

# MAHARASHTRA POLLUTION CONTROL BOARD



**Minutes of 2<sup>nd</sup> Consent Appraisal Committee Meeting of 2012 held on 29.05.2012 at 15:00Hrs at Conference Hall, MPC Board, Kalpataru Point, 4<sup>th</sup> Floor, Sion Circle, Sion (E), Mumbai - 400 022**

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The Consent Appraisal Committee meeting of the Board held on 29.05.2012. Following Members of the Consent Appraisal Committee were present:

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| 1. Shri. J. S. Sahni,<br>Chairman, MPC Board, Mumbai            | Chairman         |
| 2. Shri. Milind Mhaskar,<br>Member Secretary, MPC Board, Mumbai | Member Secretary |
| 3. Shri. P. P. Nandusekar<br>Representative, MIDC, Mumbai       | Member           |
| 4. Shri. Rakesh Kumar,<br>Scientist & Head, NEERI, Mumbai       | Special Invitee  |

The Secretary, Home (Transport) Dept., Mantralaya, Mumbai, Member could not attend the meeting. Leave of absence was granted to him.

Chairman of the committee welcomed the members of the committee and allowed proceeding of the meeting to start. The minutes of the 1<sup>st</sup> Consent Appraisal Committee (CAC) held on 16.4.2012 circulated under Board's letter No. B-2512 dated 19/04/2012 were confirmed. The follow up action report of CAC meetings held earlier on 05.12.2011 to 16/04/2012 were placed before the CAC and noted.

The meeting thereafter deliberated on the agenda items placed before the committee and following decisions were taken.

Agenda No.	Name of Industry	Decision on grant of consent	Consent granted up to	Remarks/Discussion
1	M/s. EON Hinjewadi Infrastructure Pvt. Ltd., Hotel Courty Yard, S. No. 19/2 and 20/1-9, Rajiv Gandhi Infotech Park, Hinjewadi, Tal. Mulshi, Dist. Pune	Approved 1 <sup>st</sup> Operate	31/10/2013	-
2	Hotel Leela Kempinski Sahar Mumbai - 59, Andheri Kural Road, Andheri Sahar, Mumbai	Approved Renewal	31/08/2016	The opinion given by CAO was circulated during meeting. It is mentioned in opinion that as per accounting standard a notification of Ministry of

				Corporate Affaires dt. 31.03.2009 reduction in capital investment of Fixed Assets is allowed and hence consent fee may be calculated on reduced value of Fixed Assets.
3	M/s. Wardha Power Ltd., Phase-II of 270 MW, MIDC warora, Chandrapur	Approved Renewal	31/01/2013	It was decided to grant consent with the following conditions 1. Encash the existing BG of Rs. 10 Lakhs against the non-compliance of consent conditions. 2. Industry shall submit fresh BG of Rs. 20 lakhs to achieve consented standards
4	Thyssenkrupp Engine Components India Pvt. Ltd., G No.392, A/p-Gondhe, Vill- Wadivarhe, Tal- Igatpuri, Dist - Nashik	Approved 1 <sup>st</sup> operate	30/09/2013	It was decided to grant consent to operate for a period upto 30/09/2013 after obtaining additional consent fees for one year, and with the following conditions: 1. It was decided to encash BG of Rs. 5 Lakhs 2. It was decided to obtain BG of Rs. 5 Lakhs towards O & M of ETP and STP
5	M/s. Western Coal Fields Ltd., Umred Open Cast Project, Tal- Umred, Dist - Nagpur	Approved Renewal	31/12/2012	It was decided to grant consent to operate with condition that 1. Encash the existing BG of Rs. 10 Lakhs against the non-compliance of consent conditions. 2. Industry shall submit fresh BG of Rs. 20 lakhs to achieve consented standards
6	WCL Mungoli Opencast Mine, Po. Sakhara (Kolgaon), Mungoli Sub Area, Dist. Yavatmal	Approved Renewal	31/12/2012	It was decided to grant renewal of consent for mining capacity of 1.5 TPA & for expansion up to 2.5 TPA capacity the case shall be referred to RRZ Committee and revert back to CAC for approval. 1. Encash the existing BG of Rs. 5 Lakhs against the non-compliance of consent conditions. 2. Industry shall submit fresh BG of Rs. 10 lakhs to achieve consented standards
7	Mahanidra and Mahindra Ltd., F-1 & 7 MIDC Hingna, Nagpur	Approved 1 <sup>st</sup> Operate of Expansion	31/01/2014	-
8	Gupta Energy Ltd., Kh No.89, Usgaon, Chandrapur	Approved 1 <sup>st</sup> Operate	31/03/2013	-
9	M/s. Posco Maharashtra Steel Pvt. Ltd., Plot No. C-1, MIDC Bhagad, Tal-Mangaon, Dist - Raigad	Approved 1 <sup>st</sup> operate	28/02/2014	It was decided to grant consent to operate with condition that industry shall achieve BOD Standard 30 mg/l
10	M/s. Posco Maharashtra Steel Pvt. Ltd., Plot No. C-1, MIDC Bhagad, Tal-Mangaon, Dist - Raigad	Approved Amendment consent to establish	Commissioning of the unit or 5 years whichever is earlier	It was decided to amend the consent to establish with condition that industry shall achieve BOD Standard 30 mg/l

