


MAHARASHTRA POLLUTION CONTROL BOARD

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No. BO/MPCB/AS(T)/Circular/B- 240229 FTS 0122

Date: 29/02/2024

CIRCULAR

Sub: Imposing 12% Interest on Non-Submission of Bank Guarantee within prescribed time limit imposed by The Board – reg.

Ref: 1) Minutes of 182nd Board Meeting held on 12/02/2024.

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MPC Board is statutory body and implementing various Environmental laws in the state of Maharashtra. Board is granting conditional consents to industries, HCE's, Local Bodies, etc., under section 26 of The Water (Prevention & Control of Pollution) Act, 1974, under section 21 of The Air (Prevention & Control of Pollution) Act, 1981 and under rule 5 of The Hazardous & Other Waste (Management and Transboundary movement) Rule, 2016 by stipulating certain terms & conditions for prevention & control of pollution in the state of Maharashtra.

In order to, ensure compliance of Environmental Laws/Acts, Board is imposing Bank Guarantee to industries, HCE's, Local Bodies, etc., in the consents accorded/directions issued. Bank Guarantee is one of the important tools for monitoring compliance of the industries, HCE's, Local Bodies, etc.

It is observed that some of the industries, HCE's, Local Bodies, etc., are not submitting Bank Guarantees imposed by the Board, therefore if any non-compliance such as Non provision of pollution control system, Discharge of untreated effluent into environment by bypassing the ETP, Exceedance of JVS reports of treated trade effluent etc., are observed, it is difficult to recover penalty from the industry on the basis of Polluters to pay principle.

Maharashtra Pollution Control Board in its 182nd Board meeting held on 12/02/2024, has decided to impose 12% interest as a penalty on industries, HCE's, Local Bodies, etc., for non-submission of Bank Guarantee within prescribed time limit imposed by the Board.

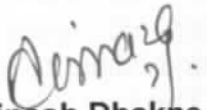
Accordingly, 12% interest will be imposed from the date of actual imposition of BG on industries, HCE's, Local Bodies, etc., for non-submission of Bank Guarantee within prescribed time limit imposed by the Board.

Industries, HCE's, Local Bodies, etc., which have been imposed with the condition of Bank Guarantee in the consents accorded/directions issued by the Board and those industries which have not submitted the Bank Guarantees will have to submit the Bank Guarantees immediately. This circular will come into force from 01st March 2024 & accordingly the days to impose 12% interest for non-submission of Bank Guarantee will be calculated from the prescribed time limit imposed by the Board for submission of Bank Guarantee up to actual submission of Bank Guarantee.

This circular is applicable to all pending Bank Guarantees.

The 12% interest amount to be paid by PP through online e-payment gateway only.

All the Officers of the Board should implement this circular scrupulously without fail.


(Dr Avinash Dhakne, IAS)
Member Secretary

Copy submitted to: The Hon'ble Chairman, MPC Board Mumbai- for favor of information.

Copy to:

1. All HODs, MPC Board Mumbai. - **For information & necessary action**

Copy to:

1. All Regional Officer, MPC Board. **They are directed to ensure that the above shall be brought to the notice of all Industrial Associations in their jurisdiction & give wide publicity.**
2. All Sub-Regional Officer, MPC Board. **They are directed to ensure that the above shall be brought to the notice of all Industrial Associations in their jurisdiction & give wide publicity.**
3. SO/EIC- **He is directed to host the circular on Board's website.**