

Procedure for obtaining consent to establish, under Water Act, 1974 & Air Act, 1981.

A. Procedure for grant of Consent to Establish (CTE) for Red and Orange Category units

I. New Cases

The industrial units/projects covered under red and orange category and willing to obtain first CTE, will have to first get registered with the Board by filling form for registration online and will be assigned a unique ID and Password. Then industry can apply for Consent to Establish through login ID and Password. Such units shall apply for Consent to Establish on-line on the prescribed form alongwith requisite fee as per Schedule available on the website of the Board i.e. www.hspcb.gov in and prescribed performance security along with all documents applicable for respective industrial units/ projects mentioned in the checklist.

The CTE so granted shall be valid for the period of 05 years or as mentioned in the project report whichever is earlier. In case of projects requiring environmental clearance as per provisions of EIA notification dated 14.09.2006 and amended from time to time CTE shall be valid upto 07 years or the date of commissioning of the project, whichever is earlier subject to the validity of environmental clearance.

II. Extension/renewal of CTE

For extension/renewal of CTE, units shall follows the following procedure based on self certification of the industry/ project proponent:-

1. The industry/project proponent intending for auto renewal of their CTE, shall apply through OCMMS at least 90 days prior to the date of expiry of the period of previous CTE, on prescribed performa, self certification and undertaking on compliance of conditions of original and earlier consent to establish granted to the unit with the prescribed NOC fees and prescribed documents as per Check list.
2. This application shall be submitted by the authorized official of the industry/project, duly authorized by the owner/board of directors / partners of the unit.

3. The consent to establish will be renewed on the basis of self certification only in those cases where there is no change in the raw material, process, product, increase in overall capital investment cost on land, building, plant and machinery, production capacity and also in pollution load of the unit and will remain the same as declared by the unit in its original application submitted earlier to the Board for obtaining first CTE.
4. The CTE will be renewed only once and for a period of maximum 02 years from the date of expiry of the period of first CTE granted (Subject to validity of EC if applicable).
5. The units where the CTE has earlier been granted as per provisions of policy notification dated 15.04.2014 and/ or extended upto the eligible period as prescribed in the said notification or less, can apply for renewal of CTE for remaining period as applicable plus another 02 years (Subject to validity of EC if applicable).
6. The facility for renewal of CTE can be availed for one term only and subject to payment of requisite NOC fees. The industry / project will deposit requisite NOC fees for consent to establish for one time alongwith the application for auto renewal.
7. In case the unit fails to apply for renewal of CTE before 90 days of expiry of CTE and apply thereafter upto the date of expiry of CTE then 50% performance security deposited by the unit at the time of obtaining the first CTE, will be forfeited. In case the unit applies for renewal of CTE after expiry of the validity of CTE then 100% performance security will be forfeited and direction will be issued to the unit by the Board to stop the further construction work of their project.
8. Renewal of CTE will not prevent the Board from taking appropriate action against the defaulting units including revoking of the CTE, which will fail to comply with any of the conditions of CTE or any relevant provisions of Water Act, 1974 and Air Act, 1981.

III. Consent to Establish for Expansion of the project

Inspection will not be carried out for processing the case for Consent to Establish for Expansion of the project and Consent to Establish for Expansion of the project will be granted in case the

unit submits required documents as per check list and prescribed consent fee and performance security as per policy of the Board. For expansion projects the performance security and CTE fees shall be taken based on the cost of the expansion project.

The consent to establish shall be granted or refused on their merits of the case after examination by the competent authority.

B. Green Category

The industrial units / projects failing under Green Category and other units not covered under Red & Orange category of units has been exempted from Consent Management and need not apply for Consent to Establish to the Board. However, these units will have to provide pollution control devices depending upon their process and activities These industrial units/projects shall be governed by self regulatory regime and would not be permitted to pollute the environment.

No document will be submitted manually by the industries in the Board's offices for obtaining the CTE under Water Act, 1974 and Air Act, 1981 and all the required documents as per checklist will be uploaded only on the OCMMS while submitting applications through online system.