



HARYANA STATE POLLUTION CONTROL BOARD

C-11 Sector-6, Panchkula

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No. HSPCB/Consent-1/2017/

Dated:

To

1. All the Regional Officers of the Board.
2. All the Branch Incharges in Head Office of the Board.

Sub: Procedure for grant of the permission for change of name or ownership of the unit or transfer of interest of a person in his industry to any other person, in the Board's record.

Kindly refer to the subject noted above.

It has been observed that there is no set procedure in the Board to deal with the applications for grant of the permission for change of name or ownership of the unit or transfer of interest of a person in his industry to any other person, in the Board's record due to which decision on such applications are delayed. Therefore, it has become necessary to lay down the procedure to deal with such applications. This matter has also been considered and discussed in the meeting of Technical Advisory Committee (TAC) while finalizing the consent procedure, held on 10.08.2017 and 09.10.2017.

In view of above and considering the provision of section 21 (7) of Air (Prevention and Control of Pollution) Act, 1981, the following procedure is prescribed herewith for grant of the permission for change of name or ownership of the unit or transfer of interest of a person in his industry to any other person, in the Board's record:-

1. In case any unit changes its nomenclature (name) only, then such unit will apply on the prescribed performa attached herewith as **Annexure-A**, through the concerned Regional Office of the Board for grant of permission for change of its name in CTE/CTO and in other records of the Board, alongwith the documents as given in the Checklist of the documents attached herewith as **Annexure-I**, at serial no. 1.

Regional Officer will submit the details and his recommendation to Head Office for approval on the prescribed performa attached herewith as per **Annexure-B**.

In case there is only change in the ownership of the unit without change in its nomenclature (name), the copy of fresh memorandum of article & association or partnership deed or proof of proprietorship, as the case may be, shall be submitted through the concerned Regional Office who in turn will forward a copy of the same to Head Office alongwith his comments.

2. Where a unit, to whom consent has been granted by the Board, transfers his interest in the industry to any other person/unit, by its sale or otherwise, such consent shall be deemed to have been granted to such other person/unit after grant of permission by the Board for the same and such other person/unit shall be bound to comply with all the conditions subject to which it was granted as if the consent was granted to such other person/unit originally.

In such cases the unit transferring his interest in the industry to any other person/unit, will intimate the Board for the same through concerned Regional Office and request to allow transfer of his interest in the industry on the prescribed format attached herewith as per **Annexure-C** alongwith the documents as given in the Checklist of the documents attached herewith as **Annexure-I** at serial no. 2.

Regional Officer will submit the details and his recommendation to Head Office for approval on prescribed performa attached herewith as per **Annexure-D**.

3. Where an existing unit is purchased or taken on lease by another unit and the new unit apply to the Board for grant or renewal of CTE/CTO in his name such units will first obtain the permission for change of name and other details of the existing unit, purchased or taken on lease by such units, in the record of the Board including transfer of interest of such industry in their name for which an application for the same on the prescribed performa attached herewith as **Annexure-C**, alongwith the documents as given in the Checklist of the documents attached herewith as Annexure-I at serial no. 2, through concerned Regional Office.

Regional Officer will submit the details and his recommendation to Head Office for approval on the prescribed performa attached herewith as per **Annexure-D**.

4. Applications for change of name of the unit or transfer of interest in the industry to any other person/unit, will be decided at the level of Head Office on the recommendation of concerned Regional Officer.

The concerned Branch in Head Office dealing with consent management, will submit the proposal to the authorities on the format on the prescribed performa attached herewith as per **Annexure-E** for approval.

You are asked to comply with the above procedure for grant of the permission for change of name or ownership of the units or transfer of interest of a person in his industry to any other person, in the Board's record, with immediate effect.

DA/As above.

Sr. EE-I (HQ)
For Chairman

Endst. No. HSPCB/Consent-1/2017/ 5750

Dated: 10/11/17

A copy of the above is forwarded to the following for information and necessary action:-

1. Environmental Engineer -cum- Nodal Officer of the HSPCB, Haryana Enterprises Promotion Centre (HEPC) Bay No. 63-64-65-66, Sector 2, Panchkula.
2. Nodal Officer (IT) for uploading on the website of the Board for the notice of all concerned

DA/As above.

Sr. EE-I (HQ)
For Chairman

Endst. No. HSPCB/Consent-1/2017/

Dated:

A copy of the above is forwarded to the following for information of the officers:-

1. PS to Chairman
2. PA to Member Secretary

DA/As above.

