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EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (ii)
PART II—Section 3—Sub-section (ii)

प्राधिकार से प्रकाशित
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पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय

अधिसूचना

नई दिल्ली, 17 दिसम्बर, 2024

का.आ. 5453(अ).— पर्यावरण राहत निधि स्कीम, 2008 में संशोधन करने के लिए प्रारूप अधिसूचना पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय, भारत सरकार द्वारा अधिसूचना सं 2919 (अ), तारीख 23 जुलाई, 2024 द्वारा प्रकाशित की गई थी, जो उक्त अधिसूचना मैं अंतविष्ट राजपत्र की प्रतियां जनता को उपलब्ध कराए जाने की तारीख से साठ दिन की अवधि की समाप्ति से पूर्व, इससे प्रभावित होने वाले सभी व्यक्तियों से आपत्तियां और सुझाव आमंत्रित किए गए थे;

और, उक्त अधिसूचना मैं अंतविष्ट राजपत्र की प्रतियां 23 जुलाई, 2024 को जनता के लिए उपलब्ध कराई गई थीं;

और, उक्त अवधि के भीतर उक्त प्रारूप अधिसूचना के संबंध में जनता से प्राप्त आपत्तियों और सुझावों पर केंद्रीय सरकार द्वारा सम्यक रूप से विचार किया गया है;

अत, अब:, केंद्रीय सरकार लोक दायित्व बीमा अधिनियम, 1991 (1991 का 6) की धारा 7 क की उप-धारा (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, , पर्यावरण राहत निधि स्कीम, 2008 में संशोधन करने के लिए निम्नलिखित स्कीम बनाती है, अर्थात्: –

1. (1) इस स्कीम का संक्षिप्त नाम पर्यावरण राहत निधि (संशोधन) स्कीम, 2024 है।

(2) यह राजपत्र में प्रकाशन की तारीख को प्रवृत्त होगी।

तारीख:

स्थान:

प्रतिलिपि:

1. निधि प्रबंधक

2. बीमा कंपनी कार्यालय

3. दावाकर्ता

4. कलेक्टर कार्यालय फाइल

5. संबंधित स्वामी"।"

[फा. सं. एचएसएम-12/96/2020-एचएसएम]

वेद प्रकाश मिश्रा, संयुक्त सचिव

टिप्पणी: प्रधान अधिसूचना सा.का.नि संख्या 768 (अ) तारीख 4 नवंबर, 2008 के द्वारा प्रकाशित की गई थी।

MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE

NOTIFICATION

New Delhi, the 17th December, 2024

S.O. 5453(E).—WHEREAS the draft notification for bringing out amendment to Environment Relief Fund Scheme, 2008 was published, by the Government of India in the Ministry of Environment, Forest and Climate Change, *vide* notification number S.O. 2919(E), dated the 23rd July, 2024, inviting objections and suggestions from all persons likely to be affected thereby, before the expiry of the period of sixty days from the date on which copies of the Gazette containing the said notification were made available to the public;

AND WHEREAS, the copies of the Gazette containing the said notification were made available to the public on the 23rd July, 2024;

AND WHEREAS, the objections and suggestions were received from the public in respect of the said draft notification within the said period have been duly considered by the Central Government;

NOW, THEREFORE, in exercise of the powers conferred by sub-section (3) of section 7A of the Public Liability Insurance Act, 1991 (6 of 1991), the Central Government, hereby makes the following scheme further to amend the Environment Relief Fund Scheme 2008, namely:—

1. (1) This scheme may be called the Environment Relief Fund (Amendment) Scheme, 2024.

(2) It shall come into force on the date of its publication in the Official Gazette.

2. In the Environment Relief Fund Scheme, 2008 (hereinafter referred to as the said scheme), in paragraph 3, —

(a) after sub-paragraph (1), the following sub-paragraph shall be inserted, namely: —

'' (1A) The Relief Fund shall be vested in the Central Government.'';

(b) in sub-paragraph (4), for clause (ii), the following clauses shall be substituted, namely: —

"(ii) amount remitted as compensation or relief for any damage to the environment under section 24 of the National Green Tribunal Act, 2010 (19 of 2010).";

(iii) penalties and additional penalties imposed under section 14 or section 15 or section 17 of the Act;

(iv) interest or returns earned on the investments of the Relief Fund.''.

3. In paragraph 4 of the said scheme, for sub-paragraph (1), the following sub-paragraph shall be substituted, namely.-

(1) Central Pollution Control Board shall be the fund manager for a period of five years with effect from 1st day of January, 2025.

