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## STATE POLLUTION CONTROL BOARD, ODISHA

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

No. 632 / Ind-II-NOC-Misc/204

Date 07-01-2016

### OFFICE ORDER

#### STREAMLINING THE PROCEDURE FOR PROCESSING CONSENT APPLICATION

Grant of Consent to Establish and Consent to Operate is included in the schedule of essential service under Odisha Right to Public Service Act-2012. Under this Act the Board is committed to dispose of the application within a stipulated time limit.

1. A risk based approach is adopted for deciding the rigour with which an application has to be processed. The industries or mines are therefore classified on the basis of pollution potential and scale of operation. The environmental risk of Red industries being high, orange being medium and Green having low or marginal risk the industrial and mining projects are separately classified as 'A', 'B' and 'C' on the basis of environmental risk associated with the project as per the following Table A and B.

**Table A : Classification of industrial projects**

Investment in Rs.	Green	Orange	Red
Up to 5.0 Crores	C	C	C
More than 5.0 Crores and up to 50.0 Crores	C	C	B
More than 50.0 Crores	C	B	A

**Table B : Classification of mining projects**

Mining Projects	Category
Coal, Bauxite, Iron, Manganese, Limestone, Dolomite and Chromite	A
Other than Coal, Bauxite, Iron, Manganese, Limestone, Dolomite and Chromite	B

The category (Red, Orange and Green) under which an industry falls will be determined as per the comprehensive list modified by the F & E Department, Govt. of Odisha vide No.6194, Dt.24.04.2007 and No.13131, Dt.10.07.2012 and further as to be notified by F & E Department from time to time.

2. The following time limits are fixed for disposal of an application for Consent to Establish and Consent to Operate separately.

A. Time limit for disposal of consent application

Category	Consent to establish	Consent to operate
	(in days)	(in days)
A	60	60
B	45	45
C	30	30

The time limit will be calculated from the date, the application is considered '*Duly made and Complete*' and shall not include public holidays.

3. The consent application (Both CTO and CTE) shall be verified by the designated officer as per Schedule-I and Schedule-II or any officer authorised by the designated officer to see whether the application is '*Duly made and Complete*'. In case the application is found to be *duly made and complete* then an acknowledgement shall be issued by the Designated Officer in the format as given in Schedule-III indicating the last date of disposal of application.

In the case the application is found "*Not duly made and/or incomplete*" the acknowledgement shall be issued by the designated officer indicating the reason of considering the application as "*Not Duly made and/or incomplete*" and the column of last date of disposal shall be left blank.

4. The Designated Officer, if felt necessary, may authorize any of his/her subordinate officer to receive and issue acknowledgement on his/her behalf.



5. In case an officer of appropriate rank is not available to function as a Designated Officer, the Member Secretary may authorize any officer of appropriate rank to function as Designated Officer.
6. After the application is considered as "*Duly made and Complete*" this will be processed as per the procedures and shall be approved as per the delegation of power. After approval of the same by the appropriate authority in the file, the consent order shall be issued by the concerned designated officer as per Schedule-I of this order. Similarly, the designated officer for issuance of consent to operate shall be as per Schedule-II in this order.
7. The designated officer shall monitor the flow of application online and facilitate disposal of application within the stipulated period.
8. The maximum period of validity for consent to operate shall be as per the following Table

	<b>Type of industries</b>	<b>Maximum validity period</b>
1.	17 categories and Sponge iron Plant	2 years
2.	Other Red Category	5 years
3	Orange category	10 years

The validity period shall be the period for which the applicant has paid the consent fee or the maximum allowable validity period as per the above Table whichever is earlier.

9. In the case when an applicant has paid a fees for a period which is less than the maximum allowable validity period, the applicant can renew the consent for the remaining period within the block period by paying the consent fee for the remaining period and a self-certified report of compliance either verified by themselves or through a 3<sup>rd</sup> party agency duly empaneled by the Board. The consent in this case shall be renewed automatically without detail verification of compliance.
10. An inspection is not necessarily a mandatory component of evaluating Consent to operate application, the inspection and sampling has to be carried out as a matter of routine practice in the following frequency. The decision on consent can be taken on the basis of latest available inspection.