Sr. EE-I (HQ)
For Chairman

Performa for submission of application by the units for change of their name in the record of HSPCB as per the change in the permission granted by the competent authority.

(In case of change of name of unit without change in ownership/process/raw material/products)

1.	Name & address of the unit registered with the Board	:	
2.	New name of the unit after change as per registration certificate issued from the registration authority i.e. Deptt. of Industries & Commerce/Registrar of companies/Societies etc.	:	
3.	Name and designation of authorized signatory of the applicant unit.	:	
4.	Reasons for the change in the name of the unit	:	
5.	Competent authority for change of name of the unit	:	
6.	Date and authority granted the permission for change of name	:	
7.	Status of CTO/authorization of the old unit with validity if granted; (a) Under Water Act, 1974 (b) Under Air Act, 1981 (c) Under HOWM Rules, 2008/2016 (d) Any other applicable Rules	:	
8.	In case CTO/authorization applied and not decided then name of the unit (existing or new) applied CTO.	:	
9.	Capital investment cost of the unit on land, building, plant & machinery (without depreciation) based upon latest balance sheet of the unit.	:	
10.	Detail of CTE/NOC fees; (i) Applicable (in Rs.) (ii) Deposited amount with detail of DD No., date and Bank/online transaction no./date. (iii) Balance amount, if any	:	
11.	Manufacturing process, raw materials and products of the unit.	:	
12.	Detail of change in name, ownership or transfer of interest of the unit, if any done in the past	:	
13.	Detail of supporting documents attached (as per checklist)	:	
14.	Declaration; (i). That I am the authorized signatory of my unit to submit this application. (ii). That there is/will be no change in the ownership/ manufacturing process /raw materials/ products of the industry and in case of any such change is proposed in future, prior consent to establish and/or other required permissions will be taken from the HSPCB. (iii). That we shall comply with all the terms and conditions what so ever imposed by the Board while giving permission for change of name of the unit in the record of HSPCB.	:	

Date:

Place:

(Signature)
Authorized Signatory
(as per column no. 3)

Checklist of supporting documents to be submitted by the unit

1. Power of attorney/authorization letter
2. Copy of latest CTO/Authorization
3. Copy of fresh registration certificate issued from Industries & Commerce Department or from Registrar of Companies/societies or from any other concerned authority, as the case may be, with changed name of the unit.
4. Proof of NOC/CTE fees deposited.
5. Proof of capital investment cost of the unit on land, building, plant & machinery (without depreciation) based upon latest balance sheet of the unit, attested by CA.

Be

Checklist of documents

1. For only change of nomenclature (name) of the unit in the record of the Board:

- (a) Power of attorney/authorization letter
- (b) Copy of latest CTO/Authorization
- (c) Self declaration regarding no change in the ownership process/raw material/products of the unit.
- (d) Copy of fresh registration certificate issued from Industries & Commerce Department or from Registrar of Companies/societies or from any other concerned authority, as the case may be, with changed name of the unit.
- (e) Proof of NOC/CTE fees deposited.
- (f) Proof of capital investment cost of the unit on land, building, plant & machinery (without depreciation) based upon latest balance sheet of the unit, attested by CA.

2. For transfer of interest of a person in his industry to any other person or Where an existing unit is purchased or taken on lease by another unit and the new unit apply to the Board for grant or renewal of CTE/CTO in his name:

- (a) Power of attorney/authorization letter
- (b) Copy of latest CTO/Authorization
- (c) Copy of fresh registration certificate issued from Industries & Commerce Department or from Registrar of Companies/societies or from any other concerned authority, as the case may be, in favour of the new unit.
- (d) Proof of NOC/CTE fees deposited.
- (e) Proof of capital investment cost of the unit on land, building, plant & machinery (without depreciation) based upon latest balance sheet of the unit, in case unit is taken on lease/rent/mortgaged or based upon sale deed registered with revenue authorities, in case the existing unit has been sold.
- (f) Copy of sale deed/rent deed/mortgaged deed/lease deed etc. as applicable registered from revenue authorities.

