



## HARYANA STATE POLLUTION CONTROL BOARD

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### NOTICE

This is for the information of all the concerned units/industries that Government of India, Ministry of Environment, Forest and Climate Change (MoEF & CC) has notified the amended notification no. S.O. 3999(E) dated 09.12.2016 in EIA Notification No. S.O. 1533 dated 14.09.2006 with one of the provision that the residential building projects upto 1,50,000 sqm. were exempted from obtaining consent to establish (CTE) and consent to operate (CTO) under Water Act, 1974 and Air Act, 1981.

The amended notification no. S.O. 3999(E) dated 09.12.2016 was challenged before the Hon'ble National Green Tribunal in OA No. 677 of 2017 and the Hon'ble Tribunal vide judgment dated 08.12.2017 has quashed the amendments and issued directions to MoEF&CC to re-examine and amend the notification dated 09.12.2016 and take appropriate steps to delete, amend and rectify the clauses of the said notification in the light of the judgment. The Hon'ble NGT further directed to the MoEF & CC not to implement the impugned provisions of the said Notification.

Some of the units having residential building projects which did not apply either for renewal of CTE or for obtaining CTO under Water Act, 1974 and Air Act, 1981 after issue of above notification dated 09.12.2016 wherein their projects were exempted from consent management, have represented to the Board that their application for grant of CTO have been rejected by the Regional Officers concerned on the grounds that they have not applied for extension of the CTE or not obtained CTO within the prescribed time period and did not deposit the applicable late fees for the same but applied after the decision of Hon'ble NGT in OA No. 677 of 2017 and requested to wave off the late fees and/or to consider their application for grant of CTO without considering the said period as non violation period.

On the same issue the appeals were also filed before the Ld. Appellate Authority (Haryana) constituted under Water Act, 1974 and Air Act, 1981 by the two project proponents i.e. M/s Puri construction Pvt. Ltd., Gurugram and M/s Uptown Condominium Owners Welfare Association Gurugram vide Appeal No. 52 of 2018 and 53 of 2018 respectively against the order of the Board issued for refusal of consent of these units and the Appellate Authority in its judgments dated 04.07.2018 has allowed the appeals.

There are some other units which have not applied for renewal of the CTE/CTO after expiry of validity period of previous CTE/CTO after issue of the above said notification dated 09.12.2016 by MoEF & CC. Some of the units might have applied for renewal of the CTO after quashing of the above said notification by Hon'ble NGT and their cases are being dealt by the Board.

Therefore in view of above, all the concerned industrial sectors and stake holders which fall under the provisions of notification no. S.O. 3999(E) dated 09.12.2016, are hereby given one opportunity through this public notice to apply for obtaining the necessary consent to establish or consent to operate under Water Act, 1974 and Air Act, 1981 without late fees from this Board, as the case may be, within 30 days from publishing of this notice, failing which concerned industrial sectors and stake holders will be liable to pay late fees thereafter as per policy of the Board or for legal action under the provision of Water (Prevention and Control of Pollution) Act, 1974 and Air (Prevention and Control of Pollution) Act, 1981 as the case may be.

Please take note that no separate notice will be issued in this regard.

Chairman