

MAHARASHTRA POLLUTION CONTROL BOARD

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Mumbai – 400 022.

No.BO/P&L Divn./B- 785

Date: 28/02/2013

CIRCULAR

To,
Joint Director (Water Pollution Control)/Joint Director (Air Pollution Control)/
Principal Scientific Officer /Chief Accounts Officer/Asstt.Secretary(Tech.)/
Joint Director(PAMS)/ Regional Officer(HQ),
Maharashtra Pollution Control Board,
Mumbai

Regional Officer
Maharashtra Pollution Control Board,
Mumbai/Navi Mumbai/ Thane/Kalyan/Raigad/
Pune/ Aurangabad/ Nagpur/Nashik/Kolhapur/
Amravati/ Chandrapur.

Sub-Regional Officer,
Maharashtra Pollution Control Board,
Mumbai-I/Mumbai-II/Mumbai-III/Thane-I/Thane-II/Tarapur-1/Tarapur-II/ Navi Mumbai-
I/ Navi Mumbai-II/Taloja/Kalyan-I/Kalyan-II/Kalyan-III/Raigad-I/ Raigad-II/ Raigad-
III/Mahad/Kolhapur/Sangli/Ratnagiri/Chiplune/Pune-I/Pune-II/Pimpri-Chinchwad/
Satara/ Solapur/Aurangabad-I/Aurangabad-II/ Aurangabad-III/Nanded/Nashik/
Ahmednagar/ Jalgaon-I/Jalgaon-II/Nagpur-I/Nagpur-II/Nagpur-
III/Chandrapur/Amravati-I/ Amravati-II/ Akola/ Parbhani/ Latur/Bhandara, MPCB

Sub : Policy regarding change of name of industry/ies
in the consent.

The subject matter policy regarding change of name of industry/ies in the consent was discussed at length and it was decided that in order to adopt uniform approach & procedure in respect of change of name of industry/ies in the consent granted by the Board on account of change of management or any other reasons, the uniform policy shall be formulated & followed up by all the offices of MPCB.

The Policy & Law Division has taken the review of the provisions in respect of such type of activities available under the provisions of the Environment Impact Assessment Notification, 2006 with regard to the transferability of Environmental Clearance under Clause-11 of the said Notification issued by the Ministry of Environment & Forests, Govt. of India. The procedure followed with regard to the same is as under :

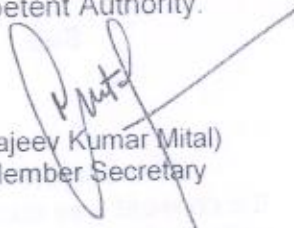
1. An Environment Clearance granted for a specific project or activity to an applicant may be transferred during its validity to another Legal Person entitled to undertake the project or activity on application by the transferor or by the transferee with a written "No Objection" by the transferor to the Regulatory Authority concerned.

2. The Regulatory Authority will effect necessary transfer by change of name on the same terms & conditions on which the prior Environmental Clearance was initially granted and for the same validity period.

No reference to the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned is necessary in such cases.

The following procedure is approved for change of name of industry/ies in consent.

- (i) The transferor of the management/consent should submit a written "No Objection" to, the transferee concerned on the same terms & conditions under which the prior consent has been granted to the earlier management for the same validity period with the condition that the transferee will be responsible for the compliances of conditions stipulated in the said consent.
- (ii) The transferee shall make an application for transfer of the consent alongwith the undertaking to comply with all the conditions of consent and other statutory provisions with an original copy of written No Objection Certificate by the transferor alongwith other documents in respect of the agreement / contract / MoU about the change of management etc.
- (iii) The Board will consider the change of name in the consent document by issuing appropriate amendment as per the delegation of powers to grant consent with the approval of the Competent Authority.


(Rajeev Kumar Mital)
Member Secretary

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

Copy to:

- 1) Sr.Law Officer(P&L Divn.)/Asstt.Secretary(Tech.), MPCB, Mumbai – for information. AST is instructed to circulate the said circular in the CC/CAC for necessary information of all the HoDs & Members of CC/CAC.
- 2) Statistical Officer, MPCB, Mumbai – for information.
- 3) I/c Law Officer/All Asstt.Law Officers, Policy & Law Divn, MPCB, Mumbai- for information & necessary action..
- 4) Asstt.System Officer, EIC Section, MPCB, Mumbai – for information and necessary action – He is instructed to place the said circular on the website of the Board in the link of various Standing Orders/Circulars issued by the Board.