

MAHARASHTRA POLLUTION CONTROL BOARD

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Mumbai – 400 022.

No./MPCB/ CAC Cell/ B- 240105FTS0025
CIRCULAR

Date 05/01 / 2024

Sub:- Submission of Bank Guarantee/Penal Fees/Consent Fees in Applications for Consent.

Ref.:- Board's Circular vide No BO/MPCB/AS(T)/Circular/B-220712-FTS-0047 dtd 12.07.2022

The Board is granting Consent to Establish/Consent to Operate/ Renewal of Consent to Operate under provision of the Water (Prevention & Control of Pollution) Act, 1974. The Air (Prevention & Control of Pollution) Act, 1981 and Authorization under Rule 5 of the Hazardous and Other Wastes (M & TM) Rules, 2016 imposing Bank Guarantee for compliance of consent conditions.

The Board in its 178th Board Meeting held on 24.02.2022 vide item No 2 has considered imposing appropriate penal fees for violation of Environmental enactments. Accordingly, the Board has issued Circular vide No BO/MPCB/AS(T)/Circular/B-220712-FTS-0047 dtd 12.07.2022 for provision of penal fees for occupiers violating combine consent regime prescribed under Air/Water Act.

It was noted that, while applying for consent to operate/renewal of consent to operate, the applicant is not submitting Bank Guarantee as per the condition imposed in earlier consent granted which was mandatory on their part for compliance of consent conditions. Further, the applicant is not submitting penal fees/adequate consent fees at the time of applying for consent. Therefore, while processing such applications, delay is caused due to non-submission of Bank Guarantee/Penal Fees/Consent Fees.

Therefore, it is proposed that in case of application of CAC and CC Purview, after decision of concern Committee, 15 days' time will be allowed to the applicant for submission of Bank Guarantee as per the condition imposed in earlier consent granted/Penal Fees/ Consent Fees and in case of failure of submission,

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such cases will be refused without further opportunity to applicant. In such cases, further approval from CAC/CC for refusal of such cases will not be required.


(Dr Avinash Dhakne, IAS)
Member Secretary

Copy submitted to: - The Hon'ble Chairman, MPC Board, Mumbai for favor of information

Copy to: -

1. The Assistant Secretary (Tech)/ Joint Director (APC)/ Joint Director (WPC)/Principal Scientific Officer/ Regional Officer (HQ)/ Regional Officer (BMW), MPC Board, Mumbai
2. Law Officer/Statistical Officer, MPC Board, Mumbai
3. EIC- He is directed to place the circular on the Board's Website.