



TAMIL NADU POLLUTION CONTROL BOARD

Abstract

TNPCB- P&D- To consider the decentralisation of Powers for issue of CTE / CTO and renewal of Consent to certain types of Industries under Red-Medium and Red-Large category of Industries to Zonal Level Consent Clearance Committee and To Joint Chief Environmental Engineer (Monitoring) – Orders-Issued – Reg.

B.P. No. 61

date: 23.08.2022

Read:

1. Board's Proc. No. 38 Dated 01.06.2013
2. Board's Proc. No. 38 Dated 03.12.2014
3. Board's Proc. No. 17 Dated 29.05.2017
4. Board's Proc. No. 48 Dated 22.08.2017
5. Board's Proc. No. 63 Dated 28.11.2017
6. Board minutes of meeting vide item No. 287-2-3 dated 01.08.2022

Tamil Nadu Pollution Control Board (TNPCB) issues Consent to Establish (CTE), Consent to Operate (CTO), and renewal of CTO to the industries under the Water (Prevention and Control of Pollution) Act, 1974 and under the Air (Prevention and Control of Pollution) Act, 1981. TNPCB also issues authorization under various Rules notified under the Environment (Protection) Act, 1986.

Initially powers for the issue of CTE, CTO and Renewal under the Water Act and Air Act and Authorizations under various Waste Management Rules were vested solely with the corporate office of the Board. The concentration of all powers at the Corporate office not only resulted in delay in processing the consent/authorization applications but left the Corporate Office with very little time to concentrate on other functions of the Board and policy matters. Hence, certain powers for the issue of consent, authorization and their renewal were delegated to the committees comprising of TNPCB officials at Board level, at Zonal level and at District level first in the year 2013 and subsequently in the year 2014 and 2017,

The present delegation of powers for the issue of CTE, CTO and Renewal of consent for various categories of industries is as indicated in Table I and for the issue of Authorisation under various Waste Management Rules is as indicated in Table II:

Table I: Present delegation of powers for the issue of CTE, CTO and Renewal of consent

S. No.	Particulars	17-Category	Red-Large	Red-Medium	Red-Small	Orange - Large	Orange - Medium	Green-Large	Orange-Small & Green Medium & Green Small
1	Consent to Establish & Expansion	TSC	CCC	CCC	ZLCCC	ZLCCC	ZLCCC	ZLCCC	DLCCC
1A.	Consent to Establish – Extension	CCC	CCC	CCC	ZLCCC	ZLCCC	ZLCCC	ZLCCC	DLCCC
2	Consent to Operate & Expansion	TSC	CCC	CCC	ZLCCC	ZLCCC	ZLCCC	ZLCCC	DLCCC
3	EIA & CRZ attracted Projects CTE & Expansion	TSC	TSC	CCC	CCC	CCC	CCC	CCC	CCC
3A.	EIA & CRZ attracted Projects CTE & Extension	CCC	CCC	CCC	CCC	CCC	CCC	CCC	CCC
4	EIA & CRZ attracted Projects CTO & Expansion	TSC	CCC	CCC	CCC	CCC	CCC	CCC	CCC
5	CRZ alone attracting Projects CTE & Expansion	TSC	TSC	CCC	ZLCCC	ZLCCC	ZLCCC	ZLCCC	DLCCC
5A.	CRZ alone attracting Projects CTE - Extension	CCC	CCC	CCC	ZLCCC	ZLCCC	ZLCCC	ZLCCC	DLCCC
6	CRZ alone attracting Projects CTO & Expansion	TSC	CCC	CCC	ZLCCC	ZLCCC	ZLCCC	ZLCCC	DLCCC
7	Consent Renewal	Chairman	MS	MS	DEE	DEE	DEE	DEE	DEE



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8	Fresh consent for Name Change, Changes in stack for DG set, Merger of adjacent units without any changes in existing consent etc.,	MS	MS	MS	ZLCCC	ZLCCC	ZLCCC	ZLCCC	DLCCC
9	For any expansion projects of highly polluting industries those are attracting the G.Os 213 & 127, the Issue of Consent will be considered by placing it in TSC in the case of Red Large, CCC in the case of Red Medium and ZLCCC in the case of Red Small followed by recommending the project in Board meeting for obtaining G.Os relaxation from Government. After getting the G.O relaxation, CTE will be issued by Chairman in the case of Red Large, Member Secretary in the case of Red Medium and DEE in the case of Red Small.								

