

Service-related Information

Service Name: Approval for Consent to Operate under Section 26 of the Water (Prevention & Control of Pollution) Act, 1974 & under Section 21 of the Air (Prevention & Control of Pollution) Act, 1981

- i. **Service Description:** Approval for Consent to Operate under Section 26 of the Water (Prevention & Control of Pollution) Act, 1974 & under Section 21 of the Air (Prevention & Control of Pollution) Act, 1981
- ii. **Competent Authority:** Maharashtra Pollution Control Board, Environment Department, Government of Maharashtra
- iii. **Type of Service:** Pre-Operations
- iv. **Governing Act/ Rule:** Water (Prevention & Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981
- v. **Applicable Section:** Section 26 of the Water (Prevention & Control of Pollution) Act, 1974 & under Section 21 of the Air (Prevention & Control of Pollution) Act, 1981
- vi. **Applicability Criteria:** This service is applicable to any industry falling under Red, Orange or Green category.
- vii. **Delivery Mode:** Online only
- viii. **Service availability in MAITRI:** Yes
- ix. **Service Link(s):** <https://maitri.mahaonline.gov.in/>
<http://www.ecmpcb.in/consent/application>
- x. **Fee (in INR):** Govt. of Maharashtra GR dated 25 August 2011

For businesses –

S. No.	Industry Investment (INR)	Consent to Establish (INR)
1.	>100 crores	0.02% of the capital investment
2.	75-100 crores	1,25,000
3.	50-75 crores	1,00,000
4.	25-50 crores	75,000
5.	10-25 crores	50,000
6.	5-10 crores	25,000
7.	1-5 crores	15,000
8.	60 lakhs – 1 crore	5,000
9.	10 lakhs – 60 lakhs	1,500
10.	<10 lakhs	500

For Local Self Government Institutions (under Water Act):

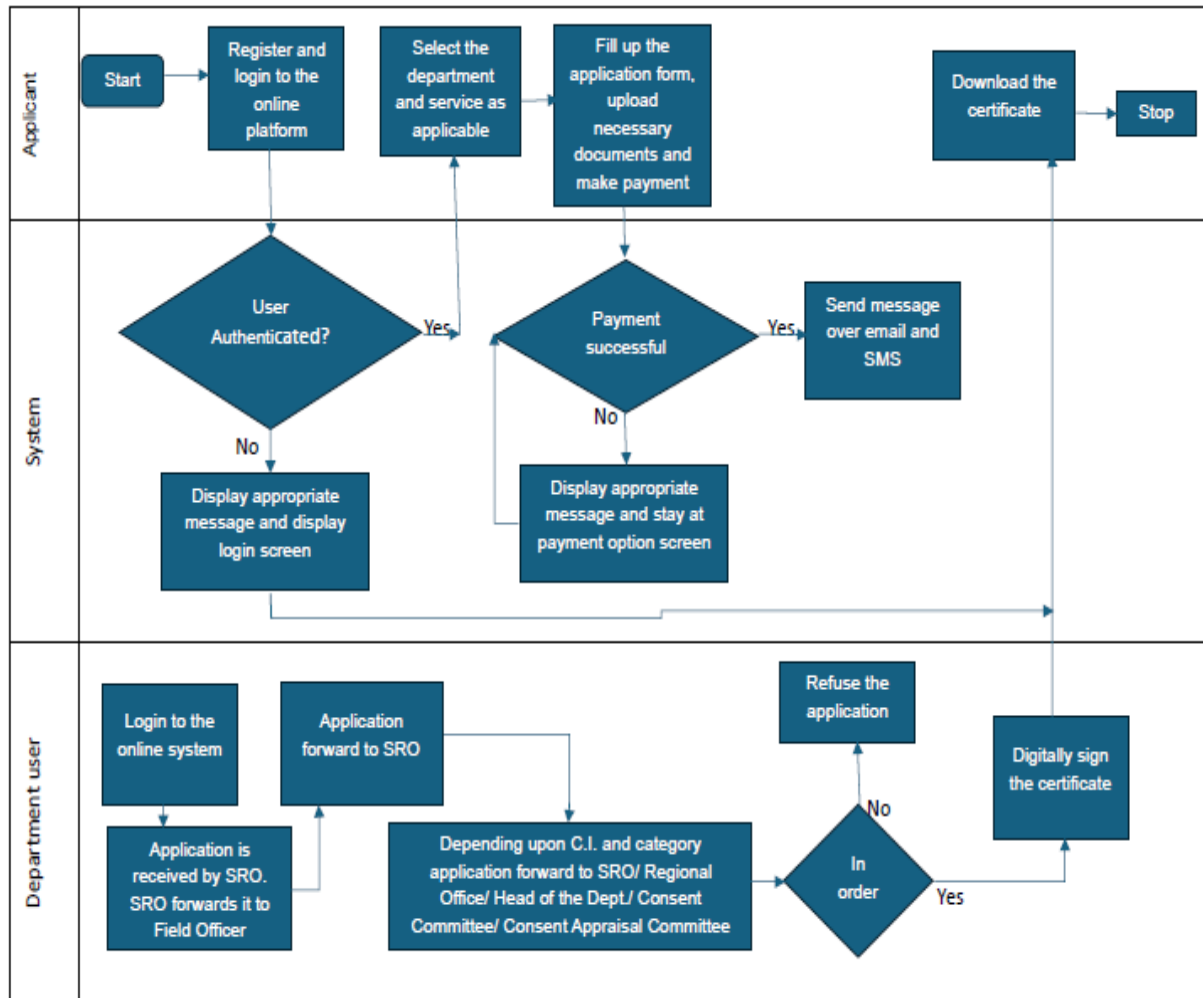
1	Municipal Corporation	INR 1,00,000
2	A Class City Council	INR 50,000
3	B Class City Council	INR 5,000
4	C Class City Council	INR 2,000

