



TAMIL NADU POLLUTION CONTROL BOARD

ABSTRACT

TNPCB - REVISION IN DELEGATION OF POWERS TO THE OFFICERS OF TNPCB FOR GRANTING OF CONSENT AND AUTHORIZATION IN ORDER TO EXPEDITE SPEEDY DISPOSAL OF APPLICATION FOR CONSENT / AUTHORIZATION – ORDERS ISSUED - REG.

B.P. No. 63

Dated: 28.11.2017

Read : Board Resolution No. 271- 1-9 dated 24.11.2017

- REF:**
1. Board's Proc.No. 38 dated: 1.6.2013
 2. Board's Proc.No. 38 dated: 3.12.2014
 3. Board's Proc.No. 17 dated: 29.5.2017
 4. Board's Proc.No. 48 dated: 22.08.2017

Tamil Nadu Pollution Control Board (TNPCB) enforces the Water (Prevention and Control of Pollution) Act, 1974, the Air (Prevention and control of Pollution) Act, 1981, Environment (Protection) Act, 1986 and various rules notified under Environment (Protection) Act, 1986.

One of the main functions of TNPCB is to issue consent to the industries under the Water (Prevention and Control of Pollution) Act, 1974 and the Air (Prevention and control of Pollution) Act, 1981. Also TNPCB has to issue authorization for the units applying under various rules notified under Environment (Protection) Act, 1986.

In order to speed up the process of issue of consent/authorization, TNPCB has already delegated powers to the officers at Board level, Zonal level and District level. The applications for Consent to Establish (CTE) and Consent to Operate (CTO) are decided by the various Committees constituted at Board level, Zonal level and District level and accordingly the powers have been delegated vide Board's Proc. No. 38 dated: 1.6.2013, B.P. No. 38 dated: 3.12.2014, B.P. No. 17 dated: 29.5.2017 and B.P. No. 48 dated: 22.08.2017.

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At Board level, there are two committees namely Technical Sub Committee (TSC) and the Consent Clearance Committee (CCC) for deciding issue of consent. Presently, TSC and CCC are headed by the Chairman and the meetings are conducted at regular interval. Similarly, at Zonal Level, Zonal Level Consent Clearance Committee (ZLCCC) is formed which is headed by Joint Chief Environmental Engineer, (Monitoring) (JCEE M). At District level, District Level Consent Clearance Committee is formed which is headed by District Environmental Engineer (DEE).

Recently the Government of Tamil Nadu has notified the Tamil Nadu Business Facilitation Ordinance, 2017 for time bound processing of applications and issue of clearances by various Competent Authorities of the State for establishing or expanding an enterprise for the promotion of economic development of the State and for an investor – friendly environment in the State. The ordinance has provision for deemed consent in case the applications are not processed within the time limit prescribed in the rules notified under this Ordinance.

The Government of Tamil Nadu has notified the Tamil Nadu Business Facilitation Rules, 2017 wherein it prescribes a time limit of 45 days for issue/renewal of CTE/CTO for Red/Large and Red/Medium category industries and 30 days for Red/Small and all Orange and Green category industries. Also, 45 days time limit has been fixed for issue/renewal of authorization under Hazardous and other Wastes (Management and Transboundary Movement) Rules, 2016.

In order to ensure that the consent orders and authorization are issued / renewed without any delay, the following modifications are done in the delegation of powers already issued and the following consolidated proposals are placed before the Board for its consideration.

1. The Consent Clearance Committee can be reconstituted and can be headed by the Member Secretary as below.
 - a. Member Secretary – Chairman of the Committee
 - b. Additional Chief Environmental Engineers in Board office



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c. Joint Chief Environmental Engineers in Board office

Agenda for CCC shall be approved by Member Secretary

2. CTE – Extension, EIA & CRZ attracted Projects Extension, Fresh consent for Name change, Changes in stack for DG sets, Merger of adjacent units without any changes in existing consent, the powers may be delegated to the individual officers as detailed in Sl.No.8,9 and 10 of Annexure- I.
3. The renewal of consent for Red/large (Sl.No.7 of Annexure-I) can be decided by Member Secretary.

The revised power delegation for issue of consent orders, renewal of consent orders is enclosed vide Annexure – I and the power delegation for issue of authorization, pass book and registration is enclosed vide Annexure-II.

The above consolidated proposal was placed before the Board at its 271st Board meeting held on 24.11.17 and the Board vide item no. 271-1-9, resolved to approve the proposal for reconstitution of the Consent Clearance Committee headed by the Member Secretary as below.

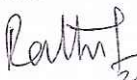
1. Member Secretary – Chairman of the Committee
2. Additional Chief Environmental Engineers in Board office
3. Joint Chief Environmental Engineers in Board office

and for approval of Agenda for CCC by Member Secretary.

Board also resolved to approve the proposal of revision in delegation of powers to the officers of TNPCB for granting of consent and authorization in order to expedite speedy disposal of application for consent/authorization.

Encl: As above.

Sd/-xxxxx
N. Sundara Gopal
Member Secretary


30/11/17

For Member Secretary


30/11/2017

To

1. All Head of the Departments of Technical Section
2. All Joint Chief Environmental Engineers (Monitoring)
3. All District Environmental Engineers

Copy to

1. All Engineers
2. BMS
3. File

ANNEXURE I (B.P. No.63 Dt. 28.11.2017)

POWER DELEGATION FOR THE ISSUE OF CONSENT ORDERS, RENEWAL OF CONSENT ORDERS

Sl. No.	Particulars	17- Category	Red- Large	Red – Medium	Red – Small/	Orange – Large	Orange – Medium	Green- Large	Orange – small & All Green
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	M.S	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 etc	MS	MS	M.S	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 RL, CCC in the case of RM, and ZLCCC in the case of RS 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 RL, MS in the case of RM and DEE in the case of RS.								

For Member Secretary

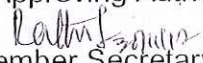
30/11/17

POWER DELEGATION FOR THE ISSUE OF AUTHORIZATION, PASS BOOK AND REGISTRATION

S. 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	Jurisdiction Engineer	Jurisdiction Engineer	Jurisdiction Engineer
		Approving Authority	M.S	M.S	MS	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 13(2) - Part D Schedule 3 of H& OW Rules 2016]	Inspection Authority	JCEE(M)	DEE	DEE	Jurisdiction Engineer	Jurisdiction Engineer	Jurisdiction Engineer
		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 H&OW Rules	Inspection Authority	JCEE(M)	DEE	DEE	Jurisdiction Engineer	Jurisdiction Engineer	Jurisdiction Engineer
		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	Jurisdiction Engineer	Jurisdiction Engineer	Jurisdiction Engineer	Jurisdiction Engineer	Jurisdiction Engineer	Jurisdiction Engineer
		Approving Authority	DEE	DEE	DEE	DEE	DEE	DEE
		Issuing Authority	DEE	DEE	DEE	DEE	DEE	DEE

Note:

- 1). **Inspection Authority means** - the officer whose I.R. shall be considered for issue of Authorization, Registration etc.,
- 2). **Approving Authority means** – authority who takes decision on issue of Authorization, Registration
- 3). **Issuing Authority means** - authority issuing Authorization, Registration after getting necessary approval from Approving Authority


 For Member Secretary


 31/11/2017