



HARYANA STATE POLLUTION CONTROL BOARD

C-11, SECTOR-6, PANCHKULA

Ph-2577870-73 E-mail: hspcbsee1@gmail.com

Order

Whereas the Haryana State Pollution Control Board (herein after referred to as the 'State Board') is executing various provisions of the Water (Prevention and Control of Pollution) Act, 1974, the Air (Prevention and Control of Pollution) Act, 1981 and the Environment (Protection) Act, 1986 for prevention and control of pollution in the State of Haryana;

Whereas as per the provisions of section 25 of the Water (Prevention and Control of Pollution) Act, 1974 and section 21 of the Air (Prevention and Control of Pollution) Act, 1981, industries / projects require prior consent to establish and operate from the Board;

Whereas the Government of India, Department of Industrial Policy and Promotion, Ministry of Commerce & Industries, has laid emphasis on "Ease of Doing Business" for providing efficient, convenient, transparent and integrated electronic services to the applicants;

Whereas Industries & Commerce Department Haryana has notified Enterprises Promotion Policy-2015 vide notification no. 49/43/2015-4/B1 dated 14.08.2015. The policy envisages for simplification procedure of consent management for the industries/projects and emphasizes on auto renewal of Consent to establish;

Whereas the Board has increased the validity of period of Consent to Establish (CTE) upto 05 years or more vide order Endst No. HSPCB/PLG./2016/5144-68 dt. 02.02.2016;

Whereas the above said issue was discussed in the officers meeting held on 04.02.2016 and it was recommended /decided to adopt the procedure of renewal of consent to establish based on the self certification by the industries / projects. The industries / project proponents will submit the consent to establish application through OCMMS alongwith the required documents for renewal at least 03 months prior to the date of expiry of consent to establish.

In view of above and in partial modification of in the consent policy orders issued vide Endst. No. 10195-10218 dated 07.03.2014 and published in the gazette on 15.04.2014 it is hereby ordered that following procedure will be adopted / followed for renewal of Consent to establish 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 as **Annexure-A**, self certification and undertaking on compliance of conditions of original and earlier consent to establish granted to the unit with the following documents:-
 - (i) Copy of CTE.
 - (ii) Copy of resolution of Board / power of attorney.
 - (iii) Proof for depositing NOC fees for renewal of CTE.
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 as per order Endst. No. HSPCB/PLG./2016/5144-68 dated 02.02.2016 (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 as per order Endst. No. HSPCB/PLG./2016/5144-68 dated 02.02.2016 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.

These orders shall come into force with immediate effect.

Dated Panchkula, the
21st March, 2016

Anurag Rastogi, IAS
Chairman

Endst. No. HSPCB/PLG-142/2016/ 6204-27

Dated: 22/3/16

A copy of the above is forwarded to the following for information and necessary action:

1. All Branch Incharges in Head Office.
2. All Regional Officers in the field.
3. EE-(IT) in this office. He is asked to make the provisions of Auto renewal of CTE in online consent management and maintain system at the earliest.
4. PS to Chairman/ PA to Member Secretary for information of the officers.
5. Nodal Officer (IT) for uploading the orders on the website of the Board.


Sr. Environmental Engineer-I HQ
For Chairman

Format of the application for auto renewal of the consent to establish under Water Act, 1974 / Air Act, 1981.

To

The Chairman,
Haryana State Pollution Control Board,
C-11, Sector 6, Panchkula.

Sub: Application for auto-renewal of the consent to establish under Water Act, 1974 / Air Act, 1981- Self certification.

Ref: Consent to establish issued by the Board vide letter no. _____ dated _____ valid up to _____.

Sir,

We are submitting herewith application for auto renewal of our consent to establish under Water Act, 1974 / Air Act, 1981 granted by your Board vide letter under reference, along with the prescribed NOC fees for the same and the following declaration and undertaking as per policy of your Board :-

1. That we have a valid consent to establish under Water Act, 1974 / Air Act, 1981 issued by HSPCB vide above referred letter validity upto _____, copy of which is enclosed herewith.
2. That the present details of the manufacturing process and other informations /data of our unit are same as submitted / provided to the Board earlier with original application for obtaining original Consent to Establish referred above and therefore the same may be considered for present application for renewal of consent to establish for another period w.e.f. _____ to _____.
3. That the proposed capital investment cost of our industry/ project, as per documents submitted with earlier application for consent to establish granted by HSPCB vide above referred letter, was Rs. _____ lacs, which will remain the same and will not be increased in terms of land, building and plant and machinery, without prior information / permission of the HSPCB.
4. That there will be no change in the raw material, process, products, quantity of effluent, source of air emissions, scheme of pollution control measures and increase in production or pollution load and will remain same as submitted in original application for consent to establish.
5. That we shall deposit the balance NOC fees if found due at any later stage due to increase in capital investment cost on land, building, plant and machinery.
6. That we are complying with the conditions of consent to establish granted earlier vide letter under reference and further undertake to comply with further conditions if any imposed by HSPCB in future.
7. That we shall install all the required pollution control measures and devices as per scheme / proposal already submitted by us with our original application for consent to establish upto the satisfaction of the Board side by side in proportionate to the construction of the project and before the commissioning of the unit failing which Board will be at liberty to forfeit the performance security deposited by us with the Board in this regard beside taking legal action under the provisions of relevant Acts/Rules applicable to our unit.
8. That we shall not start even trial production without obtaining prior consent to operate for trial production from the HSPCB.
9. That we shall provide all the arrangements for sampling of air emissions and effluent as prescribed by the Board and online monitoring systems as directed by the HSPCB/CPCB from time to time, in our unit before starting even trial production.
10. That in case our unit is not fully established within the validity period of extension of CTE, than we shall apply afresh for obtaining new CTE 90 days before the expiry of the renewed CTE.

11. That we shall comply with all the conditions of Environmental Clearance in case our unit is covered under EIA notification dated 14.09.2006.
12. That we shall comply with all the relevant provisions of water Act, 1974, Air Act, 1981, EPA, 1986 and Rules made their under including Hazardous Waste (MH&TM) Rules, 2008 applicable to our unit.
13. That we undertake that auto renewal of consent to establish will not prevent the HSPCB for taking coercive action against us if our unit fails to comply the prescribed standards or conditions of consent to establish granted and renewed to our unit or only applicable provision of Water Act, 1974, Air Act, 1981 and EPA, 1986 and Rule made their under.
14. That the declaration and undertaking given above has the approval of all the partners / Board of Directors / owners of the industry / project and copy of resolution of the Board / power of attorney in the regard is attached herewith.

It is therefore requested that the consent to establish may kindly be renewed/extended further for another period w.e.f. _____ to _____.

Dated : _____

Authorized Signatory

Name and Designation
with phone no., email address
and seal of the company

- DA/1. Copy of original CTE.
2. Power of Attorney/resolution.
3. Proof of deposit of NOC fees.