STATUTORY COMPLIANCE · 03

Consent for Establishment (CFE)

Consent for Establishment enquiries for the planning and establishment stage of an industrial project.

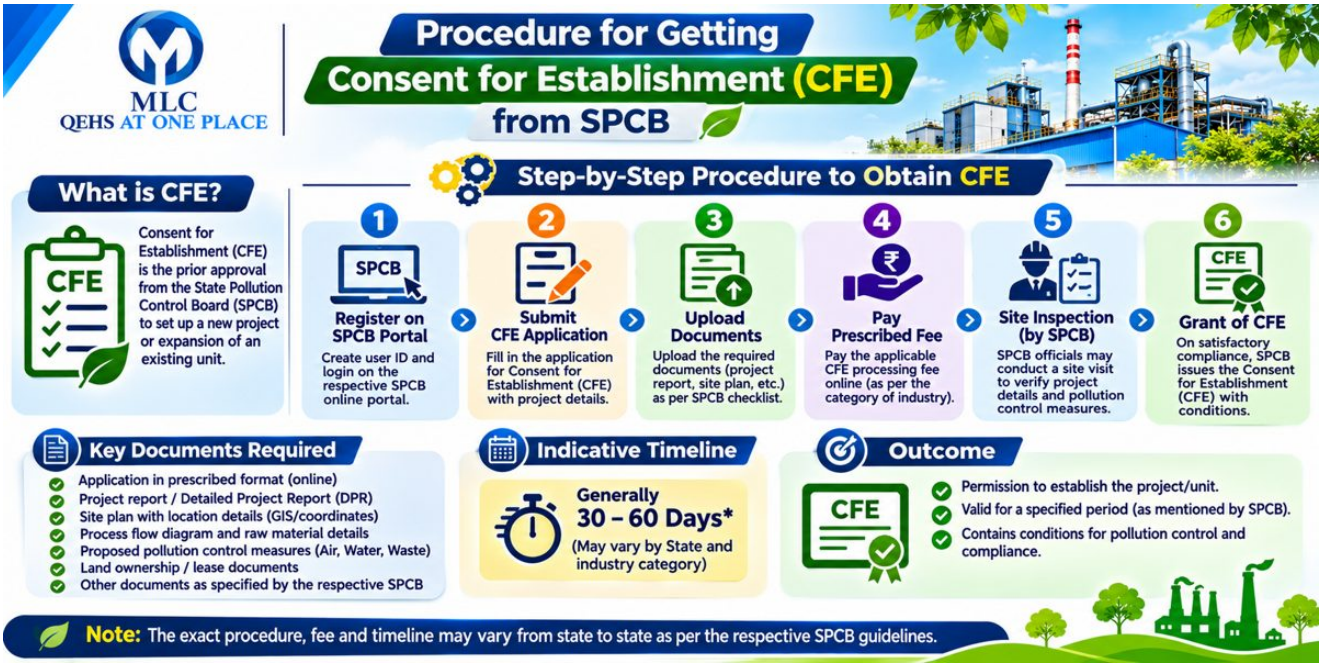
Overview of Consent for Establishment (CFE) from SPCB

Consent for Establishment (CFE), also referred to as Consent to Establish (CTE), is a No Objection Certificate accorded to industries that control the release of air emissions, wastewater, and noise levels from their industrial activities. It is a mandatory requirement for businesses, projects, and facilities that have the potential to cause environmental pollution.

The issuance of this document, also known as a No Objection Certificate (NOC), is the responsibility of the State Pollution Control Board (SPCB) or Pollution Control Committee (PCC). The SPCB/PCC is authorised by the Water and Air Act to regulate such establishments within their jurisdiction. They categorise the NOCs into three types: red, orange, and green.

Although some states have a list of exempted activities, informing the concerned Board by applying is still necessary. Entrepreneurs must apply for Consent for Establishment (CFE) and provide all the relevant documents before establishing their facility. Once the construction and setup of the unit are completed, they will require final Consent to Operate (CTO) to begin operations.