xi. **Procedure Steps:**

S. No.	Action by	Stages/ Steps	Indicative time required for approval	Statutory Fee (in INR)
1.	Applicant	Register in the online portal.	--	--
2.		Log in to the portal.	--	--
3.		Select 'Environment' department or 'Maharashtra Pollution Control Board'.	--	--
4.		Select the service 'Consent to Operate'.	--	--
5.		Fill up the application form.	--	--
6.		Upload documents as prompted by the system.	--	--
7.		Make payment towards the service and download the receipt generated by the system.	--	Fee payment as per applicability
8.	System	Trigger e-Mail and SMS intimation to the applicant mentioning the application number.	Real-time	--
9.	Department user	The application is received by the SRO. SRO forwards it to the Field Officer (FO) through the integrated online system.	05	--
10.		FO will review the application. If the application is incomplete in respect of document submission or it does not satisfy locational polices by Govt. of India or Govt. of Maharashtra, then scrutiny letters are issued asking the applicant to submit documents/ justification. FO will put up their remarks and submit to the concerned authority as per delegation of power showcased in Table 1, along with field inspection report.	25	--
11.		If industry fails to submit requisite documents/justification about lapses, then Show Cause for Refusal is issued and accordingly Refusal of Consent is issued after failure of industry to submit necessary compliance.	90	--

S. No.	Action by	Stages/ Steps	Indicative time required for approval	Statutory Fee (in INR)
		If the application is found to be complete in all respects, the consent is granted by the concerned authority as per delegation of power showcased in Table 1.		
19.	Applicant	The applicant can download the digitally signed Grant/ Refusal of Consent from the portal.	--	--

xii. Process Map:



xiii. **Document Checklist:**

- a) CA Certificate/Undertaking for capital investment
- b) Proposed air and water pollution control systems.
- c) Site plan/index
- d) Topographical Map
- e) Detailed layout plant of different processes and point sources of effluent discharge/emissions
- f) Position of stack and documents including D.G. set capacity in KVA
- g) Process flow sheet
- h) Copy of Consent to Establish