.Table: II Present delegation for the powers for issue of Authorization

Sl. No.	Particulars	Function	17 Category (Large & Medium scale only)	Red Large	Red Medium	Red Small	Orange Large & Medium	Orange Small & All Green
1	First Time & subsequent H&OW / BMW/ SW/E-Waste/C&D Waste Authorization & amendments.	Inspection Authority	JCEE(M)	DEE	DEE	AE/AEE	AE/AEE	AE/AEE
		Approving Authority	M.S	M.S	M.S	JCEE (M)	JCEE (M)	DEE
		Issuing Authority	Sector JCEE	Sector JCEE	Sector JCEE	JCEE(M)	JCEE(M)	DEE
2	Authorization & Pass Book for actual users [Under Rule 9 & Rule	Inspection Authority	JCEE(M)	DEE	DEE	AE/AEE	AE/AEE	AE/AEE
		Approving Authority	M.S	M.S	MS	MS	MS	MS
		Issuing	Sector	Sector	Sector	Sector	Sector	Sector

No. 76, MOUNT SALAI, GUINDY, CHENNAI - 600 032.

Tel : 044-22353134 - 139 Fax : 044-22353068

Email : tnpcb-chn@gov.in Web : tnpcb.gov.in

	13(2) - Part D Schedule 3 of H& OW Rules 2016]	Authority	JCEE	JCEE	JCEE	JCEE	JCEE	JCEE
3	Authorization & Pass Book for list of commonly recyclable Hazardous Waste as per Schedule IV of H&OW Rules	Inspection Authority	JCEE(M)	DEE	DEE	AE/AEE	AE/AEE	AE/AEE
		Approving Authority	M.S	M.S	MS	MS	MS	MS
		Issuing Authority	Sector JCEE	Sector JCEE	Sector JCEE	Sector JCEE	Sector JCEE	Sector JCEE
4	H&OW Rules One time Authorization of Traders for Import – All category	Inspection Authority	DEE	DEE	DEE	DEE	DEE	DEE
		Approving Authority	MS	MS	MS	MS	MS	MS
		Issuing Authority	Sector JCEE	Sector JCEE	Sector JCEE	Sector JCEE	Sector JCEE	Sector JCEE
5	Plastic Registration – All Category	Inspection Authority	AE/AEE	AE/AEE	AE/AEE	AE/AEE	AE/AEE	AE/AEE
		Approving Authority	DEE	DEE	DEE	DEE	DEE	DEE
		Issuing Authority	DEE	DEE	DEE	DEE	DEE	DEE
6	Battery Registration to Dealers	DEE	DEE	DEE	DEE	DEE	DEE	DEE

Due to constant increase in the new industries applying for consent and increase in the existing industries for which consent to be renewed the workload in terms consent management in the corporate office continue to remain high in spite decentralization of powers. The desired time limit for the issue of consent/authorization could not be adhered with in several cases as expected by the Government under ease of doing business. On the other hand the JCEE (M)s are not provided with any powers for issuing renewal of consent at present. The JCEE (M)s during the meeting held on 29/03/2022 has also informed that certain consent and renewal powers may be delegated to them.



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Hence, in order to ensure that the consent/authorization applications are processed within a shortest possible time and provide ample time to the Corporate office to concentrate on other policy level matters and to provide the JCEE (M)s with adequate powers for issue of renewal, further decentralization of powers only may be considered as follows:

Table III - A. Proposed revision of power delegations for issue of renewal of consent under Red Large and Red Medium categories

Sl. No	Particulars	Red- Large		Red- Medium	
		Present	Proposed	Present	Proposed
1	Consent Renewal for 17 category of industries	Chairman	Chairman	Chairman	Chairman
2	Consent Renewal for CRZ and EIA attracting RL and RM industries	MS	MS	MS	MS
3.	Consent renewal for other Red-Large industries except the categories mentioned in Table-IV	MS	MS	----	----
4	Consent Renewal for other Red – Large industries for categories mentioned in Table-IV	MS	JCEE (M)	—	—
5	Consent Renewal for Red – Medium mentioned in table IV	-	-	MS	JCEE (M)

Table III – B: Proposed delegation of powers for Fresh consent for Name Change, Changes in stack for DG set, Merger of adjacent units without any changes in existing consent etc.,

S. No.	Particulars	17- Category	RL	RM	RS	OL	OM	GL	OS, GM & GS
1	Fresh consent for Name Change, Changes in stack for DG set, Merger of adjacent units without any changes in existing consent etc.,	Chairman	MS	JCEE (M)	DEE	DEE	DEE	DEE	DEE

Table IV: List of Red – Large Industries for which Renewal of Consent can be considered by JCEE (M)

