



Business Reform Action Plan 2016 Response by Government of Maharashtra

Area 5a: Environmental Registration Enablers

94: Allow for auto-renewal of Consent to Operate (under Water Act, 1974 and Air Act, 1981) based on self-certification/third party certification

Response: **Yes**

Remarks:

As seen in the attached circular, in the first paragraph the board intends to initiate auto-renewal of consent based on self-certification. As seen in point 8, "This scheme comes into force with immediate effect on the industries which have applied for plain renewal on or after 01/01/2012"

Supporting Documents:



Government Of Maharashtra

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MAHARASHTRA POLLUTION CONTROL BOARD

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Kalpataru Point,
2nd , 3rd & 4th floor,
Opp. Cineplanet,
Near Sion Circle, Sion (E),
Mumbai - 400 022.

No.:MPCB/JD-PAMS/Autorenewal/B- 654

30/01/2012.

OFFICE ORDER NO. 6 OF 2012

Sub: Scheme of auto renewal of consents based on self certification

Board intends to initiate auto renewal of consent for the plain renewal of consent for industries which will submit a self certification on compliance of environmental regulations. Presently, all consent applications for establish, first operate, expansion and plain renewals are considered uniformly by the Board, through the delegation of powers defined under consent management scheme. With the increased number of industries and also, the requirements of industries for amendment for products and expansion, the work load on MPCB for consent management has increased significantly. This additional workload of consent management with increased scope of activities of Board and the limited available manpower is resulting in delay in grant of consents at various levels. The regulations provide 4 months of time to MPCB for consideration of consent application and it has been observed that the time taken for consent management is exceeding this time frame in many cases, which may attract 'Deemed consent' provisions.

The strategies for effective implementations of environmental regulations include enforcement and compliance aspects, which are being handled simultaneously with the consent. In order to expedite the consent, it is now proposed to emphasis enforcement and compliance as discrete activities, along with the responsibility of declaring the compliance of regulations by the industry, while seeking renewal of consent.

Initially, the proposed scheme of auto renewal of consent based on self certification will be rolled out for the industries where consent is granted by CC/CAC committees of the Board. The scheme can be evaluated over a period and its universal application can be considered after that.

The key features of this scheme are as under:

1. Initially this scheme will be applicable for the industries which are granted consents by CAC/CC committees constituted by the Board.
2. The auto renewal of consent will be applicable when there is no increase in overall production capacity and also, in pollution load.
3. In case there is marginal increase (max.10%) in the capital investment which is due to infrastructure development, clean technology, pollution control systems and better production management, without increase in production or pollution load, the industry shall submit corresponding fees for consent to establish and also, difference in consent to operate fees since the block year the capital investment is made, on pro-rata basis.



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4. In case, the capital investment is decreased, then the industry need to apply in prescribed consent application form.
5. Industry will have to submit a self certification on compliance of earlier consent conditions. This self certification shall be submitted by the authorized official of the industry, duly authorized by the owner/board of directors.
6. The auto renewal will be availed for maximum 5 terms as per the existing practice of Board subject to payment of requisite fees.
7. The format of self certification by industries is enclosed as Annexure 'A'.
8. The industry shall submit this format along with the prescribed fees either at MPCB HQ or RO/SRO offices. In case, the application is submitted at RO/SRO offices, RO/SRO shall ensure that the same shall be forwarded to HQ within 3 days along with details of fees paid and DD details and DR details. The renewal will be reflected in MPCB website within 7 days. In case, the renewal is not getting reflected on the website within 7 days, please e-mail to cc-cacdesk@mpcb.gov.in along with the details of the application including date and place of submission of documents.

This scheme comes in force with immediate effect and the industries which have applied for plain renewal on or after 01/01/2012 can also, avail this scheme.


(Milind Mhaikar)
Member Secretary

Copy submitted to:

- 1) Chairman, M.P.C.Board, Mumbai
- 2) Secretary, Environment Department, GoM, Mantralaya.
- 3) Principal Secretary, Industries Department, GoM, Mantralaya
- 4) Chief Executive Officer, MIDC, Udyog Sarthi, Andheri (E), Mumbai.

Copy to: JD (WPC)/ JD(Air)/AS(Tech)/JD(PAMS)/RO(HQ) - for information and necessary action.

Copy to:

Regional Officer, MPCB
Mumbai/Navi Mumbai/Raigad/Thane/Kalyan/Pune/Nashik/Kolhapur/
Nagpur/Aurangabad/Amaravati/Chandrapur

Copy to:

Sub Regional Officer, MPC Board
Mumbai I,II,III,IV/Navi Mumbai I,II/Raigad II/Thane I,II/Tarapur I,II/ Kalyan
I,II,III/Bhiwandi/Pune,II/PimpriChinchwad/Satara/ Solapur/Kolhapur/ Sangli/
Nashik/Jalgaon / Amaravati I,II/ Akola/Nagpur I,II/ Ahmednagar/
Bhandara/Aurangabad I,II/ Parbhani/ Latur/Nanded/ Ratnagir/ Chiplun/Mahad

Copy to : EIC for hosting on MPCB website

Copy to : PRO



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DRAFT FORMAT FOR SELF CERTIFICATION OF COMPLIANCE BY THE INDUSTRY **FOR AUTO-RENEWAL OF THE CONSENT TO OPERATE**

To,
The Member Secretary
MPCB
Mumbai

Sub: Self Certification Of Compliance For Auto-Renewal Of The Consent To Operate

Ref: Consent issued by the Board vide letter No. ----- dated ----- which is valid up to -----

Dear Sir,

We are submitting our consent renewal application form in prescribed format along with the necessary fees for the same. We wish to apply for the auto renewal of our existing consent referred above. We undertake the following:

1. We have a valid consent to operate from MPCB vide above referred letter and copy of the same is enclosed. The present details of the manufacturing process and all other information as required under the prescribed consent application form are same as per the earlier consent application submitted for above referred consent and therefore the same may be considered for present application.
2. The capital investment of the industry, as the earlier consent granted by MPCB vide above referred consent was Rs. ----- lakhs. The Capital Investment for the proposed consent auto –renewal is Rs. ----- lakhs. (The change in capital investment, if any, is only due to investments in infrastructure development, clean technology, pollution control systems and better production management. There is no increase in production or pollution load than as referred in the earlier granted consent. We are submitting corresponding fees for consent to establish and also, difference in consent to operate fees since the block year the capital investment is



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made on pro-rata basis, duly supported by the Chartered Accountants certificate to that effect.)

3. The production or manufacturing was as per the consented limits during the validity period of the earlier consent for which renewal has been applied.
4. We are complying with the consent conditions.
5. We undertake to comply with any further condition which may stipulated by MPCB in future and also, undertake to pay all the charges/fees/demands in future.
6. This undertaking has the approval of the Board of Directors of the industry and copy of the resolution of the Board is attached herewith.

It is requested to approve the auto-renewal of the consent.

Thanking You

Authorized Signatory

**Name and designation
With phone and email address
And Seal of the Company**