

# MAHARASHTRA POLLUTION CONTROL BOARD

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Date: 30/07/2012

## CIRCULAR

Sub: Information and guidelines for processing of applications  
for infrastructure projects

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The issue in respect of consent management for infrastructure projects had been under consideration of the Board for considerable long period. A number of points raised for consideration in respect of consent management for infrastructure projects can be summarized as under:

1) IT and ITES units were not covered by the MPCB under the consent management on account of the specific guidelines issued by the industries, Energy and Labour Department, GoM vide G.R. No.ITP-2003/CR-3311/IND-7 dated 12.7.2003 Policy. However, on account of certain complaints received in respect of the pollution being caused by one of the IT unit at Pune, the whole issued was examined by the Board and it was decided that IT and ITES Parks and individual units with canteen facilities and process effluent are to be covered under the consent regime. Accordingly a circular was issued vide No.BO/P&L Div.-II/B-1681 dated 13.3.2008, which had been further clarified by circular dated 23.7.2008. It has been decided that the consent fees for IT & ITES Parks shall be made applicable from the date of issue of the earlier circular dated 13.3.2008. Since then, the MPCB is granting consent to such projects. MPCB has already taken decision that the IT and ITES projects are to be granted consent on the lines of ORANGE category projects.

2) The then EIA Notification, 1994 brought under the clearance process new construction projects fulfilling the criteria such as proposed occupancy more than 1000 persons or proposed discharge of sewage 50,000 ltr/day or investment more than Rs.50 crores. Since then all the constructions projects and new industrial estates having more than 50 ha. areas or with industries having high pollution potential were also brought under the consent regime.

After supersession of the then EIA Notification, 1994 by the EIA Notification dated 14.9.2006, now all buildings and constructions projects having built up area more than or equal to 20000 sq.mtrs. and townships and area development projects covering an area more than / equal to 50 ha. and /or built up area more than /equal to 1,50,000 sq.mtrs. are covered under



the EIA Notification 2006 and therefore the MPCB has brought it under the consent management by grant of consent to establish and consent to operate by making applicable the criteria of ORANGE category, as made applicable to IT / ITES projects.

3) MPCB has taken review of a number of applications received for grant of consent from IT / ITES and constructions projects and townships as well as area development projects (infrastructure projects). The following documents will be required to process the applications for infrastructure projects:

a) (i) For consent to establish - commencement certificate alongwith approved map by competent authorities.

Proposal for treatment of sewage in STP and proposal for Municipal Solid Waste Treatment and Disposal. In case of Slum Rehabilitation Project Letter of Intent (LoI)

(ii) For Consent to Operate - Confirmation of conditions of C to E, site visit specifying present status including provision of STP including arrangements for 80% / 100% treated effluent by way of recycle / reuse arrangement, MSW Management including inhouse treatment of wet garbage and disposal arrangement for dry garbage, Rain Water Harvesting, Land Scaping with tree plantation.

b) Project cost based on project report at the time of processing of C to E and with undertaking to submit CA certificate at the time consent to operate applications.

c) Bank Guarantee on the basis of investment about not to take effective steps till it obtains environment clearance and about the compliance of conditions stipulated in consent to establish and operate.

d) No activities relating to such projects under the EIA Notification can be undertaken including civil constructions at site without obtaining prior environment clearance. However the fencing of the site to protect it from any encroachment and construction of temporary shade(s) for the guard (s) are permissible as per office memorandum No.J-11013/41/2006-IA. II (i) dated 19<sup>th</sup> August, 2010 of MoEF, Gol.

Any contravention of the provision of EIA Notification, 2006 amounts to violation of the Environment (Protection) Act, 1986 and would attract penal action under the provisions thereof. It is prescribed that where ToRs have been approved for undertaking detail EIA studies and where construction activities have been initiated by them, the ToRs so approved may be suspended/withdrawn in addition to initiating penal action under the provisions of Environment (Protection) Act, 1986.

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e) The High Rise Buildings constructing more than 15 mtrs. Height shall follow the criteria mentioned in the guidelines for High Rise Buildings as per the MoEF Office Memorandum dated 7<sup>th</sup> Feb.2012.

f) Exemption as per Notifications dtd.7.7.2004

(i) New construction projects whose construction upto plinth level completed prior to 7.7.2004.

(ii) Industrial estates, whose construction already commenced & completed >25% of sanctioned cost.

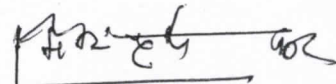
(iii) Provided, projects in phased manner / modules (to submit entire details).

g) All infrastructure projects are included in the ORANGE category as per the directions given by CPCB dated June 4, 2012. Henceforth, the MPCB will continue the issue consent under ORANGE category infrastructure project.

h) The New Highway Construction Projects henceforth treated as RED category industry as per the directions given by CPCB dated June 4, 2012.

i) All Hazardous Chemical Pipelines will be covered in RED category as per the directions given by CPCB dated June 4, 2012.

The above information may be taken in to consideration while processing the Consent applications for the above projects.



(Milind Mhaiskar, IAS)  
Member Secretary

To

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