11	Tata Steel Ltd., (Cold Rolling Coils & Sheets) Plot No.S-76, MIDC Tarapur, Dist - Thane	Approved Establish for Expansion	Commissioning of the unit or 5 years whichever is earlier	-
12	M/s. Maharashtra State Power Generation Co. Ltd., Nashik Thermal Power Station, P.O. Eklahare, Dist. Nashik	Approved Renewal	30/06/2012	It was decided to grant consent to operate for period upto 30/06/2012 with condition that 1. Industry shall submit fresh BG of Rs. 50 lakhs to achieve consented standards
13	M/s. Balaji Amines (Power Plant) Tamalwadi, Osmanabad	Approved Renewal	31/01/2013	It was decided to grant consent with condition that 1. Industry shall submit fresh BG of Rs. 5 lakhs towards the O &M of pollution control system so as to achieve the consented standards
14	M/s. Mumbai International Airport Pvt Ltd, Chhatrapati Shivaji International Airport , Terminal 1B, 1st floor , Santacruz (E), Mumbai-400099	Approved renewal of consent with amalgamation of 1 <sup>st</sup> consent to Operate	31/05/2014	It was decided to grant consent with condition that 1. Industry shall submit fresh BG of Rs. 10 lakhs towards the O & M of pollution control system so as to achieve the consented standards 2. Release the existing B.G. of Rs.80 Lakh
15	M/s. Neptune Venture & Developers Pvt Ltd (Magnet Mall), Plot bearing CTS no: 372,372/1 to 65, LBS Marag, Village: Kanjur, Tal: Kurla , Mumbai	Not Approved 1 <sup>st</sup> Operate	-	The case was deferred & It was decided to call verification from RO for adequacy of STP capacity and noise pollution levels within 15 days and revert back to CAC.
16	Cadbury India Ltd A/p. Induri, Tal- Maval, Dist- Pune	Approved Establish (Expansion)	Commissioning of the unit or 5 years whichever is earlier	It was decided to grant consent subject to condition of no increase in pollution load. with condition that Industry shall submit the BG of Rs. 50 lakhs for the compliance of the same
17	Cadbury India Ltd A/p. Induri, Tal- Maval, Dist- Pune			
18	Ballarpur Industries ltd, (Asthi) Tq- Charmorshi, Dist- Gadchiroli.	Approved Renewal	31/12/2014	
19	Brinton Carpet Asia Pvt. Ltd, Vill- Urvade, Tq- Mulshi, Dist- Pune.	Approved Establish (Expansion)	Commissioning of the unit or 5 years whichever is earlier	Industry has taken trail run without obtaining necessary permission from the Board. Hence, it was decided to obtain a resolution from Company's Board that they have started the operation without obtaining necessary permission from the Board and violated the provisions of Environmental Laws and If industry authority fails to submit the above said resolution within one month period, consent will be treated as cancelled.  Call verification report from RO within 15 days period.