SI. No	Type code	Industry sector-Types
1	1001	Isolated storage of Hazardous Chemicals (As per schedule of Manufacturing, storage of hazardous chemicals Rules 1989 as amended)
2	1005	DG Set of capacity \geq 5 MVA
3	1006	Industrial carbon including electrodes and graphite blocks, activated carbon, carbon black
4	1007	Lead acid battery manufacturing (excluding assembling and charging of lead- acid battery in micro scale)
5	1008	Phosphate rock processing plant
6	1009	Power generation plant [except Wind and Solar renewable power plants of all capacities and Mini Hydel power plant of capacity <25MW]
7	1013	Fibre glass production and processing (excluding moulding) including Lead containing glass
8	1014	Fire crackers manufacturing and bulk storage facilities
9	1016	Milk processes and dairy products (integrated proAE/AEEct)
10	1017	Phosphorous and its compounds
11	1018	Pulp & Paper (waste paper based without bleaching process to manufacture Kraft paper)
12	1025	Basic chemicals and electro chemicals and its derivatives including manufacturing of acid
13	1030	Health-care Establishment (as defined in BMW Rules) having incinerator irrespective of waste generation (or) having total waste water generation 100 KLD and above
14	1031	Hotels having overall wastewater generation @ 100 KLD and more (or) having rooms 100 and above
15	1038	Photographic film and its chemicals
16	1039	Railway locomotive work shop / Integrated road transport workshop / Authorized service centers having waste water generation 100 KLD and above
17	1042	Ship Breaking Industries
18	1049	Slaughter house (as per notification S.O.270(E)dated 26.03.2001)and meat processing industries, bone mill, processing of animal horn, hoofs and other body parts
19	1061	Synthetic detergents and soaps (excluding formulation) having waste water generation 100 KLD and above
20	1062	Automobile servicing, repairing and painting (excluding only fuel dispensing) having waste water generation 100 KLD and above



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21	1063	Building and construction project more than 20,000 sq.m built up area and having waste water generation 100 KLD and above
22	1068	Manufacturing of glass (Lead glass only)
23	1069	Non-alcoholic beverages (soft drink) & bottling of alcohol/ non-alcoholic products having waste water generation 100 KLD and above
24	1070	Vegetable oil manufacturing including solvent extraction and refinery / hydrogenated oils having waste water generation 100 KLD and above
25	1071	Parboiled Rice Mills having waste water generation 100 KLD and above (or) fuel consumption 12 MTD and above (or) both
26	1077	MSW sanitary landfill site
27	1081	Sewage Treatment Plant
28	1084	Analytical & material testing lab
29	1083	Tyre, Tube and Rubber components

Table V: Proposed Delegation of powers for the issue of Authorization

Sl. No	Particulars	Function	17 cat (Red Large and Medium)		Red Large			Red Medium	
			Present	Proposed	Present	Proposed		Present	Proposed
						For 29 cat as in Table IV	Other than 29 cat as in Table IV		
1	First Time & Subsequent HOW/BMW/SW / E- Waste/ C&D Waste Authorization & Amendments	Inspection Authority	JCEE(M)	JCEE(M)	DEE	DEE	DEE	DEE	DEE
		Approving Authority	M.S	M.S	M.S	JCEE (M)	M.S	M.S	JCEE (M)
		Issuing Authority	Sector JCEE	Sector JCEE	Sector JCEE	JCEE (M)	Sector JCEE	Sector JCEE	JCEE (M)

All other power delegations as prescribed under the B.P. No. 63 Dated 28.11.2017 remain unaltered. Hence the complete list of power delegation considering the above proposal is provided in Table VI and Table VII for issue of consent and for issue of Authorisation respectively.

Table VI: Proposed Delegation of powers for the issue of CTE, CTO and Renewal of consent

S. No.	Particulars	17-Category	RL	RM	RS	OL	OM	GL	OS, GM & GS
1	Consent to Establish & Expansion	TSC	CCC	CCC	ZLCCC	ZLCCC	ZLCCC	ZLCCC	DLCCC
1A.	Consent to Establish - Extension	CCC	CCC	CCC	ZLCCC	ZLCCC	ZLCCC	ZLCCC	DLCCC
2	Consent to Operate & Expansion	TSC	CCC	CCC	ZLCCC	ZLCCC	ZLCCC	ZLCCC	DLCCC
3	EIA & CRZ attracted Projects CTE & Expansion	TSC	TSC	CCC	CCC	CCC	CCC	CCC	CCC
3A.	EIA & CRZ attracted Projects CTE - Extension	CCC	CCC	CCC	CCC	CCC	CCC	CCC	CCC
4	EIA & CRZ attracted Projects CTO & Expansion	TSC	CCC	CCC	CCC	CCC	CCC	CCC	CCC
5	CRZ alone attracting Projects CTE & Expansion	TSC	TSC	CCC	ZLCCC	ZLCCC	ZLCCC	ZLCCC	DLCCC
5A.	CRZ alone attracting Projects CTE - Extension	CCC	CCC	CCC	ZLCCC	ZLCCC	ZLCCC	ZLCCC	DLCCC
6	CRZ alone attracting Projects CTO & Expansion	TSC	CCC	CCC	ZLCCC	ZLCCC	ZLCCC	ZLCCC	DLCCC
7	Consent Renewal	Chairman	MS* JCEE (M)**	JCEE (M)	DEE	DEE	DEE	DEE	DEE
8	Fresh consent for Name Change, Changes in stack for DG set, Merger of adjacent units without any changes in existing consent.	Chairman	MS JCEE (M)**	JCEE (M)	DEE	DEE	DEE	DEE	DEE
<p>Change in Management, inclusion / alteration of stacks, changes in mode of disposal and all other cases where there is no change in products manufactured, raw material used and production capacity.</p>									