xiv. **Notified Timeline:** 120 days

xv. **Notification Link:**

https://www.mpcb.gov.in/sites/default/files/standing_orders/Circular_Amendment_27032018.pdf

xvi. **Statutory Form Name and Section:** Form 'A' as per Rule 22(1) of Maharashtra Air (Prevention & Control of Pollution) Rules, 1983

xvii. **Form Structure:**

- a) Industry unit and plant details:
- b) Consent to: Operate
- c) Operate Type: Consent to 1st Operate
- d) Submit to: Select SRO
- e) The applicant shall establish whether Industry comes under Public bearing:
- f) Any other additional information that the applicant desires to give:
- g) Whether environmental statement is submitted? If submitted give date of submission?
- h) Self declaration:
- i) Signature:
- j) Name:
- k) Designation:
- l) Document type:
- m) Upload document file:
- n) Application UAN number"
- o) Payment mode

xviii. **Requires Inspection:** Yes

xix. **Inspection Procedure:** Physical site visit and verification from field officer regarding commissioning of plant, machinery and pollution control systems

Remarks: The procedural steps indicated above is uniform for all types of establishments, irrespective of risk category, size of firm, business location or type of investor (Foreign or Domestic).

Sr. No.	Authority	Red Category (INR)	Orange Category (INR)	Green Category (INR)	Consent and Authorization to Urban Local Bodies including cantonment Boards and other planning authorities	Infrastructure Projects such as townships, IT Parks, SEZ, Highways, Irrigation Projects, Building and construction projects
1.	Sub-Regional Officer	--	--	Upto 100 crores	'C' Class Municipal Councils	--
2.	Regional Officer	Upto 10 crores excluding listed industries	Upto 150 crores	100 crores – 500 crores	'B' Class Municipal Councils and Cantonment Boards	Upto INR 25 crores
3.	Heads of Departments	10-50 crores	150-500 crores	500-1000 crores	'A' Class Municipal Councils	INR 25-100 crores
4.	Consent Committee	50-150 crores	500-1500 crores	1000-4000 crores	All Municipal Corporations	INR 100 – 750 crores
5.	Consent Appraisal Committee	>150 crores	>1500 crores	>4000 crores		>750 crores

Table 1: Delegation of Power

**List of Industries excluded from Delegation of Consent and Authorization Management:
TO REGIONAL OFFICER**

1. Projects requiring Environmental Clearance from Government of India and Government of Maharashtra
2. All application of CRZ or other restricted areas.
3. Thermal power plants
4. Sponge iron plants
5. Fertilizer excluding organic bio-fertilizer and formulation.
6. Common Effluent Treatment Plants (CETP)/ Common Hazardous Waste Treatment/ Storage And Disposal Facility (CHWTSDF)/ Common Bio-Medical Waste Treatment Facility (CBMWTDF) Common MSWTSD Facility
7. Industries having electroplating, Electrical Arc, induction, Cupola and Blast Furnaces.
8. Distillery (Molasses Based)
9. Coke Oven
10. Bulk Drug
11. Pesticide Technical
12. Cement
13. Tanneries
14. Slaughterhouses

15. Dyes and Dyes Intermediates
16. Pigment and Paint manufacturing
17. Petrochemical Refinery and Petrochemicals

Note:

- Where Stringent legal action like prosecution/ Final closure direction have been given in the past one year, the cases of grant of renewal will be referred to next higher authority for all category of industry for grant or refusal of consent.
- The cases involved in any court case, in ecological fragile areas like Dahanu, Matheran, Mahabaleshwar, Panchgani, Murud Jangira etc, Bhatsa area shall be dealt at HQ level with approval of Member Secretary.
- Cases of Consent of Recycler/ Re-processor of Hazardous Waste, Plastic & E-waste shall be dealt by RO (HQ) and Authorization of Recycler & Re-processor of Hazardous Waste, E-waste & Registration of Plastic Industries shall be dealt by RO (HQ) with approval of Member Secretary.