



WEST BENGAL POLLUTION CONTROL BOARD
Paribesh Bhawan, 10A, Block – LA, Sector III, Salt Lake
Calcutta – 700 098, Ph.: 335 8212, Fax : 335 6730

No.3701-41L/WPB-2003

Dated : 27/02/2004.

D I R E C T I O N .

In continuation of the earlier direction issued by the West Bengal Pollution Control Board vide Memo No.2910(1-147)-41L/WPB-2003 dated 26-12-2003, and in exercise of the powers under Section 33A of the Water (Prevention & Control of Pollution) Act, 1974 and Section 31A of the Air (Prevention & Control of Pollution) Act, 1981 and Rules made thereunder all Municipal Corporations, Municipalities, Zilla Parishads, Panchayat Samities and Panchayats within the State of West Bengal are directed through their Commissioner or Chief Executive Officer or Executive Officer or Secretary or Pradhan, as the case may be, to ensure the following conditions before sanctioning any building plan for housing complexes of below 100 flats or covering a super built area of less than 60,000 Sq.ft. located within their jurisdiction :-

- i) that, all the local authorities i.e. Municipal Corporations, Municipalities, Zilla Parishads, Panchayat Samities and Panchayats within the State of West Bengal shall take all possible steps to treat the waste water discharged from these housing complexes through their treatment system ;
- ii) that, permission for the installation of a diesel generator set having capacity above 5 KVA shall not be allowed until prior '*Consent to Establish*' or '*Consent to Operate*' is obtained from the West Bengal Pollution Control Board ;
- iii) that, no manufacturing process as defined under the Factories Act, 1948 shall be allowed within any residential housing complex. Only commercial establishments may be allowed to be set up but such establishments shall not cover more than 5% (five percent) of the total area of the housing complexes ;

- iv) that, before installing any pump for extraction of the water from an underground water stratum housing complexes shall have to obtain permission from the Central Ground Water Board or Public Health Engineering Directorate, Government of West Bengal, as the case may be ;

2.. It is clarified that the housing complexes below 100 flats or covering a super built area of below 60,000 Sq.ft., do not require any 'Consent to Establish', but such housing complexes should ensure the above conditions mentioned in (i) to (iv) ;

3.. In case of any public complaint the West Bengal Pollution Control Board would take necessary action against any housing complex for discharging obnoxious substances or for creating any environmental hazards violating the environmental norms as stipulated under the Water (Prevention & Control of Pollution) Act, 1974, the Air (Prevention & Control of Pollution) Act, 1981 and Environment (Protection) Act, 1986 and rules made thereunder.

4.. It is iterated that housing complexes having 100 flats or above or super built area of 60,000 Sq.ft. or above should obtain 'Consent to Establish' from the West Bengal Pollution Control Board as per the direction issued earlier under Memo No. 2910(1-147)-41L/WPB-2003 dated 26-12-2003, with intimation to all the local authorities.

5.. 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,

(Syamal Kumar Sarkar)
Member-Secretary,
West Bengal Pollution Control Board