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8A	For any expansion projects of highly polluting industries those are attracting the G.Os 213 & 127, the Issue of Consent will be considered by placing it in TSC in the case of Red Large, CCC in the case of Red Medium and ZLCCC in the case of Red Small followed by recommending the project in Board meeting for obtaining G.Os relaxation from Government. After getting the G.O relaxation, CTE will be issued by Chairman in the case of Red Large, Member Secretary in the case of Red Medium and DEE in the case of Red Small.
9	<ul style="list-style-type: none"> • * for all CRZ and EIA attracting industries and all Red-Large industries except the categories mentioned in Table-IV • ** Red – Large industries for categories mentioned in Table-IV only.

Table: VII Delegation for the powers for issue of Authorization

Sl. No.	Particulars	Function	17 Category (Large & Medium scale only)	Red Large	Red Medium	Red Small	Orange Large & Medium	Orange Small & All Green
1	First Time & subsequent H&OW / BMW/ SW/E- Waste/C&D Waste Authorization & amendments.	Inspection Authority	JCEE(M)	DEE	DEE	AE/AEE	AE/AEE	AE/AEE
		Approving Authority	M.S	M.S* JCEE (M)**	JCEE (M)	JCEE (M)	JCEE (M)	DEE
		Issuing Authority	Sector JCEE	Sector JCEE* JCEE (M)**	JCEE (M)	JCEE(M)	JCEE(M)	DEE
2	Authorization & Pass Book for actual users [Under Rule 9 & Rule 13(2) - Part D Schedule 3 of H&OW Rules 2016]	Inspection Authority	JCEE(M)	DEE	DEE	AE/AEE	AE/AEE	AE/AEE
		Approving Authority	M.S	M.S	MS	MS	MS	MS
		Issuing Authority	Sector JCEE	Sector JCEE	Sector JCEE	Sector JCEE	Sector JCEE	Sector JCEE
3	Authorization & Pass Book for list of commonly recyclable Hazardous Waste as per Schedule IV of	Inspection Authority	JCEE(M)	DEE	DEE	AE/AEE	AE/AEE	AE/AEE
		Approving Authority	M.S	M.S	MS	MS	MS	MS
		Issuing Authority	Sector JCEE	Sector JCEE	Sector JCEE	Sector JCEE	Sector JCEE	Sector JCEE

No. 76, MOUNT SALAI, GUINDY, CHENNAI - 600 032.

Tel : 044-22353134 - 139 Fax : 044-22353068

Email : tnpcb-chn@gov.in Web : tnpcb.gov.in

	H&OW Rules							
4	H&OW Rules One time Authorization of Traders for Import – All category	Inspection Authority	DEE	DEE	DEE	DEE	DEE	DEE
		Approving Authority	MS	MS	MS	MS	MS	MS
		Issuing Authority	Sector JCEE	Sector JCEE	Sector JCEE	Sector JCEE	Sector JCEE	Sector JCEE
5	Plastic Registration – All Category	Inspection Authority	AE/AEE	AE/AEE	AE/AEE	AE/AEE	AE/AEE	AE/AEE
		Approving Authority	DEE	DEE	DEE	DEE	DEE	DEE
		Issuing Authority	DEE	DEE	DEE	DEE	DEE	DEE
6	Battery Registration to Dealers	DEE	DEE	DEE	DEE	DEE	DEE	
<ul style="list-style-type: none"> • * Red-Large industries except the categories mentioned in Table-IV • ** Red – Large industries for categories mentioned in Table-IV 								

The subject was placed before the Board meeting held on 01.08.2022. The Board vide item No. 287-2-3 dated 01.08.2022 resolved to approve the revised power delegation for six months period as a trial as described above so that the issue of consent and authorizations are expedited within the time frame prescribed by the Board. Based on the performance, the further extension will be decided.

This supercedes all previous proceedings with respect to delegation of powers.

Sd/xxxx
Member Secretary

To

1. All HoDs of Corporate Office.
2. All Joint Chief Environmental Engineers (M), TNPCB
3. All District Environmental Engineers, TNPCB

Copy to

1. Financial Advisor
2. OCMMS section, TNPCB
3. PS to Chairman
4. PS to Member Secretary
5. BMS
6. File copy

R. G. M. 23.08.2022

For Member Secretary