



REGD.POST WITH ACK.DUE

Circular memo No. 91/TSPCB/Gen/EODB/HO/2019

Dt. 12.03.2019

Sub: TSPCB – Ease of Doing Business – Implementation Guidelines for BRAP, 2019 – Auto-Renewal of Consents to all (Red, Orange & Green) Categories of industries – Issued – Reg.

Ref: 1. Circular memo No. 91/TSPCB/Gen/CFE/HO/2015-1702 dated 05.11.2015.
2. Circular memo No. 91/TSPCB/Gen/CFE/HO/2015-1800, dated 19.11.2015.
3. Circular Memo No.91/TSPCB/Gen/CFE/HO/2018-Nil, dated 19.03.2018.
4. Implementation Guidelines for BRAP, 2019 issued on February, 2019.

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In the reference 1st cited the Board has issued Circular for implementation of Auto-Renewal of Consent for Operation (CFO) to Red, Orange & Green categories of industries.

The Department for Promotion of Industry and Internal Trade (DPIIT) has issued implementation guidelines for States / UTs under State Business Reform Action Plan, 2019. In the recommendation No.23 for Auto-Renewal of CFO should be Auto Renewed upon expiry of consent to operate without requirement to re-apply.

Accordingly, the Board hereby introduces Auto-Renewal of CFO to all categories of industries by eliminating the application for Auto-Renewal upon the expiry of CFO order.

The Auto-Renewal is applicable to the industries/ organizations applying for the renewal of Consent for Operation at least 30 days before the expiry of Consent validity period.

The following revised guidelines shall be followed for implementation of auto renewal of Consent for Operation (CFO):

A. The validity of Consent for Operation (CFO) issued earlier by the Board under the Water Act and Air Act shall be renewed on receipt of following documents from the organization / industry :

1. Prescribed Consent fees as per the G.O.Ms.No.22, EFS&T (For.III) Dept., dated 09.07.2018 through online payment.
2. Copy of the latest Financial Balance Sheet indicating Fixed Assets (without Depreciation).
3. Copy of the previous valid Consent order.
4. Self certification by the industry towards compliance of the existing consent conditions and directions issued by the Board from time to time (format enclosed) – I.

5. Bank Guarantee of amount equivalent to the total Consent fee paid by the industry subject to a minimum of Rs. 10,000/- and maximum of Rs. 5.0 Lakhs.
- B. Auto-Renewal shall be issued for the maximum renewal period of 5 years.
 - C. This Auto-Renewal does not apply to organizations/ industries, operations or processes where:-
 - a) When the existing consent order of the industry is expired.
 - b) When there is an increase in production capacity and the pollution load than permitted in the existing CFO & HWA.
 - c) When issues related to earlier consent is pending before the Hon'ble Appellate Authority or any other Court.
 - d) Whose immediate preceding application has been refused.
 - e) Where directions for Closure or Stop Production for noticing any non-compliances of Consent conditions or for indulging in activities detrimental to the protection of environment issued under 33 (A) of Water (P&CP) Act, 1988 and 31 (A) of (P&CP) Air Act, 1987 in the past 5 years from the date of application for auto renewal.
 - f) For the industries located within 10 Km radius of Himayatsagar and Osmansagar Lakes as specified under G.O.Ms.No.111, dt: 08.03.1996.
 - D. CFOs which cannot be auto renewed because of the above reasons shall be processed in the same manner as is being presently followed.
 - E. CFO renewal applications already received and pending at Regional Offices, Zonal Offices and at Head Office shall be disposed off as per the revised simplified procedure provided the applications meets the required criteria.
 - F. The Auto-Renewal of CFO shall be issued by the Regional Offices / Zonal Offices / Head Office as per delegation of powers. In this regard,
 - a) The ROs shall:
 - 1) Verify the requirements for the Auto-Renewal for all categories of industries.
 - 2) Issue auto renewal order to the industries within 5 working days in the prescribed format (enclosed) for the applications, for which the ROs were delegated powers.
 - 3) Forward the request of the industries for auto renewal to ZO / HO within 2 working days, for which the powers were delegated to ZO / HO.
 - 4) Submit soft copies of the auto renewal to the concerned Zonal Office and Head Office on weekly basis.
 - b) The ZOs / BO shall issue auto renewal order to the industries within 3 working days on receipt from RO, in the prescribed format (enclosed) as per the delegated powers. The ZOs shall submit copies of the auto renewal to the Board Office on weekly basis.
 - G. The Board reserves right to review, modify, revoke conditions and vary the validity period of CFO& HWA of the industries.

H. In case of any false certification, non-compliance of conditions / directions and deficiency in furnishing the information by the industry, the Board can withdraw the auto renewed consent and take necessary action including forfeiture of Bank Guarantee.

The system of Auto-Renewal of CFO shall be scrupulously implemented by the Regional Offices / Zonal Offices / Board Office. The list of applications received & orders issued under auto renewal system by the ROs / ZOs shall be communicated to the Board Office on weekly basis. Any deviation from the above guidelines will be viewed seriously and action will be initiated against concerned Officer.

