

Service-Related Information

Service Name: Consent to Establish under the Water (Prevention and Control of Pollution) Act, 1974 and Air (Prevention and Control of Pollution) Act, 1981.

- i. **Service Description:** Consent-to-Establish is required 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, provided that the Central Government may in consultation with the Central Pollution Control Board, by notification in the Official Gazette, exempt certain categories of industrial plants from the application of the provisions of this sub-section."

MoEF&CC, Govt. of India has exempted white category of industries from obtaining consent-to-establish vide notification GSR 702(E), dated-12.11.2024 & 703(E), dated-12.11.2024 under the provisions section 21 of the Air Act, 1981 & section 25 of the Water Act, 1974.

Information is available on Board's website on all necessary components for availing a service such as comprehensive list of documents required, fee, procedure with stage wise details and time for completion of each procedure/step, searchable based on risk category, size of firm, business location and Foreign/ Domestic investor.

- ii. **Competent Authority:** Chairman, Bihar State Pollution Control Board.
iii. **Type of Service:** Consent-to-Establish (CTE).
iv. **Governing Act/ Rule:** The Water (Prevention and Control of Pollution) Act, 1974 and Air (Prevention and Control of Pollution) Act, 1981

No person shall, without the previous consent of the State Board—establish or take any steps to establish any industry, operation or process, or any treatment and disposal system or any extension or addition thereto, which is likely to discharge sewage or trade effluent into a stream or well or sewer or on land under section 25 of the Water (Prevention and Control of Pollution) Act, 1974, "Provided that the Central Government may in consultation with the Central Board, by notification in the Official Gazette, exempt certain categories of industrial plants from the provisions of this sub-section".

No person shall establish or operate any industrial plant in an air pollution control area unless the previous consent of the State Board has been obtained in pursuance of an application made by such person under section 21 of the Air (Prevention and Control of Pollution) Act, 1981, provided that the Central Government may in consultation with the Central Pollution Control Board, by notification in the Official Gazette, exempt certain categories of industrial plants from the application of the provisions of this sub-section."

- v. **Applicable Section:** Section 25 of the Water (Prevention and Control of Pollution) Act, 1974 & section 21 of the Air (Prevention and Control of Pollution) Act, 1981.
vi. **Applicability Criteria:** Industries.
vii. **Delivery Mode:** Online Consent Management & Monitoring System (OCMMS).
viii. **Service availability in Single Window System:** Yes.
ix. **Service Link(s):**
a) <https://swc2.bihar.gov.in/investor/homepage>
b) <https://bhocmms.nic.in/>

x. **Fee (in INR):**

S. No.	CTE Fee	Fee (In INR)
1.	Project cost upto 25 Lakh	5000
2.	Project cost More than 25 Lakhand upto 5 Crore	15000
3.	Project cost More than 5 Crore and upto 10 Crore	35000
4.	Project cost More than 10 Crore and upto 50 Crore	75000
5.	Project cost More than 50 Crore	150000

xi. **Procedure Steps: For obtaining CTE:**

1. **Online Registration:**

- The user must visit <https://bhocmms.nic.in> and register for a New Industry Registration and Get an User ID and Password
- The applicant must provide their details, including individual/organization name, address, and contact details.

2. **Application Submission:**

- The applicant submits an online application with all details, documents and location with the said fees
- Required documents, such as **Project Report, Affidavit Regarding Distance, Land Paper** must be uploaded.

3. **Verification of Documents:**

- The concerned Regional Officer (RO) verifies the submitted documents and the authenticity of the Application filed for unit establishment.

4. **Approval or Rejection:**

- The application is granted within **30 days** of application.
- In case of rejection, the applicant is given an opportunity of being heard.
- The applicant is informed with valid reasons.

5. **Issuance of CTE:**

- The approved **CTE** is issued online and can be downloaded.

S. No.	Action by	Stages/ Steps	Indicative time required for approval	Statutory Fee (in INR)	
1.	Applicant	Register in the online portal (OCEMMS)	Instantly	Nil	
2.		Log in to the portal (OCEMMS).	Instantly	Nil	
3.	By the Board's user	Processing/verification of application	Within 30 days	Type of Fee	Fee (in INR):
				CTE Fee	As mentioned above.
4.	Applicant	Downloading of granted CTE	Within 30 days from the submission of application.		

xii. **Document Checklist:**

- Project Report.
- Affidavit Regarding Distance.
- Land Ownership Paper
- PAN.

E. Location Map:

Notified Timeline: 30 days from application submission

xiii. **Statutory Form Name and Section: Form for** Consent to Establish (CTE) under the Water (Prevention and Control of Pollution) Act, 1974 and Air (Prevention and Control of Pollution) Act, 1981

xiv. **Form Structure: Available in OCMMS**

Permission Details: Consent to Establish order

Approval Details:

- a) Name of Approving Authority
- b) Date of Approval/Rejection
- c) Signature of Approving Authority

xv. **Requires Inspection:**

- (1.) Board is granting CTE on the submission of affidavit/ undertaking in case of orange & green categories of industries (Board's notification no.02, dated-05.08.2014, Para-II & notification no. 3, dated-04.02.2016).
- (2.) White category of industries have been exempted from obtaining CTE (CPCB direction dated-07.03.2016 & further MoEF&CC, Govt. of India notification no. GSR 702 & GSR 703, dated-12.11.2024).
- (3.) Board is allowing extension of validity period of CTE, just on receiving the request from the project proponent, if the request is made before expiry of validity period. BSPCB notification no. 83, dated-01.08.2013 is related with extension of CTE.

xvi. **Inspection Procedure:**

- Inspection by Regional Officer (if required).
- Verification of Unit regarding siting criteria.
- Inspection report to be uploaded instantly if inspection is done through mobile app.

