

MAHARASHTRA POLLUTION CONTROL BOARD

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By R.P.A.D. / Fax / Hand Delivery

No. BO/P&LDiv/B- 119

Date : 6.1.2011

Standing Order


Maharashtra Pollution Control Board in its 147th meeting of the Board held on 22.4.2008, resolved that the Board will recover lapse period consent fees and delayed payment charges from the industries, operations or processes, being established and operated without obtaining valid Consent/s and Authorization or obtained it after lapse of certain period, thereby creating a situation of discrimination against those who obtained it. A circular was issued by the Board for making applicable Lapsed Period Consent Fees and Delayed Payment Charges in respect of grant of Consents / Authorizations under various Environmental Laws by letter dtd. 17/07/2008 and accordingly, the Lapsed Period Consent Fees and Delayed Payment Charges in respect of grant of Consents / Authorisations have been made applicable w.e.f. 17/07/2008.

The Board further observed that, in spite of imposition of above nominal penal charges, there has been a tendency of establishing and operating industries, operations or processes without obtaining Consent to Establish and Consent to Operate, thereby, not complying with various environmental norms and standards, causing environmental pollution / violation in the surrounding area. The issue was discussed in the 15th Consent Committee Meeting held on 14.9.2010 and it was decided to put up appropriate Item Note before the ensuing Board Meeting.

Accordingly, an Item Note was put up before 151st meeting of the Board held on 1.10.2010. The item was discussed at length. After, due deliberation, the Board has resolved that " the imposition of penal charges @ 10 times of the Consent fees should be considered, so as to discourage the delayed applications for consent for such a longer period and to promote timely payment of consent fees with the application for consent. It was also decided that, the Board will start execution of said scheme by giving four months time to all such units and thereafter, imposing 10 times penal rates as such on un-consented units, followed by filing of prosecutions and issuance of appropriate directions including closure and disconnection of electricity/water supply etc. The Regional Officers are therefore, directed to issue unconsented industries, operations or processes

necessary warnings about making applications for Consent/s and Authorisations by giving period **upto 18/02/2011**, failing which, the Board will consider imposition of penal charges @ 10 times of consent fees, so as to discourage the delayed applications for consent and to promote timely payment of consent fees with the application for consent, followed by filing of prosecutions and issuance of appropriate directions including closure and disconnection of electricity / water supply etc.

The Board has decided to impose such penal rates **w.e.f. 1st April, 2011**, i.e. new Financial Year. All the Officers of the Board should implement these directions scrupulously and strictly.


(Radheshyam Mopalwaar)
Member Secretary

Copy submitted to : The Hon'ble Chairman, MPCB, Mumbai – for favour of information

Copy f.w.cs. to :

- 1) Water Pollution Abatement Engineer/Air Pollution Abatement Engineer / Principal Scientific Officer / Chief Accounts Officer / Sr. Law Officer (P & L Div) / Zonal Officer (PAMS Divn.) / Sr. Administrative Officer, MPCB, Mumbai – for information and necessary action. They are directed to circulate the said Standing Order to the Officers under their control.
- 2) Regional Officer-HQ/P&P/ Project Leader (Zoning Atlas) / I/c PAMS, MPCB, Mumbai – for information and necessary action. They are directed to circulate the said Standing Order to the Officers under their control.
- 3) Law Officer (P & L Divn.) / Statistical Officer, MPCB, Mumbai – for information and necessary action.

Copy to :

- 1) Regional Officer, MPCB – Mumbai / Thane / Navi Mumbai / Raigad/Kalyan/Pune/Nashik/Aurangabad/Nagpur/Amravati/Kolhapur/Chandrapur – for information and necessary action. They are directed to circulate the said Standing Order to the Officers including Sub-Regional Officers under their control
- 2) Incharge-Central Lab., Mahape, Navi Mumbai – for information and necessary action – They are directed to circulate the said Standing Order to the Officers under their control
- 3) Incharge, Regional Lab., Pune/Nagpur/Aurangabad/Thane/Chiplun/Nashik – for information and necessary action. They are directed to circulate the said Standing Order to the Officers under their control.
- 4) All Asstt. Law Officer at HQ, MPCB, Mumbai – for information and necessary action
- 5) Asstt. System Officer, MPCB, Mumbai – for information and necessary action. He is directed to place the said Standing Order on the Website of the Board in the link of various Standing Orders / Circulars issued by the Board.