



## ಕರ್ನಾಟಕ ರಾಜ್ಯ ಮಾಲಿನ್ಯ ನಿಯಂತ್ರಣ ಮಂಡಳಿ

### Karnataka State Pollution Control Board

“ಪರಿಸರ ಭವನ”, 1 ರಿಂದ 5ನೇ ಮಹಡಿಗಳು, ನಂ. 49, ಚರ್ಚ್ ಸ್ಟ್ರೀಟ್, ಬೆಂಗಳೂರು - 560 001, ಕರ್ನಾಟಕ ರಾಜ್ಯ, ಭಾರತ  
“Parisara Bhavan”, 1st to 5th Floor, # 49, Church Street, Bangalore - 560 001, Karnataka State, India

No. PCB/ 04/COC/2022/ 2849

Date: 26 JUL 2022

#### OFFICE MEMORANDUM

**Sub:** Direction under Section 5 of the Environmental (Protection) Act, 1986 to not grant or renew CTO unless Environmental Clearance, as applicable, has been obtained--- Reg.

**Ref:** 1. Letter from MoEF & CC No: IA3-22/19/2021-IA. III (E 164361), Dt: 20.09.2021.  
2. Opinion of the Chairman of Legal Advisory Committee dated: 24.06.2022

\*\*\*\*\*

The Ministry of Environment, Forest and Climate Change, New Delhi in their letter cited under reference (1) had issued directions under Section 5 of the Environmental (Protection) Act, 1986 to all the SPCBs and UTPCCs not to grant or renew Consent for Operation (CTO) unless Environmental Clearance (EC), as applicable, has been obtained and same is reproduced as follows:

- Ascertain the applicability of EIA Notification at the time of grant/renewal of Consent for Establishment (CTE) and stipulate appropriate condition for obtaining Environmental Clearance (EC), if applicable, before construction /commencement of project/activity.
- Ensure that the project proponent possesses a valid prior EC in terms of the extent EIA notification, if applicable, at the time of grant/renewal of Consent for Operation (CTO) and no CTO shall be granted or renewed unless EC, if applicable has been obtained.

In this regard, Board has referred the issue to Legal cell for opinion and the Chairman of legal Advisory Committee & Law Officer of the Board has given the opinion as follows:

- Before granting Consent for Establishment (CFE) to any industry/activities it is necessary to ascertain whether those particular industry/activities are falling under the EIA Notification.
- In case, any industry/activities are covered under the EIA notification, CFE can be accorded subject to condition for obtaining Environmental Clearance (EC).
- In case, any industry/activities are covered under the EIA notification, before granting Consent for Operation (CFO) it is necessary to ascertain that the project proponent has obtained EC.
- In case if the industry/activity covered under the EIA notification has not obtained the EC, no CFO shall be granted/renewed.

In view of the above, all the Officers of the Board are informed to follow the above directions while accepting & disposing the applications seeking for Consent For Establishment and Consent For Operation of the Board.

Sd/-

Member Secretary

To,

- SEO (Bangalore City), SEO (Bangalore East), SEO (Bangalore South),

- SEO (Bangalore North), SEO (Mysuru), SEO (Mangaluru), SEO (Dharwad),  
SEO (Bellary), SEO (Chitradurga) and SEO (Kalaburgi).
2. SEO (Waste Management), SEO (17 Category), SEO (Infrastructure), SEO (Mines & Stone Crusher), SEO (Non –EIA, OB), SEO (Awareness), SEO (E-Governance), SEO (Non-EIA, Bengaluru).
  3. All Regional Officers, Regional Office: (1) Bangalore City-East, (2) Bangalore City-Peenya, (3) Bangalore City-South, (4) Bangalore City-West, (5) Dasarahalli, (6) Doddaballapura, (7) Nelamangala, (8) Yelahanka, (9) Anekal, (10) Bommanahalli, (11) Rajarajeshwarinagara, (12) Ramnagar, (13) Sarjapura, (14) Chikkaballapur, (15) Hosakote, (16) Mahadevpura, (17) Mysore-1, (18) Mysore-2, (19) Mandya, (20) Chamarajnagar, (21) Tumkur, (22) Chitradurga, (23) Davangere, (24) Kolar, (25) Shimoga, (26) Dharwad, (27) Gadag (28) Belgaum-1, (29) Belgaum-2 (Chikkodi Centre), (30) Bagalkot, (31) Bijapur, (32) Bellary, (33) Raichur, (34) Koppal, (35) Bidar, (36) Gulbarga, (37) Udupi, (38) Mangalore, (39) Hassan, (40) Chikmagalur, (41) Karwar, (42) Kodagu (43) Haveri, (44) Yadgiri.

**Copy to:**

1. Chief Environmental Officer-1,2 & 3
2. Technical Officer to Chairman to bring it to the notice of Chairman.
3. PA to Member Secretary to bring it to the notice of Member Secretary.
4. SEO, E-governance to publish in the Board Website.
5. Office Copy.

  
Member Secretary ✓