Remarks:

- 1. The process applies uniformly to all **types of establishments** irrespective of all category, firm size, or investor type.
- 2. The **Consent-to-Establish order is issued within 30 days** of application receipt.



BIHAR STATE POLLUTION CONTROL BOARD

BELTRON Bhawan, Shastri Nagar, Patna – 800 023

OFFICE ORDER

Office order no. - 83 .

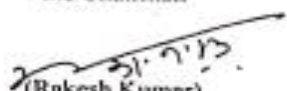
Date:- 01.8.13.

After considering the recommendations made by the committee constituted for examining the issues relating to extension of the validity period of Consent-to- Establish (NOC) and disposal of request for the revival of application for consent, already refused, the Chairman approved the recommendations in the following terms for compliance in future:-

1. Upon request from the proponent for extension of the validity-period of Consent- to- Establish (NOC), only one extension shall be allowed and the period of such extension shall not exceed the period of validity granted upon the original Consent- to- Establish order. The request of such extension can only be acceptable, if the request is made before expiry of the validity period;
2. In case the proponent requires second extension of NOC, he will have to apply afresh with current NOC fee, made applicable. Any request for extension, thereafter, shall not be entertained except on a fresh application, accompanied by current fee, made applicable;
3. An application for Consent- to- Establish (NOC) or an application for Consent- to- Operate, once refused or revoked, shall not be revalidated / revived. In such cases of refusal or revocation, fresh application, accompanying fee, shall have to be submitted.

The aforesaid decisions shall be applicable to all the applications to be taken up by the Board for consideration, henceforth.

By the order of
the Chairman


(Rakesh Kumar)
Member- Secretary

विहार राज्य प्रदूषण नियंत्रण-पर्यटन, पटना

अधिसूचना संख्या ८७७

पटना, दिनांक ५-१०-१५

अधिसूचना

विहार राज्य प्रदूषण नियंत्रण-पर्यटन में मानव-बल की कमी को ध्यान में रखते हुए जनसहानुता उद्योगों के स्थापनार्थ सहमति हेतु प्राप्त आवेदनों को तद्विहित निराकरण हेतु निम्नलिखित विधि तैयार की जाती है।

परी उद्योग जो पर्यटन से अधिसूचित माइड लाइन्स के अनुसूचि-५१ के अन्तर्गत आते हैं अथवा जिनके दूरी-अन्तर्धी मापदण्ड से मुक्त रखा गया है, को स्थापनार्थ सहमति हेतु आवेदन को साथ ही आशय का एक समय पत्र देना होगा कि इकाई के स्थापना के उपरान्त प्रदूषण नियंत्रित नहीं रहने पर अन्यत्र स्थानांतरित कर लेंगे। मारग एवं हरा श्रेणी के लघु इकाई को स्थापनार्थ सहमति हेतु आवेदन के साथ समय-माइड लाइन्स में निर्दिष्ट दूरी संरक्षित एवं समय पत्र देना होगा। समय पत्र के आधार पर ऐसे उद्योगों के स्थापनार्थ सहमति निर्गत की जायेगी। भारतीय एवं हरा श्रेणी के बृहत् एवं मध्यम तथा लाल-श्रेणी के सभी उद्योगों के स्थापनार्थ सहमति स्थल निरीक्षण के उपरान्त ही निर्गत किया जायेगा।

यह आवेदन तत्काल प्रभाव से लागू रहेगा।

ह०/-

(रमेश कुमार)
सदस्य सचिव।

पटना, दिनांक ५-१०-१५

सहायक प्रमुख पर्यावरण नियंत्रण, औद्योगिक विकास, वरीनी एवं गुजपफरपुर, नित्यन
इकाई के स्थापना एवं आवश्यक कार्यवाही हेतु प्रेषित।

(रमेश कुमार)
सदस्य सचिव।

बिहार राज्य प्रदूषण नियंत्रण पर्वद

वेल्ड्रॉन भवन, शास्त्रीनगर, पटना -800 023

दिनांक 4.2.16

अधिकार 12.03

अधिसूचना

हरा श्रेणी के उद्योगों को जल (प्रदूषण निवारण एवं नियंत्रण) अधिनियम, 1974 एवं वायु (प्रदूषण निवारण एवं नियंत्रण) अधिनियम, 1981 के अंतर्गत स्थापनार्थ एवं संचालनार्थ सहमति प्रदान करने के पूर्व स्थल निरीक्षण के अर्हता से मुक्त किया जाता है। इन उद्योगों को सहमति तथा सहमति का नवीकरण उनके द्वारा समर्पित शपथ-पत्र के आधार पर किया जायेगा।

विश्वासभाषी
4.2.16
(सुभाष चन्द्र सिंह)
अध्यक्ष

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