Performs for recommendation of Regional Officer regarding grant of permission for change of name of unit in record of HSPCB as per the change in the permission granted by the competent authority.
 (In case of change of name of unit without change in ownership/process/raw material/products)

1.	Name & address of the unit registered with the Board	
2.	New name of the unit after change as per registration certificate submitted by the unit issued from the registration authority.	
3.	Competent authority for change of name of unit	
4.	Reasons for the change in the name of the unit.	
5.	Status of Consent to establish/operate and authorization (as applicable) with validity if granted.	
6.	Date and authority granted the permission for change of name	
7.	In case CTO/authorization applied and not decided then name of the unit (existing or new) applied CTO.	
8.	Whether deposited the required and applicable CTE/NOC fees (Yes/No)	
9.	Amount of CTE/NOC fees deposited and mode of payment alongwith balance NOC fee if any.	
10.	Date of receipt of application and subsequent clarification submitted (if any) in Regional Office.	
11.	Date of submission of recommendation to Head Office.	
12.	Status of Registration of new name of unit with concerned authorities.	
13.	Detail of supporting documents submitted by the unit and attached with recommendation.	
14.	Whether submitted all the required documents by the unit as per checklist. If not then submit the detail of such documents not submitted.	
15.	Manufacturing process / raw materials /products of the unit.	
16.	Whether there is any change in the ownership, manufacturing process, raw material and products of the unit.	
17.	Recommendation of Regional Officer.	

Dated: _____

 Regional Officer

 Region



Annexure-C

Form for submission of application for transfer of consent and interest from one industry to another industry due to sale or other reasons and replacement of their name and ownership in the record of HSPCB
(Without change in process/raw material/products)

1.	Name & address of the existing unit registered with the Board	:	
2.	Name of the new unit transferred interest of the existing unit as per registration certificate issued from the registration authority i.e. Deptt. of Industries & Commerce/Registrar of companies/Societies etc.	:	
3.	Name and designation of authorized signatory of the applicant unit.	:	
4.	Competent authority for registration of name of unit.	:	
5.	Date and authority where the unit registered its name.	:	
6.	Status of CTO/authorization of the existing unit with validity if granted; (a) Under Water Act, 1974 (b) Under Air Act, 1981 (c) Under HOWM Rules, 2008/2016 (d) Any other applicable Rules	:	
7.	In case CTO/authorization applied and not decided then name of the unit (existing or new) applied CTO.	:	
8.	Capital investment cost of the unit on land, building, plant & machinery (without depreciation) based upon latest balance sheet of the unit, in case unit is taken on lease/ rent/mortgaged or based upon sale deed registered with revenue authorities, in case the existing unit has been sold.	:	
9.	Detail of CTE/NOC fees; (i) Applicable (in Rs.) (ii) Deposited amount with detail of DD No., date and Bank/online transaction no./date. (iii) Balance amount, if any	:	
10.	Detail of change in ownership	:	
11.	Manufacturing process/raw materials/products of the unit.	:	
12.	Detail of change in name, ownership or transfer of interest of the unit, if any done in the past	:	
13.	Detail of supporting documents attached (as per checklist)	:	
14.	Declaration: (i). That I am the authorized signatory of my unit to submit this application. (ii). That there is/will be no change in the manufacturing process / raw materials /products of the industry and in case of any such change is proposed in future, prior consent to establish and/or other required permissions will be taken from the HSPCB. (iii). That we shall comply with all the terms and conditions what so ever imposed by the Board while transferring the consent/other clearances and giving permission for replacement of name of the unit in the record of HSPCB.	:	

Date:
Place:

(Signature)
Authorized Signatory
(as per column no. 3)

Name & address of
applicant unit:

Checklist of supporting documents to be submitted by the unit

1. Power of attorney/authorization letter
2. Copy of latest CTO/Authorization
3. Copy of fresh registration certificate issued from Industries & Commerce Department or from Registrar of Companies/societies or from any other concerned authority, as the case may be, in favour of the new unit.
4. Proof of NOC/CTE fees deposited.
5. Proof of capital investment cost of the unit on land, building, plant & machinery (without depreciation) based upon latest balance sheet of the unit, in case unit is taken on lease/rent/mortgaged or based upon sale deed registered with revenue authorities, in case the existing unit has been sold.
6. Copy of sale deed/rent deed/mortgaged deed/lease deed etc. as applicable registered from revenue authorities.
7. Copy of fresh memorandum of article & association or partnership deed or proof of proprietorship, as the case may be of the new unit, transferred the interest of the industry.

