



## **WEST BENGAL POLLUTION CONTROL BOARD**

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**No. 2910**

**4L/WPB – 2003**

**Dated**

**19<sup>th</sup>. December, 2003**

### **D I R E C T I O N**

**WHEREAS**, the West Bengal Pollution Control Board (hereinafter for the sake of brevity and convenience referred to as the ‘State Board’), enforces the Water (Prevention & Control of Pollution) Act, 1974 and the Air (Prevention & Control of Pollution) Act, 1981 and the Rules made thereunder within the territorial jurisdiction of West Bengal for the purpose of controlling pollution discharged from the industries, domestic sources and also other commercial activities,

**AND WHEREAS**, it is observed that in areas under different municipal corporations, municipalities and panchayats, housing complexes are built without maintaining proper environmental norms and on account of such unscientific growth of housing complexes, serious environmental problems have developed in the aforesaid areas affecting the inhabitants of the areas adversely,

**AND WHEREAS**, considering the aforementioned scenario, it appears necessary that the Municipal Corporations, Municipalities, Zilla Parishads, Panchayat Samities and Panchayats should not sanction any building plan of housing complex having 100 flats or more, or with a super built up area of 60,000 sq.ft. or more without prior environmental clearance, i. e. ‘Consent to Establish’ issued by the State Board,

**HENCE**, in exercise of the power conferred under section 33A of the Water (Prevention & Control of Pollution) Act, 1974 and Section 31A of the Air (Prevention & Control of Pollution) Act, 1981 rules made thereunder, all Municipal Corporations, Municipalities, Zilla Parishads, Panchayat Samities and Panchayats are directed through their Commissioner or Chief Executive Officer or Executive Officer or Secretary, as the case may be, not to sanction building plans for housing complexes located within their jurisdiction, having 100 flats or more, or with a super-built area of 60,000 sq.ft. or more, without the Consent to Establish issued by the State Board and to circulate this order and take all effective steps for implementing this order immediately.

It is further ordered in particular that the Secretary, Zilla Parishad should circulate this memorandum to the Panchayat Samity and Panchayats of the district concerned.

2. It is also ordered that the proponents of the housing projects, which have already been approved by the Municipal Corporations, Municipalities or Panchayats but where

construction has not been completed, will have to obtain 'Consent to Establish' from the State Board. In respect of the housing projects, which have already been completed and the possession has been delivered to the owners, the owners are required to obtain 'Consent to Establish' and the 'Consent to Operate' from the State Board for discharging their effluents and also for operating Diesel Generator Sets from the State Board.

3. In the public interest and for the protection of environment, all electronic media, press media are requested to broadcast/telecast this order for the proper participation of all concerned in this matter.

This order will take immediate effect.

By Order,

Sd/-

Dr. Syamal Kumar Sarkar

Member Secretary

West Bengal Pollution Control Board