20	Bombay Rayon Fashion Ltd. Plot No. G-95,MIDC Tarapur, Tq- Palghar, Dist- Thane	Approved 1 <sup>st</sup> Operate	31/05/2013	It was decided to grant consent to operate for a period up to 31/05/2013 after obtaining requisite consent fees with the following conditions: 1. Industry has started the operation without obtaining consent to operate from the Board. Hence, it was decided to obtain a resolution from Company's Board that they have started the operation without obtaining consent to operate from the Board and violated the provisions of Environmental Laws and in future, they will not do such violations. If industry authority fails to submit the above said resolution within one month period, consent will be treated as cancelled.  2. Industry shall submit the BG of Rs. 5 lakhs to comply with ZERO Discharge
21	Ruchi Soya Industries Ltd. Patalganga. Sarvoli-Kharpada Road, Isambe, Khalapur, Raigad	Approved 1 <sup>st</sup> Operate (Expansion) with Amalgamation	-	It was decided to grant consent to 1 <sup>st</sup> operate with amalgamation after verification report from RO regarding up-gradation of ETP within 15 days
22	M/s. Bhima SSK Ltd., Madhukarnagar, Patas, Tal. Daund, Dist. Pune	Renewal not approved	-	It was decided to refuse the consent. Industry shall comply direction issued by Board and then apply for fresh renewal of consent
23	M/s. B S Ispat (Sponge Iron Plant) 101 & 190, Vill-Salori Yenasa, Chandrapur	Approved 1 <sup>st</sup> Operate	30/04/2013	It was decided to grant consent with condition that 1.Industry shall submit fresh BG of Rs. 5 lakhs towards the O & M of pollution control system so as to achieve the consented standards
24	M/s. Wockhardt Hospitals Ltd., Plot No. 1877, Dr. Anand Rao Nair Marg, Near Police Stn. Byculla, Mumbai-	Approved Establish	Commissioning of the unit or 5 years whichever is earlier	It was decided to grant consent in RED category
25	Classic Citi Investments Pvt. Ltd. 36/3B, Vill. Ghorpadi, Tal. Havelli, Koregaon, Park, Pune	Approved Renewal	31/03/2017	It was decided to grant consent with condition that 1.Industry shall submit fresh BG of Rs. 5 lakhs towards compliance of consent conditions
26	Nirmal Lifestyles Ltd., (Hotel & Shopping Mall), Vill. Nahur, Mulund -W, Mumbai-	Approved Establish (Expansion)	Commissioning of the unit or 5 years whichever is earlier	Industry has started the Construction without obtaining consent to establish from the Board. Hence, it was decided to obtain a resolution from Company's Board that they have started the construction without obtaining consent to establish

				from the Board and violated the provisions of Environmental Laws and in future, they will not do such violations. If industry authority fails to submit the above said resolution within one month period, consent will be treated as cancelled.
27	M/s. Raddisson Blu (5 Star Hotel), Unit Of Bestech Hospitalities Pvt. Ltd., KH. No. 32/2-3, 37/1-C, Mauza-Somalwada. Tal. Dist. Nagpur -	Approved 1 <sup>st</sup> to Operate	31/05/2014	AST informed that the Hotel authority has paid the additional consent fees
28	M/s. Western Coal Fields Ltd., Ukni Deep Open Cast Mine, Vill- Ukho, Po-Bhallar, Tal- Wani Dist - Yavatmal	Not approved Establish for Expansion	-	It was decided to issue SCN for refusal of consent for non satisfying RRZ policy.
29	M/s. Bridgestone India Pvt. Ltd., (Phase-II), Plot No. A-43, MIDC Chakan Phase-II, Tal- Khed, Dist - Pune	Approved Establish	Commissioning of the unit or 5 years whichever is earlier	-
30	M/s. Precision Automation & Robotics (I) Ltd., G No.463 A, 463 B, 464, A/p- Dhangarwadi. Tal-Khandala, Dist - Satara	Approved Establish (Expansion)	Commissioning of the unit or 5 years whichever is earlier	Industry has completed erection work up to 90% without obtaining consent to establish from the Board. Hence, it was decided to obtain a resolution from Company's Board that they have started the erection work without obtaining consent to establish from the Board and violated the provisions of Environmental Laws and in future, they will not do such violations. If industry authority fails to submit the above said resolution within one month period, consent will be treated as cancelled.
31	AAM India Mfg Coporation Pvt. Ltd., Gat No. 787 & 788, Hingan, Tal- Parner, Ahmednagar	Approved Establish (Expansion)	Commissioning of the unit or 5 years whichever is earlier	-
32	M/s. JSW Steel Ltd., Plot no. B-6, MIDC Tarapur, Navapur Road, Boisar, Tal-Palghar, Thane	Approved Renewal	30/04/2015	It was decided to grant consent with condition that 1. Industry shall submit fresh BG of Rs. 10 lakhs towards the O & M of pollution control system so as to achieve the consented standards 2. 10 lakh BG is already encashed and remaining existing B.G. of Rs. 3.10 Crs shall be released.
33	M/s. Force Motors Ltd., Mumbai - Pune Road, . Akurdi, Pune	Approved Renewal	31/03/2015	It was decided to grant consent with condition that 1. Industry shall submit fresh BG of Rs. 10 lakhs towards

