



STATE POLLUTION CONTROL BOARD, ODISHA

(Department of Forest & Environment, Govt. of Odisha)
Paribesh Bhawan, A/118, Nilakantha Nagar, Unit-VIII
Bhubaneswar -- 751012

No 356 /IND-II-NOC- Misc.-170 Date 07.01.2021

CIRCULAR

Sub: Revised Auto-renewal mechanism for Consent to Operate based on self-certification - Reg.

Ref: This office circular no. 10142/IND-II-NOC-Misc.-170, dated 19.06.2015 and circular no. 9835/IND-I-CON(M).-1377, dated 18.06.2016

1. The Board vide its office circulars no. 10146, dated 19.06.2015, no. 9775, dated 18.06.2016 and no. 2496, dated 21.02.2017 had decided to grant Consent to Operate to Red category of industries for a validity period of 5 years, Orange category of industries for a validity period of 10 years and Green category of industries for a validity period of 15 years.
2. Auto-renewal mechanism for Consent to Operate was implemented by the Board vide circular nos. under reference based on self-certification for Red and Orange category of industries.
3. The Board has noticed that the auto-renewal mechanism does not seem to be serving the purpose for which it was designed. Further, the Green categories of industries have not been included in the above auto-renewal mechanism of Consent to Operate. The issue was discussed with the officials of the Board and it was decided that the auto-renewal mechanism of Consent to Operate may be reviewed and made more applicant-friendly.
4. The matter was discussed in the 121st Board meeting held on 15.10.2020 and the Board has approved to implement the revised auto-renewal mechanism for Consent to Operate for Red, Orange and Green categories of industries / units / mines / projects / installation based on the self-certification.

In pursuance of decision taken in the 121st Board meeting held on 15.10.2020, the revised mechanism of auto-renewal of Consent to Operate for Red, Orange and Green categories of industries/ units / mines / projects / installation based on the self-certification is hereby implemented subject to fulfilling the following conditions:

- (i) The proponent shall apply for auto - renewal of Consent to Operate within 2 months before expiry of the validity of Consent to Operate.
- (ii) The Board should not have issued fresh show cause notice / directions under 33 (A) of water (Prevention and Control of Pollution) Act and 31(A) of Air (Prevention and Control of Pollution) Act or obtained Bank Guarantee during the validity period of Consent to Operate and industry is not under closure order issued by Board / CPCB / Government under Environment law or when such orders are under consideration of the Board.

- (iii) There are no pending prohibitory directions from Courts / Appellate Authority / National Green Tribunal / any Judicial Authority and there is no pending fresh case.
- (iv) There is no increase in production and / or pollution load / operation of expansion unit.
- (v) The auto-renewal can be availed for a period of maximum Five Years for Red category, Ten Years for Orange category and Fifteen Years for Green category of industries/ units / mines / projects / installation subject to payment of prescribed fees. After expiry of the above mentioned maximum allowed period, the proponent has to apply for Consent to Operate in fresh online application.
- (vi) The industry shall submit application under "Mechanism of Auto-Renewal of Consent to Operate" through the online portal of the Board. The renewal shall be issued by concerned office and be reflected in the website of OSPCB within one month.
- (vii) The proponent shall submit the following for auto-renewal of Consent to Operate:
- Prescribed Consent Fee
 - Latest capital investment in the form of Latest Annual Report or Audited balance sheet certified by the Chartered Accountant.
 - Auto Renewal Form cum Self Certification enclosed as **Annexure - A**.
- (viii) Auto renewal of Consent to Operate will not prevent the Board from taking appropriate action against the defaulting units including revoking the Consent to Operate.
- (ix) In case, any industry is under obligation to obtain Consent to Operate from the Board does not want to opt or does not qualify the criteria as fixed above for consent under auto-renewal, it can apply for consent to operate online by submitting the online consent application form along with adequate fees. Applications for Consent to Operate for such cases shall be disposed following the prevailing procedure on merit.
- (x) Auto-renewal of Consent to Operate order will be issued as per the format enclosed as **Annexure-B**.

This order supersedes earlier order issued by the Board and will come into force with immediate effect.

By order of the Board.

Encl: As above.


Member Secretary

P.T.O...

Memo No. 357 /date 07.01.2021

Copy forwarded to the Principal Secretary to Govt., Industries Department, Govt. of Odisha, Bhubaneswar for kind information and necessary action.


Member Secretary

Memo No. 358 /date 07.01.2021

Copy forwarded to the Director (Env.)-cum-Special Secretary, Govt. of Odisha, Forest & Environment Department, Bhubaneswar for kind information and necessary action.


