grant of authorization under the Bio-medical Waste Management Rules 2016, and to renew, revoke, suspend or cancel the same in accordance with the provisions of the said rules.
21. To approve or refuse the grant of authorization under the Hazardous and Other Wastes (Management and Transboundary Movement) Rules 2016, and to renew, revoke, suspend or cancel the same in accordance with the provisions of the said rules.
22. To approve or refuse the grant of authorization under the Construction and Demolition Waste Management Rules 2016.
23. To approve or refuse the grant of authorization under the Solid Waste Management Rules 2016, and to renew, revoke, suspend or cancel the same in accordance with the provisions of the said rules.
24. To issue directions to local bodies and take such steps and such actions as are required to be taken for performance of functions and role assigned to the Committee under the Solid Waste Management Rules 2016.
25. To take such steps and such actions as are required to be taken in pursuance of directions received from the Central Government, Government of UT of Jammu and Kashmir, or the Central Pollution Control Board under the Environment (Protection) Act, 1986 and rules made thereunder.
26. To sanction deputation of Officers and other staff of the Committee within and outside the Union Territory of Jammu and Kashmir.
27. To impose minor and major penalties upon the employees of the Committee working on posts up to Level-7 (44900-142400) and to impose minor penalties upon rest of the employees.
28. To make appointment by:
 - (a) direct recruitment on the recommendations of the Jammu and Kashmir Services Selection Board or Jammu and Kashmir Public Service Commission; and,



(b) to make appointment by promotion on the recommendations of the Departmental Promotion Committee.


29. To confirm, transfer or suspend any employee of the Committee.
30. To change wage structure in respect of casual/ need-based workers in the Committee in accordance with orders issued by Government from time to time.
31. To exercise financial powers to the extent delegated to Major Heads of Departments by Finance Department, Government of Jammu and Kashmir from time to time.
32. To constitute Purchase Committees, Auction Committees and Tender Opening Committees in consultation with Financial Advisor and Chief Accounts Officer.
33. To hire through outsourcing mode from authorized agencies various services as required in connection with the functions of Committee within budgetary limits approved by the Committee for the purpose.
34. To maintain proper accounts and other relevant records and prepare annual statement of accounts and have the same audited annually by a qualified Chartered Accountant in accordance with the relevant provisions of the Water Act and Air Act.
35. To prepare and submit the annual report along with the financial statements to the Government pursuant to the applicable provisions of the Water Act and Air Act.
36. To determine from time to time who shall be entitled to sign on the Committee's behalf consent orders, directions, notices, contracts, and other official documents and to give the necessary authority for such purpose.
37. To approve appointment of any Advocate, Chartered Accountant or any other legal professional and to issue any power of attorney or authority letter for the purpose of instituting, defending, any legal proceedings by or against the Committee in accordance with the guidelines of Law Department and the provisions of the Water Act, the Air Act and the Environment (Protection) Act, 1986.
38. To exercise such administrative and supervisory control as may be necessary for administration of the Committee as well as for smooth discharge of the functions by the employees of the Committee.



39. To exercise such other powers and perform functions as the Government or the Committee may from time to time direct.

The delegation above shall be deemed to have been made with effect from 25 March 2021, that is the date of Notification of Jammu and Kashmir Pollution Control Committee under F.No C-603/J&K PCC/Legal-2021 by Central Pollution Control Board.

By order of the Jammu and Kashmir Pollution Control Committee.


(K Ramesh Kumar) 05/01/24
Member Secretary

No. JKPC/PS/MS/3rd BM/2492-2503

Date: 05.01.2024

Copy to the:

1. Financial Commissioner (Additional Chief Secretary) to Government, Forest, Ecology and Environment Department
2. Chairman, JK Pollution Control Committee
3. Regional Director, JKPC, Jammu/Kashmir
4. Environmental Engineer, J&K PCC Jammu
5. Principal Scientific Officer, J&K PCC Jammu
6. Financial Advisor/CAO, J&K PCC Jammu
7. Assistant Environmental Engineer (Headquarters), J&K PCC Jammu
8. Officers in-charge of labs and waste management
9. All Divisional Officers/ Scientists
10. EDP Supervisor/ in-charge website
11. Assistant Director (Planning), J&K PCC Jammu
12. Accounts Officer, J&K PCC Jammu