Checklist of documents

Annexure-I

1. For only change of nomenclature (name) of the unit in the record of the Board:

- (a) Power of attorney/authorization letter
- (b) Copy of latest CTO/Authorization
- (c) Self declaration regarding no change in the ownership process/raw material/products of the unit.
- (d) Copy of fresh registration certificate issued from Industries & Commerce Department or from Registrar of Companies/societies or from any other concerned authority, as the case may be, with changed name of the unit.
- (e) Proof of NOC/CTE fees deposited.
- (f) Proof of capital investment cost of the unit on land, building, plant & machinery (without depreciation) based upon latest balance sheet of the unit, attested by CA.

2. For transfer of interest of a person in his industry to any other person or Where an existing unit is purchased or taken on lease by another unit and the new unit apply to the Board for grant or renewal of CTE/CTO in his name:

- (a) Power of attorney/authorization letter
- (b) Copy of latest CTO/Authorization
- (c) Copy of fresh registration certificate issued from Industries & Commerce Department or from Registrar of Companies/societies or from any other concerned authority, as the case may be, in favour of the new unit.
- (d) Proof of NOC/CTE fees deposited.
- (e) Proof of capital investment cost of the unit on land, building, plant & machinery (without depreciation) based upon latest balance sheet of the unit, in case unit is taken on lease/rent/mortgaged or based upon sale deed registered with revenue authorities, in case the existing unit has been sold.
- (f) Copy of sale deed/rent deed/mortgaged deed/lease deed etc. as applicable registered from revenue authorities.

Performa for recommendation of Regional Officer regarding grant of permission for transfer of consent and interest from one industry to another industry due to sale or other reasons and replacement of their name and ownership in the record of HSPCH (Without change in process/raw material/products)

1.	Name & address of the applicant unit	
2.	Name & address of the existing unit registered with the Board	
3.	Name of the new unit transferred interest of the existing unit as per registration certificate issued from the registration authority.	
4.	Competent authority for registration of name of unit.	
5.	Date and authority where the unit registered its name.	
6.	Status of Consent to establish/operate and authorization (as applicable) with validity if granted.	
7.	In case CTO/authorization applied and not decided then name of the unit (existing or new) applied CTO.	
8.	Whether deposited the required and applicable CTE/NOC fees (Yes/No)	
9.	Amount of CTE/NOC fees deposited and mode of payment alongwith balance NOC fee if any.	
10.	Date of receipt of application and subsequent clarification submitted (if any) in Regional Office.	
11.	Date of submission of recommendation to Head Office.	
12.	Status of Registration of name of new unit with concerned authorities.	
13.	Detail of supporting documents submitted by the unit and attached with recommendation.	
14.	Whether submitted all the required documents by the unit as per checklist. If not then submit the detail of such document; not submitted.	
15.	Manufacturing process / raw materials /products of the unit.	
16.	Whether there is any change in the manufacturing process / raw material /products of the unit.	
17.	Recommendation of Regional Officer.	

Dated: _____

 Regional Officer

 Region

Performa for submission of proposal by the concerned Branch in Head Office dealing with consent management for the cases of permission for change of name of the units or for transfer of consent and interest from one industry to another industry due to sale or other reasons and replacement of their name and ownership in the record of HSPCB.

1.	Subject:- (Type of case; Whether for grant of permission for change of nomenclature (name) of the unit without other changes or for transfer of consent and interest from one industry to another industry due to sale or other reasons and replacement of their name and ownership in the record of HSPCB.)	
2.	Regional Officer submitting the recommendation alongwith recommendation.	
3.	No. and date of letter vide which recommendation submitted	
4.	Date of receipt of application in Regional Office	
5.	Date of receipt of the case in Head Office	
6.	Name & address of the applicant unit	
7.	Name of the existing unit already registered with HSPCB	
8.	New name of the unit after change as per registration certificate submitted by the unit issued from the registration authority. (in case of change of name without other changes) Or Name of the new unit transferred interest of the existing unit as per registration certificate issued from the registration authority.	
9.	Whether deposited required and applicable NOC fee as per report of RO.	
10.	Status of CTO under Water Act/Air Act and authorization with validity if granted.	
11.	In case CTO/authorization applied and not decided then name of the unit (existing or new) applied CTO.	
12.	Whether submitted all the required documents as per checklist.	
13.	In case of shortcomings in the documents, detail of such documents	
14.	Status of Registration of new name/ new unit's name with competent authority with date	
15.	Competent authority for registration of name of unit.	
16.	Detail of change in name, ownership or transfer of interest of the unit, if any done in the past	
17.	Manufacturing process/raw materials/products of the unit.	
18.	Observation of the Branch.	
19.	Proposal of the Branch.	