				the O & M of pollution control system so as to achieve the consented standards 2. Industry shall phase out existing incinerator within next 6 month period as it is not as per CPCB approved standards for incinerator and also dispose sludge to hazardous waste facility at Ranjangaon
34	M/s. Bajaj Auto Ltd., Plot No. A-1, MIDC Chakan, Mahalunge, Tal- Khed, Dist Pune	Approved Renewal	30/03/2015	It was decided to grant consent with condition that 1. Industry shall submit fresh BG of Rs. 5 lakhs towards the O & M of pollution control system so as to achieve the consented standards. 2. No need to CAAQMS
35	M/s. Apple Sponge and Power Ltd., C-4, Five Star MIDC Indl. Area, Kagal, Kolhapur	Approved Renewal	31/03/2014	It was decided to grant consent with condition that 1. Industry shall submit fresh BG of Rs. 5 lakhs towards the O & M of pollution control system so as to achieve the consented standards 2. Encash the existing BG of Rs. 3 Lakhs for non compliance of standard
36	M/s. Can Pack India Pvt. Ltd., H-14/1, MIDC Waluj, Dist - Aurangabad	Approved Establish	Commissioning of the unit or 5 years whichever is earlier	-
37	Lloyds Metals & Energy Ltd., Plot No. A-1&2, MIDC Ghugus, Dist. Chandrapur	Approved Renewal with Amalgamation	31.10.2013	It was decided to grant consent to operate for a period up to 31/10/2013 after obtaining additional consent fees for one year,  1. Industry shall install additional CAAQMS as per previous consent to operate granted by the board on 28/12/2010 within of 4 month by obtaining BG of Rs. 5 Lakhs 2. Industry shall dispose off the solid waste which is accumulated within their premises for disposal within period of one year. by obtaining BG of Rs. 2 Lakhs 3. Industry shall educe the result of AAQMS stalk to the consented norms by operation as Silo Commissioned for collection of ash for obtaining BG of 3 Lakhs
38	Cummins Technologies India Ltd., B-3/1, Phaltan SEZ Ind. Area, Tal. Phaltan, Dist. Satara	Approved Establish	Commissioning of the unit or 5 years whichever is	

			earlier	
39	M/s. Mazgaon Dock Ltd, Dock Yard Road, Mazgaon Mumbai -10	Not approved		It was decided to issue SCN for refusal of consent for non obtaining of CRZ clearance and EC
40	M/s. Reliance Infocomm Infrastructure Pvt Ltd, TTC Industrial Area DAKC Koparakhari, Navi Mumbai	Not Approved		The case was deferred and it was decided to verify STP Design within 15 days through report from RO. Obtain BG of 2 Lakhs for giving explanation for increase in CI within 15 days and revert back to CAC for approval.
41	M/s. Adhiraj Construction Pvt Ltd , MMRDA ( Rental Housing Scheme) residential township project – Adhiraj Upscale , Plot Survey no: 64,67,68,69,70,71,72,76,77,86,88,89,90,91&99, vill: Rohinan , Tal Panvel Dist : Raigad	Approved to Establish	Commissioning of the unit or 5 years whichever is earlier	
42	M/s. Kanhan river Project ( Kochi Barrage ), Vill: Kochi, Tal: Saoner , Dist: Nagpur	Approved to Establish	Commissioning of the unit or 5 years whichever is earlier	
43	Reliance Industries Ltd, Vill - Dahali, Tal - Mouda, Dist - Nagpur	Approved for 1 <sup>st</sup> Operate	31.03.2013	It was decided to grant consent with condition that 1. Industry shall submit fresh BG of Rs. 5 lakhs towards the O & M of pollution control system so as to achieve the consented standards
44	Lokmangal Mauli Industries Ltd. Gat No.67,68,69,70,80,Vill- Lohara ( Khurd), Tq- Lohara, Dist- Osmanabad	Approved to Establish	Commissioning of the unit or 5 years whichever is earlier	It was decided to grant consent subject to Environmental Clearance
45	Dr. Babasaheb Ambedkar SSK Ltd. Arvindnagar, Post - Keshgaon, Dist - Osmanabad	Approved to Establish	Commissioning of the unit or 5 years whichever is earlier	It was decided to grant consent subject to Environmental Clearance
46	Urjankur Shree Tatyasaheb Kore Warana Power Co. Ltd. Gat No. 630, A/p. Warananagar, Kolhapur.	Not Approved 1 <sup>st</sup> Operate		Kept in Abeyance till conditions of C to E complied with
47	Eurotex Industries And Exports Limited, Plot No. E-23,M.I.D.C Gokul Shirgaon, Dist- Kolhapur.	Approved Renewal	31.03.2014	It was decided to grant consent with condition that 1. Industry shall submit fresh BG of Rs. 5 lakhs towards the O & M of pollution control system so as to achieve the consented standards
48	Tessitura Monti India(P) Ltd ,Gat No. -147, Vill - Tamgaon, Karveer, Dist- Kolhapur.	Approved Renewal with amalgamation	31.12.2012	It was decided to grant consent with condition that 1. Encash the existing BG of Rs. 1 Lakhs against the non-compliance of consent conditions.

