

# MAHARASHTRA POLLUTION CONTROL BOARD

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"Your Service is our Duty"

No. MPCB/JD(WPC)/TB-3/B- 250421-FTS-0025

Date : 21.04.2025

## CIRCULAR

**Sub :** Clarification on Revision of Consent Fees for Renewal of consent of Infrastructure Projects which are handed over to society.

**Ref :** 1) Circular No. MPCB/JD(WPC)/TB-3/B-01 dated 02/01/2024 regarding the revision of consent fees for infrastructure projects handed over to societies.  
2) Decision of 184<sup>th</sup> Board Meeting dated 10/03/2025.

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Vide above referred letter no. 2 the Board has issued a Circular regarding revision of consent fees for infrastructure projects handed over to societies. CREDAI, Pune Metro has submitted a representation dated 01/10/2024, wherein they have requested to issue a clarification regarding imposing penal fees for the infrastructure projects handed over to society, as some of the offices are imposing the penal fees to the society on the entire capital investment of the projects, instead of the Capital Investment (CI) incurred for the Sewage Treatment Plant (STP), Organic Waste Converter (OWC), Biodigesters, and their annual maintenance costs. Also requested to reduce the amount of Bank Guarantees imposed in the consents.

Therefore, in the 184<sup>th</sup> Board Meeting held on 10/03/2025, it was decided to issue a clarification regarding the process for consideration of handing over projects from the Builder/Developer to the Society, the calculation of Penal Fees, and the revision of the Bank Guarantee regime, as detailed below:

### **A. Requisite Documents for Consideration of CHS:**

1. **Society Registration Certificate** – Co-operative Housing Society/Housing Cooperative registered under *The Maharashtra Co-operative Societies Act, 1960*, duly signed by the competent authority as per the provisions of the said Act.
2. Conveyance Deed from Developer to Co-operative Housing Society OR Agreement between builder/developer and Co-operative Housing society.
3. Physical Handover Documents w.r.t. handover from Builder to Co-operative Housing Society.
4. Undertaking on society letterhead about taking over the project along with status of Pollution Control Systems. (Attached as Annexure 1 below).

The applications received along with the aforesaid documents only shall be considered as projects handed over to the Co-operative Housing Society/ housing cooperatives registered under the Maharashtra Co-operative Societies Act, 1960.

**B. Clarification on Penal Fees Calculation of CHS:**

1. Penal fees shall be levied only on the pollution control infrastructure investment (STP, OWC, DG Sets) as per Boards Circular dated 02/01/2024 on such handed over projects.
2. Any penal fees before handover to the CHS remains the responsibility of the developer and shall be recovered separately from the developer.

**C. Revised Bank Guarantee (BG) Regime of CHS:**

1. Co-operative Housing Society generating domestic effluent more than 100 CMD: Rs. 50,000/- Bank Guarantee for Operation & Maintenance of Pollution Control Systems.
2. Co-operative Housing Society generating domestic effluent less than 100 CMD: Rs. 25,000/- Bank Guarantee for Operation & Maintenance of Pollution Control Systems.

This clarification in Penal Fees calculation ensures that penal charges are aligned with the pollution control investments, providing relief to Co-op. housing societies while maintaining environmental compliance. Also, the revision in BG regime reduces the financial burden on housing societies while ensuring that pollution control systems are maintained effectively.

This circular shall also be applicable to the societies registered under the Maharashtra Ownership Flats Act, 1963 (MOFA).

All other conditions as specified in Circular No. MPCB/JD(WPC)/TB-3/B-01 dated 02/01/2024 remain unchanged and in force.

The above Circular will be in force with immediate effect from the date of issue.

  
(Dr. Avinash Dhakne, IAS)  
Member Secretary

**Copy submitted to:**

Hon'ble Chairman, MPCB, Sion, Mumbai - for favour of information

**Copy to:**

1. JD (APC) / JD (WPC) / AS (T) / PSO / RO (HQ)/ RO (BMW) /Law Officer-I/II- for information.
2. All Regional Officer / All Sub Regional Officer, MPCB for information & Necessary Action.  
-They are directed to circulate the said circular to all concerned.
3. CAO/ASO / EIC-For uploading on MPCB Website.



## Annexure 1

### Format of Undertaking on Society Letterhead.

Date:

To,

The Member Secretary,  
Maharashtra Pollution Control Board,  
Sion, Mumbai.

**Subject:** Undertaking regarding Handed over the Project.

**Respected Sir/Madam,**

We, the undersigned, representing the registered society **[Society Name]**, located at **[Address]**, hereby confirm the following:

1. The infrastructure project located at **[Project Address]** has been handed over to our society **[Society Name]** by the builder **[Builder/Developer Name]**.
2. We undertake the responsibility for ensuring compliance with environmental norms and conditions specified by MPCB.
3. We have installed STP-Sewage Treatment Plant of ---CMD capacity for --- CMD sewage generation. STP plant is operational and complying environmental norms.
4. We have installed OWC- Organic Waste Convertor of ---Kg capacity for Wet Waste generation of --- Kg/day. OWC plant is operational and complying environmental norms.
5. DG Sets of ---KVA is/ are provided with acoustic enclosures and stacks.
6. Attached herewith are the supporting documents for your reference:
  - a) Society Registration Certificate- Co-operative Housing Society/ housing cooperatives registered under Registrar of Cooperative Societies RCS/ District Deputy Registrar DDR.
  - b) Conveyance Deed from Developer to CHS- Co-operative Housing Society OR Agreement between builder/developer and society.
  - c) Physical Handover Documents w.r.t. handover from Builder to Society.

We request the Board to consider this undertaking while processing the consent for the project handed over to our society.

**Yours sincerely,**

[Authorized Signatory]  
(Signature and Seal)

**Name:** [-----]

**Designation:** [-----]

**On Behalf of Society Name:** [-----]