4. In paragraph 5 of the said scheme. —

(a) in sub-paragraph (1), for the words ''United Insurance Company Limited'', the words ''Central Pollution Control Board'' shall be substituted;

(b) in sub-paragraph (4), after the words "Demand Draft", the words "or other electronic mode" shall be inserted;

(c) in sub-paragraph (7), the word ''1%'' shall be substituted with word ''2%'' and words "from time to time," shall be omitted;

(d) after sub-paragraph (9), the following sub-paragraphs shall be inserted, namely: —

"(10) The Fund Manager, in consultation with the Central Government, shall develop and maintain an online portal for the purpose of implementation of this scheme.

(11) The Fund Manager shall disburse the amount from the Relief Fund as per the order issued by the District Collector or the Central Government, as the case may be, under the Act.".

5. For paragraph 6 of the said scheme, the following paragraph shall be substituted, namely: —

"6. **Investment of amount received under Relief Fund**. — (1) The amount received under the Relief Fund shall be invested by the Fund Manager in such a manner so that disbursement of amounts can be made within fifteen days.

(2) Amounts in the Relief Fund shall be invested appropriately in public financial institutions as defined in clause (72) of section 2 of the Companies Act, 2013 (18 of 2013) and in saving accounts to ensure timely availability of funds for disbursement under this scheme.

(3) The interest on the Relief Fund shall be quarterly cumulative and shall be reinvested.

(4) The full maturity value on the fixed deposits shall also be reinvested.

(5) The Fund Manager shall submit an annual statement of accounts on the management of Relief Fund to the Central Government.".

6. In paragraph 7 of the said scheme,

(a) for sub-paragraph (1), the following paragraphs shall be substituted, namely: -

'' (1) Where the Collector in an award made under section 7 of the Act orders the payment of amount from the Relief Fund, he shall forward the copy of such award made in Form II to the Fund Manager for release of the amount from the Relief Fund for making the payment to such person as specified in the order.

(1A) On receipt of a copy of the award and order under sub-paragraph (1), the Fund Manager shall, subject to the availability of funds, release the amount to the Collector within a period of thirty days from the date of receipt of the order and the award.''.

(b) in sub-paragraph (4), for the words "relief money", the word ''money'' shall be substituted;

(c) sub-paragraph (11) shall be omitted.

7. After paragraph 7 of the said scheme, the following paragraph shall be inserted, namely: -

''**7A. Restoration of the environmental damage.** - (1) The Fund Manager, upon allocation of funds under rule 3A of the Public Liability Insurance Rules, 1991, earmark the funds in the Relief Fund for the purposes provided under sub-section (9) of section 7 of the Act.

(2) The Central Pollution Control Board or the State Pollution Control Board as the case may be, shall make a detailed plan for restoration of the damage caused under sub-section (9) of section 7 of the Act and submit to the Central Government with the estimation of the cost.

(3) The Central Government on being satisfied with the plan and the estimation submitted under sub-paragraph (2), may make an order under sub-rule (2) of rule 3A of the rules for disbursement of amount to the Central Pollution Control Board or the State Pollution Control Board, as the case may be, for the purpose of restoration of damage.

(4) The Fund Manager, on receipt of order under sub-paragraph (3), shall make arrangements for disbursement of amount as per the said order.''.

8. In paragraph 8 of the said scheme, for sub-paragraph (3), the following sub-paragraph shall be substituted, namely: -

"(3) The accounts of the Relief Fund shall be audited by an independent auditor appointed by the Central Government from the panel approved by the Comptroller and Auditor-General.".

9. For Form-II in the said scheme, the following Form shall be substituted, namely: -

"FORM-II

[See paragraph 7(1)]

Office of Collector_____(District, State)

SERIAL No.:

Collector:

Date

ORDER

I hereby sanction Rs._____(in words_____rupees) as an relief in respect of …….(the death or injury or damage to property) of Shri/Shrimati/Km ---------- resulting from accidents due to manufacture, processing, treatment, package, storage, transportation by vehicle, use, collection, destruction, conversion, offering for sale, transfer of the like of such hazardous substances which took place at ---------- (Name of the industrial unit and Place) on ---------- to Shri/Shrimati/Kumari ---------- as the legal representative of the deceased or to Shri/Shrimati/Kumari ---------- (Name of the injured).

Signature of the Collector

(seal)

Date:

Place:

Copy to:

1. Fund Manager
2. Office of the Insurance Company
3. The Claimant
4. Collector office file
5. The Owner concerned".

[F. No. HSM-12/96/2020-HSM]

VED PRAKASH MISHRA, Jt. Secy.

Note: The Principal notification was published vide G.S.R. No. 768 (E) dated 4th November, 2008.

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