Category of Industries/ Mines	Minimum frequency of inspection	Minimum sampling frequency
A	At least once in 6 months	Every months
B	At least once in 2 years on random check basis	Once in 6 months
C	At least once in 3 years random check basis	Once in a year

  
MEMBER SECRETARY

Memo No. 633 /dt. 07-01-2016

Copy forwarded to All Sr. Env. Engineers / All Sr. Env. Scientists / All EEs / All ESs / All DEEs / All DESs / All AEEs / All AESs / Administrative Officer / All Regional Officers / Sr. Law Officer / Law Officer , SPC Board, Odisha, Bhubaneswar for information and necessary action.

  
MEMBER SECRETARY



## STATE POLLUTION CONTROL BOARD, ODISHA

(Department of Forest & Environment, Govt. of Odisha)

Paribesh Bhawan, A/118, Nilakanthanagar, Unit-VIII

Bhubaneswar – 751012

No. 6456 / Ind-II-NOC-Misc.198

Date 15-04-15

### OFFICE ORDER

1. Consent to Establish and Consent to Operate is processed under the provisions of Water (Prevention & Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981. The above Acts stipulates that if Consent to Establish or Consent to Operate is not granted within the period of 120 days from the date of receipt of complete application, the consent be considered deemed to have been granted.
2. In order to rationalize the processing of consent application the Board vide order No.20961, Dt.16.07.2005, classified the industrial projects into A, B and C categories on the basis of investment and pollution potential. The A category project, being large in scale of operation and higher in pollution potential are subjected to rigorous scrutiny while Category B and C projects are subjected to less rigorous and simplified evaluation process for consent.
3. In order to facilitate industrial development the Govt. of Odisha enacted Odisha Industries Facilitation Rule, 2005 wherein it is stipulated that Consent to Establish application shall be disposed of in 120,60 and 30 days in the case of Category A, B and C projects respectively, whereas, the disposal period for Consent to Operate application remained at 120 days.
4. Department of Industrial Policy and Promotion (DIPP), Govt. of India through 'Make in India' Program desires to adopt a faster process for disposal of consent application. It is therefore desired that the decision making process has to be hastened and the time limit for disposal of Consent to Establish and Consent to Operate application be made public.

5. Considering the necessity of fast disposal of consent application, it is desired to adopt a risk-based consent application processing framework. For this purpose, the projects shall be categorized on the basis of its environmental risk. The projects involving high environmental risk will be evaluated rigorously and the low risk projects will be subjected to faster process.
6. In the above framework the industrial projects are classified as following.

Investment in Rs.	Green	Orange	Red
Up to 5.0 Crores	C	C	C
More than 5.0 Crores and up to 50.0 Crores	C	C	B
More than 50.0 Crores	C	B	A

The mining project shall be classified in the following manner.

Mining Projects	Category
Other than Coal, Bauxite, Iron, Manganese, Limestone, Dolomite and Chromite	B
Coal, Bauxite, Iron, Manganese, Limestone, Dolomite and Chromite	A

For the industrial project 'investment' means the capital investment in plant and machinery, land and building etc. exclusive of working capital. The 'Red', 'Orange' and 'Green' category projects are to be determined as notified by the F & E Deptt., Govt. of Odisha and amended from time to time.

7. The time limit for disposal of consent application is hereby revised as following

Category	Disposal period in days	
	Consent to Establish	Consent to Operate
A	60	60
B	45	45
C	30	30

This order supersedes all previous office orders brought out by the State Pollution Control Board in this matter and with effect from 01.05.2015.

8. All the officers of the Board who has been delegated the power to grant Consent to Establish and Consent to Operate shall ensure that the consent application is disposed of within the stipulated period from the date when the application is considered to be '*duly made and complete*'.

By order of Chairman



**MEMBER SECRETARY**

Memo No. 6457 /Dt. 15-04-15

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. 6458 /Dt. 15-04-15

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**MEMBER SECRETARY**

Memo No. 6459 /Dt. 15-04-15

Copy forwarded to "Make in India" (File No.Ind.II-NOC-Misc.196) for record.



**MEMBER SECRETARY**