Procedure for Getting Consent for Establishment



Submission of CFE Application	The application for Consent for Establishment (CFE) is submitted online or, in some cases, offline to the regional office. Along with the application, all necessary documents must be provided. If the application is made online, it can be submitted on the respective Board's OCMMS portal, along with the required fee.
Document Scrutiny and Submission	After the application is received, all applications (online/offline) are examined, and the documents are scrutinised. In the case of Green Category industries, the regional office scrutinises the application.
Issuance of ullution NOC	Once the scrutiny and/or initial inspection report (in case of a site visit) are completed, the application is forwarded to the approving authority. The entire processing time for a final decision typically takes around 120 days from receiving a complete application. A provisional Consent to Establish (CTE) will be issued in most cases.

Note: Obtaining Consent for Establishment (CFE) from the State Pollution Control Board or renewing it does not exempt the units from any actions or penalties by the Pollution Board...

Documents Required for Consent for Establishment (CFE)

- Duly filled CFE/CTE application
- Proof of ownership/lease/rent agreement for the premises
- Site plan/layout plan of the premises
- Project details, including information on raw materials, product description, and capital cost of the unit (e.g., land, machinery, building)
- Proposed pollution control measures
- Machinery and equipment details to be installed
- NOC from the local body
- NOC from the fire department
- Payment of the prescribed fee
- Any additional documents required by the specific state or Union Territory
- Water balance in the region, water source, and required quantity
- MOA (Memorandum of Association)/Partnership Deed
- CTE fee
- Signed undertaking

Note: The list of required documents may vary based on the specific regulations and requirements of each state or Union Territory...

Validity of Consent for Establishment (CFE)

Category of Industry/Project	Validity Period
Micro and Small-scale green category project	3-5 years (depending upon the Pollution Control Board)
Medium and Large-Scale Green category projects	Maximum of 5 years

Extension/Renewal of Consent for Establishment (CFE)

If the unit or project is not completed before the expiration of the Consent to Establish (CTE), the applicant has the option to apply for an extension or renewal of the CTE...

The Advantages of Consent for Establishment (CFE)

Regulatory Compliance	CFE guarantees that the industrial facility complies with environmental regulations...
Sustainable Development	CFE promotes sustainable development...
Health and Safety	CFE ensures that the industrial facility does not pose any health or safety risks...
Positive Reputation	Obtaining CFE demonstrates the establishment's commitment...
Access to Financing	Some financial institutions require CFE as a prerequisite...

How Can MLC Assist You?

End-to-End Assistance

With over 10 years of experience in licensing and compliance domains...

Expert Legal Guidance

MLC offers comprehensive support for Consent for Establishment...

Best-in-Class Client Support

Our dedicated support team will inform our clients about the latest guidelines...

Frequently Asked Questions

Q. How to get consent to establishment from PCB?

To obtain consent to establish and operate, individuals or entities must apply to the appropriate State Pollution Control Board. This application should be accompanied by the necessary documents and scrutiny fees. The submission is typically made through the online portal provided by the State Pollution Control Board.

Q. What is the process of consent to establishment?

The procedure for acquiring consent to establish and operate requires applying, along with the necessary documents and scrutiny fees, to the relevant State Pollution Control Board. This application is typically completed through the State Pollution Control Board's online portal.

Q. How do I get consent to establish and operate for an industry?

The process consists of the following stages: Application for Consent for Establishment (CFE), Document Submission, and Issuance of Pollution NOC.

Q. What is the validity for CTE/CFE?

The State Board will issue consent to establish (CTE/CFE) for a period of 3/5 years.

Q. What is the meaning of consent to establish?

Consent to Establish/Consent to Operate Certificate refers to the authorization granted by the regulatory authority of the Board. This authorization allows for the discharge of effluent (sewage or trade effluent) into a stream, well, sewer, or land, as well as the emission of air pollutants into the atmosphere.

Q. Which is the correct sequence to obtain consent to establish?

Once the Consent to Establish has been obtained, the project proponent must apply for Consent to Operate approximately one month before commencing operations, which can be made after fulfilling all the conditions specified in the Consent to Establish.

Q. What is the consent to establish under the Water Act, 1974?

It is the approval granted by the regulatory authority of the Board for releasing effluent, such as sewage or trade effluent, into a stream, well, or sewer.

Q. What does consent type CTO mean?

Consent to Operate (CTO) Certificate is the No Objection Certificate (NOC) issued by the Pollution Control Board of the respective state. It allows businesses to commence operations after obtaining Consent to Establish (CTE).

Useful details to share when you enquire

- Business activity, site location and ownership details
- Existing applications, permissions and supporting records
- The registration or approval you need to discuss

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