Encl: 1. Format for self certification by the industry.
2. Format for Auto-Renewal of CFO.

**Sd/-
MEMBER SECRETARY**

To

- 1) All Unit Head-I & II, Board Office.
- 2) The Joint Chief Environmental Engineer, Zonal Office, Hyderabad / RC Puram.
- 3) The Environmental Engineer, Regional Office, Hyderabad, Rangareddy-I, Medchal, Warangal, Ramagundam, Kothagudem, SR-I, RC Puram, Nalgonda & Nizamabad.

// T.C.F.B.O //

P. Srinivasan

Chief Environmental Engineer

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Order No. -

Dt. .03.2019

Sub: TSPCB – Renewal of Consent for Operation – Order issued – Reg.

Ref: 1. CFO order No.
2. Board resolution No. 26.
3. Self certification dt. _____, of compliance for Auto-renewal of CFO order submitted by the industry.

* * * * *

- 1) The Board hereby renews the Consent for Operation (CFO) of the industry, issued vide reference 1st cited, for a period upto _____ under 25/26 of the Water (Prevention and Control of Pollution) Act, 1974 and / or Section 21 of the Air (Prevention and Control of Pollution) Act, 1981 and rules made thereunder, Renewal of Authorization under Rule 5(4) of the Hazardous Waste & Other Wastes (Management & Transboundary Movement) Rules, 2016 and its Amendments thereof.
- 2) This Consent is issued under the auto renewal system of the Board vide reference 2nd cited and as per the self certificate submitted by M/s _____, vide ref. 3rd cited.
- 3) The Board reserves right to review, modify, revoke conditions and vary the validity period of CFO& HWA of the industry.
- 4) In case of any false certification, non-compliance of conditions / directions and deficiency in furnishing the information by the industry, the Board can withdraw the auto renewed consent and take action under provisions of relevant Acts & Rules including forfeiture of Bank Guarantee.
- 5) Under auto renewal system, the industry shall apply atleast 30 days before the expiry of the existing consent order for further renewals.

MS / JCEE / EE

Date:

To,
The Member Secretary,
Telangana State Pollution Control Board,
Hyderabad.

Sir,

Sub:- Request for extension of Consent for Operation (CFO) validity period –
Self certification of compliance for Auto-Renewal of CFO order –
Submitted – Reg.

* * * * *

I/we _____ as
occupier of _____
do hereby inform that the consent granted under 25/26 of the Water (Prevention and
Control of Pollution) Act, 1974, Section 21 of the Air (Prevention and Control of
Pollution) Act, 1981 and Under Rule 5(3) of HW&OW(M & TM) Rules, 2016 and its
amendment thereof for our unit vide Consent Order No. _____-
_____ dated _____, is expiring on _____ (Copy
enclosed) and hence I request you to extend the validity period of CFO order from
_____ to _____.

I / we herewith enclosing the required documents as detailed below:

- 1) Prescribed Consent fees as per the G.O.Ms.No.22, EFS&T (For.III) Dept.,
dated 09.07.2018 through online payment.
- 2) Copy of the latest Financial Balance Sheet indicating Fixed Assets (without
Depreciation)
- 3) Copy of the previous valid consent order.
- 4) Bank Guarantee for an amount of _____.

I/ we hereby undertake the following:

- All the terms and conditions that have been stipulated by the Telangana State
Pollution Control Board in Consents issued under Section 25 of the Water
(Prevention and Control of Pollution) Act, 1974, Section 21 of the Air
(Prevention and Control of Pollution) Act, 1981 and Under Rule 5(3) of
HW&OW(M & TM) Rules, 2016 and its amendment thereof are complied with.
- I am applying before 30 days of expiry of the existing consent order.
- There is no increase in production capacity and the pollution load than
permitted in the existing CFO & HWA.
- No case is pending before the Hon'ble Appellate Authority or any other Court.
- The immediate preceding application has not been refused.

- No directions for closure or stop production have been issued under 33A of Water Act & 31A of Air Act, from the date of issue of previous CFO to till date.
- The unit is not located within 10 Km radius of Himayatsagar and Osmansagar Lakes as specified under G.O.Ms.No.111, dt: 08.03.1996
- Complied with all the directions issued by the Board from time to time.
- To comply with any further condition which may be stipulated by TSPCB in future also.
- Apply for prior consent for establishment of the Telangana State Pollution Control Board for any change that has taken place resulting in change of production capacity and pollution loads (Effluents, Emissions & Solid Waste). I shall be held liable for all consequences for the failure to communicate any such change of proposed change.

I / we shall be liable to be prosecuted as per the provisions contained in Water Act 1974 and Air Act 1981 and Rules specified under HW&OW(M& TM) Rules, 2016 and its amendment thereof in case of any violation of conditions and furnishing of false information.

Chairman / Managing Director / Proprietor

Date :

Place :