Member Secretary

Memo No. 359 /date 07.01.2021

Copy forwarded to All Chief Env. Engineers / All Chief Env. Scientists/ All Sr. Env. Engineers / All Sr. Env. Scientists/ All Regional Officers / Sr. Law Officer-L-II / Adnl. Administrative Officer, SPC Board, Odisha, Bhubaneswar for information and necessary action.


Member Secretary

Memo No. 360 /date 07.01.2021

Copy forwarded to Env. Engineer-cum-System Administrator, IT Cell, SPC Board, Bhubaneswar for information and necessary action. She is requested to upload the Circular in the website of the Board.


Member Secretary

Memo No. 361 /date 07.01.2021

Copy to concerned file for record.


Member Secretary



STATE POLLUTION CONTROL BOARD, ODISHA

Parivesh Bhawan, A/118, Nilakantha Nagar, Unit-VIII,
Bhubaneswar - 751 012

ANNEXURE-A

Auto Renewal Form-Cum-Self Certification

From

(Occupier and address of the industry)

To

The Member Secretary,
State Pollution Control Board, Odisha,
Paribesh Bhawan, A/118, Nilakantha Nagar, Unit-8, Bhubaneswar

Sub: Auto Renewal of Consent to Operate - Submission of Self-Certification - Reg.

Ref: Previous Consent to Operate Order issued on _____ valid upto _____.

It is to submit that the Board has issued Consent to Operate under Water (Prevention and Control of Pollution) Act, 1974 and Air (Prevention and Control of Pollution) Act, 1981 to our industry / project vide order No _____ with a validity period upto _____.

We are here by certify that

1. We have complied with the conditions and standards stipulated in the Consent to Operate issued vide order dated _____.
2. There is no change in information provided in the prescribed Consent to Operate Application submitted for obtaining earlier Consent to Operate.
3. There is no increase in production and / or Pollution load / there is no expansion of unit.
4. The Board has not issued fresh show cause notice / directions under 33 (A) of water (Prevention and Control of Pollution) Act and 31(A) of Air (Prevention and Control of Pollution) Act or obtained Bank Guarantee during the validity period of Consent to Operate and industry is not under closure order issued by Board / CPCB / Government under Environment law.
5. There are no pending directions from Courts / Appellate Authority / National Green Tribunal / any Judicial Authority and there are no pending fresh cases during last one year.

6. There is no increase in capital investment.
7. We undertake to comply with the conditions and standards stipulated in Consent to Operate order and with any further conditions / directions which may be stipulated by the Board in future and we may also pay fees / charges in future as demanded by the Board.

In view of fulfilling of the Board conditions for Auto Renewal as certified by the above, we request to renew our Consent to Operate under Auto renewal mechanism for the period upto _____ for which we are herewith paying consent fee of ₹ _____ as per latest Annual Report or Audited balance sheet certified by the Chartered Accountant which was enclosed.

Encl:

1. Consent Fees details.
2. Latest capital investment in the form of Latest Annual Report or Audited balance sheet certified by the Chartered Accountant.

Yours faithfully,

Place:

Date:

**Name and Designation of Occupier /
Name and address of the industry**



ANNEXURE - B

Tel : 2564033/2563924
EPABX : 2561909/2562847
E-mail: paribesh1@ospcboard.org
Web site : www.ospcboard.org

STATE POLLUTION CONTROL BOARD, ODISHA

Parivesh Bhawan, A/118, Nilakantha Nagar, Unit-VIII,
Bhubaneswar - 751 012

No. _____/IND-I-CON- _____ Date _____/

AUTO RENEWAL OF CONSENT TO OPERATE ORDER

In response to your online application Id no. _____ dated _____ for Auto Renewal of Consent to Operate Order, the Board is hereby extending validity period of Consent to Operate order under Section 25/26 of the Water (Prevention and Control of Pollution) Act, 1974 and Section 21 of the Air (Prevention and Control of Pollution) Act, 1981 issued vide order no. _____ dated _____ valid upto _____ for further period of _____ Years i.e. upto _____ with following conditions.

- 1.
- 2.
- 3.
- 4.

This auto renewal of consent order is valid for the product quantity, specified outlets, discharge quantity and quality, specified chimney/stack, emission quantity and quality of emissions as specified in the earlier order. This consent is granted subject to the general and special conditions stipulated therein the earlier order.

To
The Occupier
(Industry/Project Address)

For State Pollution Control Board, Odisha

Memo No. _____ date _____

Copy forwarded to;

- (i) The Regional Officer, State Pollution Control Board, _____
- (ii) The Collector and District Magistrate, _____
- (iii) The Director of Mines, Odisha, Bhubaneswar
- (iv) The Director Factories and Boiler, Bhubaneswar
- (v) The D.F.O, _____
- (vi) Consent Register for record.

For State Pollution Control Board, Odisha