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TAMIL NADU POLLUTION CONTROL BOARD

ABSTRACT

TNPC Board – P&D – Proposal for exempting Green Category industries proposed to be located in Industrial area/Industrial use zone from obtaining the Consent to Establish and to consider for obtaining CTO- Direct under Section 25 of the Water (P&CP) Act, 1974 as amended and under Section 21 of the Air (P&CP) Act, 1981 as amended – Orders – Issued.

B.P.No. 01

Dated: 13.01.2020

Read: 1. B.P.No. 6, dated 02.08.2016
2. Board Resolution No. BM/CA/1/2020 Dated 13.01.2020

As per the provisions of the section 25(a) of the Water (Prevention and Control of Pollution) Act, 1974 and section 21(1) of the Air (Prevention and Control of Pollution) Act, 1981, No person shall without the previous consent of the State Board, establish or operate any industrial plant which is likely to discharge sewage or trade effluent into a stream or well or sewer or on land and also in an air pollution control area of entire State of Tamilnadu. Hence Industries have to obtain consents of the Board under the above said Acts.

The Board has been issuing Consents to the industries in two Stages

- 1st stage, 'Consent to Establish' (CTE) is issued depending upon the suitability of the site before the industry takes up the construction activity.
- 2nd stage, 'Consent to Operate' (CTO) is issued, after construction of the unit and before commissioning the industrial unit, only after the compliance of conditions issued in Consent to Establish.

Central Pollution Control Board vide letter No. B-29012/ESS(CPA)/2015-1, dated 7.3.2016 has issued direction to all the Chairmen, State Pollution Control Boards / Pollution Control Committees under the section 18(1) (b) of the Water (P&CP) Act, 1974 and under the Air (P&CP) Act, 1981 regarding the harmonization of the classification of industrial sectors under Red / Orange / Green / White Categories. The CPCB has categorized the industries based on pollution index score as given below:

- Industrial Sector having Pollution Index score of 60 and above – Red Category
- Industrial Sector having Pollution Index score of 41 to 59 – Orange Category
- Industrial Sector having Pollution Index score of 21 to 40 – Green Category
- Industrial Sector having Pollution Index score incl. & upto 20 – White Category

Accordingly the number of industrial sectors fall under these categories are as follows:

- Red Category: 60 Industrial Sectors
- Orange Category: 83 Industrial Sectors
- Green Category: 63 Industrial Sectors
- White Category: 36 Industrial Sectors

Based on the above CPCB directions, the TNPCB vide B.P. No. 6 dated 02.08.2016 has issued categorization of industries falling under Red, Orange, Green and White categories.

The Government of Tamilnadu have taken up series of measures to simplify and rationalize the regulatory processes (Registration and inspection processes) under the policy of **‘Ease of Doing Business’ in Tamilnadu**. In order to promote the Industrial development/promotion the Tamilnadu Pollution Control Board has now made an introspection of the issue of CTO-direct in non vulnerable sectors of Green Category industries listed in the Annexures so as to facilitate, the Establishment of the non-polluting/less polluting industries.

On this subject matter, the high level meeting was held on 03.01.2020 with the Principal Secretary to Government , Environment & Forests Department, the Principal Secretary to Government, Industries Department, the Principal Secretary to Government, Housing and Urban Department, the Chairman, Tamilnadu Pollution Control Board, and the Managing Director, Guidance Bureau. In the meeting it was concluded that

1. The Green category industries as per B.P.No.6 dated 02.08.2016 need not obtain Consent to Establish (CTE) if the industry located in Industrial use zone/Industrial Estate as classified by the DTCP/CMDA/LPA. They will have to get Consent to Operate (CTO) from TNPCB before commencement of the production.
2. After availing the above concession under Green category, subsequent change of categories to Orange/Red will not be permitted.
3. The Green category industries shall remit the Consent fees for CTE along with CTO fee while applying for CTO-direct under Water (P&CP) Act and Air (P&CP) Act.

The above said subject was discussed during HODs meeting held on 07.01.2020 and recommended for considering the Green Category industries specified in the B.P.No. 6 dated 02.08.2016 to apply for CTO-direct in the designated Industrial use zone/Industrial Estate as classified by the DTCP/CMDA/LPA.

The subject was placed before the TNPC Board meeting in circulation. The TNPC Board vide resolution No. BM/CA/1/2020 have resolved to approve the following.

1. The Green category industries as per B.P.No.6 dated 02.08.2016 need not obtain Consent to Establish (CTE) if the industry located in Industrial use zone/Industrial Estate as classified by the DTCP/CMDA/LPA. They will have to get Consent to Operate (CTO) from TNPCB before commencement of the production.
2. After availing the above concession under Green category, subsequent change of categories to Orange/Red will not be permitted.
3. The Green category industries shall remit the Consent fees for CTE along with CTO fee while applying for CTO-direct under Water (P&CP) Act and Air (P&CP) Act.

Sd/- 13.01.2020,
D.Sekar / Member Secretary

To

The Joint Chief Environmental Engineer (P&D)

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1. Financial Advisor
2. PS to Chairman
3. PA to Member Secretary
4. File copy

Sd/-
For Member Secretary