

# MAHARASHTRA POLLUTION CONTROL BOARD

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No.MPCB/PCI-2/B-4999


30/07/2009

## CIRCULAR

Sub: Improvement in the Consent Processing of Consent Applications.

Various circulars/clarifications have been issued by the Head Office for expediting the consent processing. However, inspite of all such communications, it has been observed that there is an urgent need to further improve the consent processing on various aspects as listed below:

1. The consent applications need to be forwarded in the prescribed format for CC and CAC along with the necessary JVS data for air and effluent. However in most of the cases, it is noted that the JVS results are not mentioned within the Performa. Also, it is noted that in some cases the industries specific parameters, mentioned in the consents, are not analyzed and reported. The Hazardous Waste quantity disposed in last one year also need to be mentioned specifically from the database available in Hazardous Waste Module. The concerned Sub Regional Officers and Regional Officers are hereby directed that all the applications shall be processed in the prescribed format only and all fields including the distance from river, river class, JVS data, Hazardous Waste details, legal history including Bank Guarantee, Complaints, Compliance of directions etc. should be mentioned in the processing report itself to expedite the consent processing. No reference, such as, enclosed as annexure, should be made.
2. The industries are required to submit consent fees based on their gross capital investment, without depreciation, till the date of application (i.e. cost of building, land, plant and machinery). In this regard, circulars have already been issued in the past to ensure that the information about the correct gross capital investment of the unit, without depreciation, shall be collected from the industry and accordingly, the consent fees should be charged from them. This activity needs to be completed at the Sub Regional Officer level. It has come to notice in some cases that the industries are submitting capital investment with different titles like net capital investment etc. and on review from Head Quarter, the industries are submitting, revised gross capital investment without depreciation. This may result in loss of revenue for the Board as the consent fees are linked with the gross capital investment. This aspect may be made aware for the knowledge of industries by informing Industrial Associations, Notice on Display Board etc.

  
31/7  
Coordination of Regional activities at H.Q.



It is therefore once again directed that the concern Sub Regional Officers and Regional Officers shall ensure that the appropriate consent fees are received along with the consent application, based on the gross capital investment without depreciation and the concern Field Officers should also be instructed accordingly. In case of non compliance of the above, resulting in the financial loss to the Board, the responsibilities of such cases will be with concern Regional Officers and the Sub Regional Officers, which be noted. The Regional Officers shall also exercise control of this aspect by regular review of the cases submitted by the Sub Regional Officers.

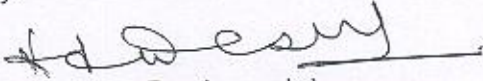
3. It is also observed that though the Regional Officers have been given time of 15 days to offer their comments/ suggestions, on the cases directly submitted by Sub Regional Officers to Head Quarter, such remarks/ comments are generally not received at the Head Quarter. It is once again instructed that the Regional Officers shall examine the cases submitted the Sub Regional Officers and offer their comments on such application immediately to Head Office. In case of non receipt of comments / remarks of Regional Officers, it will be presumed that the Regional Officers concur with the recommendations of Sub Regional Officers. It is also necessary that Regional Officer shall take immediate actions on the non compliances reported by Sub Regional Officers including consent to establish in non conforming zone, cases recommended by refusal for non compliance and cases where directions have already been issued by the Regional Officers.
4. Board has already started the online consent registry on MPCB Website. Circulars have already been issued for getting Consent EIC Number through this registry and the consent issued to the industry must bear this number. In order to facilitate the web display of pending applications, it is necessary that all applications received and disposed in MPCB ('Green', 'Orange', 'Red') are recorded in the system. Regional Officers are required to review the compliance of this at their level, and report the compliance on a monthly basis.
5. It is also noted that the consent processing applications are signed by the concern Sub Regional Officers. However the name of Sub Regional Officer and the Date of Signature are generally not recorded. It is necessary that name of the officer along with the date shall be recorded on the consent processing format along with name and signature of concerned FO. The recommendations on grant of consent should be clear and not like "may be decided at HQ", "Yes, if approved" etc. Similarly wherever the reference is made to the visit to industry, the last visit reports shall be enclosed to the consent application.



6. In spite of repeated instructions from Head Office, distance from human habitation is not mentioned in respect of Air Polluting Industry in processing report. In some cases, it is observed that distance from river and class of water is not given. Sometimes, in a prescribed format, it is mentioned against the column of distance from river that is an existing unit even though there is an expansion. Due to submission of such incorrect information, the decision may be erroneous. It is therefore once again directed that the officers processing consent applications shall submit the said information while processing the application.

These instructions shall be scrupulously followed.

This is issued with the approval of Member Secretary.

  
(Ajay A Deshpande)  
Regional Officer, I/c.PCI-II

Copy submitted to:

WPAE/APAE/PSO/RO(HQ)/RO(P&P)/RO(C)/ PCI-II/ RO(PAMS) - When certain clarifications, compliance reports about industry etc. is asked from lower offices, copy of the letter should also be sent to the concerned industry so that it is aware of the issues and can do the needful immediately to save the time.

Copy to:

1. RO Mumbai/Navi Mumbai/Raigad/Thane/Kalyan/Pune/Nashik/Kolhapur/  
Nagpur/Aurangabad/Amaravati/Chandrapur
2. SRO Mumbai I,III/Navi Mumbai I,II/Raigad II/Thane/Tarapur/Kalyan I,III/Pune  
II/Satara/Kolhapur/Sangli/Nashik/Jalgaon/Amaravati/Akola/Nagpur II/  
Bhandara/Aurangabad/Parbhani/Latur/Ratnagir/Chiplun/Mahad

Copy to:  EIC, MPCB – for web hosting.