



Pollution Control Board, Assam

(Department of Environment & Forests, Government of Assam)

অসম প্রদূষণ নিয়ন্ত্রণ পৰিষদ

(অসম চৰকাৰৰ বন আৰু পৰিৱেশ বিভাগ)

NABL Accredited Testing Laboratory : Certificate No. TC-11384



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No. TECH-15011/8/2024-CCA-PCBA

Dated Guwahati, the 26th December, 2024

NOTIFICATION

As per the EIA Notification No. S.O. 1533(E) dated 14th September 2006, notified by the Ministry of Environment, Forest, and Climate Change (MoEF&CC), **building and construction projects** with a built-up area of 20,000 m² or above are categorized as "B" category of projects and therefore, these projects need to obtain prior Environmental Clearance from State Environmental Impact Assessment Authority (SEIAA). Besides, CPCB vide letter dated 12.01.2021 categorized the **building and construction projects** with a built-up area of less than 20,000 m² and wastewater generation \geq 50 KLD as "Orange Category" and as such these projects are required to obtain Consents from State Pollution Control Board under Section 25 of the Water (Prevention and Control of Pollution) Act, 1974 and Section 21 of the Air (Prevention and Control of Pollution) Act, 1981. Prior Consent to Establish (CTE) needs to be obtained by these projects before commencement of establishment activities. Consent to Operate (CTO) needs to be obtained by these projects during the construction phase of the project and post-commissioning period.

Pollution Control Board, Assam (PCBA) observes that several **building and construction projects** are being set-up without obtaining the mandatory prior Environmental Clearance (EC) from SEIAA and CTE / CTO from the PCBA. Therefore, all ongoing, upcoming and existing building and construction projects are hereby directed to apply for EC and CTE/CTO at Parivesh-2 portal of MoEFCC and OCMMS portal (www.asocmms.nic.in) of PCBA respectively. All such projects are directed to submit CTE/CTO applications to the Board on or before 31.01.2025 to avoid penalty and other legal action, as deemed fit, as per the provisions of the Acts.

Presently, the Board is levying CTO fee for the **building and construction projects** as per the Assam Government Gazette Notification No. ENG.26/2003/14 dated 12.11.2003. As per the prevailing practice, if CTO is granted under the provisions of both the Air Act, 1981 and Water Act, 1974 to a Project, the CTO fee is payable at double of the fee notified by Govt of Assam vide Notification No. ENG.26/2003/14 dated 12.11.2003. To give financial relief to these units, the Board, during its 106th and 107th Board Meeting held on 02.03.2024 and 28.06.2024 respectively, decided that the Building and Construction Projects, including the Hospital Projects, would be granted with CTO under the Air Act, 1981 [Section 21 of the Air (Prevention and Control of Pollution) Act, 1981] during the construction and commissioning phase and while CTO under the Water Act, 1974 [Section 25 of the Water (Prevention and Control of Pollution) Act, 1974] shall be granted in the post commissioning Stage of the Project. Accordingly, CTO fee for these projects shall be realised at 50% of the total Consent fee payable, as of now.

Signed by

Shantanu Kumar Dutta

Date: 26-12-2024 11:37:24

Member Secretary

Memo No. TECH-15011/8/2024-CCA-PCBA

Dated Guwahati, the 26th December, 2024

Copy to:

1. Chairman, Real Estate Regulatory Authority Assam (RERA) 4R86+GFP, NH-37, near Paribahan Bhawan Commissioner of transport Office, Jawahar Nagar, Khanapara, Guwahati, Assam 781022 for information.
2. Director, Assam Cancer Care Foundation , 3rd Floor, VK Trade Centre, GS Rd, opposite to Down Town Hospital, Guwahati, Assam 781006 for information.
3. President /Secretary, AREIDA (Assam Real Estate and Infrastructure Developers' Association), Landmark Building, Machkhowa, MG Rd, Guwahati, Assam 781001 for information & necessary action.
4. Board's Website.

(Digitally signed)
Member Secretary