				2. Industry shall submit fresh BG of Rs. 5 lakhs to achieve consented standards
49	Raymond Zambaiti Pvt Ltd Plot No-T-1, Five Star M.I.D.C Kagal-Hatkanangale	Approved Renewal with 1 <sup>st</sup> consent to operate	30.03.2015	It was decided to grant consent with condition that 1. Encash the existing BG of Rs. 5 Lakhs against the non-compliance of consent conditions. 2. Industry shall submit fresh BG of Rs. 10 lakhs to achieve consented standards
50	M/s. Shri Dudhganga Vedganga SSK Ltd, Bidri (Mouninagar), Tal - Kagal, Dist - Kolhapur	Approved for Renewal	31.12.2012	It was decided to grant renewal of consent with condition that 1. Industry shall submit BG of Rs. 5 Lakhs for O & M of ETP and Air Pollution Control devices so as to achieve the consented standards 2. Industry shall submit BG of Rs. 2 Lakhs for providing necessary arrangements to cover the effluent collection system and to avoid the ingress of bagasse and other materials 3. Kaccha lagoon shall be dismantled by December 2012 and BG of 2 lakhs shall be obtained to comply with the same.
51	M/s. Lenzing Modi Fibres, Plot No-M-1 & M-2 Additional MIDC Patalganga, Raigad.	Not Approved Amendment (Establish)		As per ANNEXURE
52	M/s. Sandoz Pvt Ltd, Plot No-L-1 MIDC Mahad dist- Raigad.	Not Approved Establish (Expansion)		1. Industry shall submit certificate from IIT/UDCT for No Increase in Pollution load & total Production quantity 2. AS (T) to confirm applicability of EC. 3. Effluent discharge parameters shall be as per E(P) Rules, 1986 as amended on 09.07.2009 & shall include Bio-assay. AOX may be considered, if applicable.
53	M/s. Jubliant Life Sciences, Vill- Nimbhut Nira, Tal- Baramati, Dist- Pune	Approved Renewal with amalgamation	31.12.2012	
	<b>Review item</b>			
1	Chevrolet Sales India Pvt. Ltd., Plot No. A-16, MIDC Talegaon, Nr Floriculture Park, Tal- Maval, Dist - Pune			As per ANNEXURE
2	JSW Steel Ltd., B-7/1, MIDC Tarapur, Tal. Palghar, Dist. Thane	Approved Renewal		It was decided to grant separate consent for Power Project
3	M/s. Mukund Ltd., Thane	Approved		It was decided to grant



	Belapur Road, Post office Kalwa, Thane	Amendment		amendment of consent with condition industry shall dismantle power plant within 1 year period and submit BG of 5 lakhs to comply with the same.
4	M/s. Bilt Graphics Paper Products Ltd., Po- Ballarpur, Dist – Chandrapur			Board has granted conditional consent to industry vide dt. 03.01.2012 valid up to 31.07.2016 1. Encash the existing BG of Rs. 5 lakhs against consent condition of 11 b 2. Encash existing BG of Rs. 10 lakhs against consent condition of 11 c 3. Encash BG of Rs. 10 Lakhs against 11 d 4. Obtain double amount of (Rs. 50 Lakhs) BG against this consent condition 11b/ 11c/ 11d
5	M/s. Lloyds Steel Industries Ltd., (Steel Division), Bhugaon road, Dist - Wardha			Encash existing BG of 5 Lakhs for non installation of CAAQMS and obtain fresh BG of 10 Lakhs for installation of the same valid up to 30 Sept 2012.
6	M/s. Avantha Power & Infrastructure Ltd., Ballarpur , Tal - Ballarpur, Dist - Chandrapur			Encash existing BG of 10 Lakhs for non installation of CAAQMS and obtain fresh BG of 20 Lakhs for installation of same valid up to 30 Sept 2012.
7	M/s. Neeljay OCM, WCL, Wani Area, Po - Bellora, Tal - Wani, Dist - Yavatmal	Waving of consent condition Sr. no 17 of submission of Board resolution is not approved		It was decided to inform project proponent that the request made to wave consent condition Sr. No. 17 is rejected.
8	Status of revocation of consent as on 26.04.2012			It was decided to withdraw the revocation order in respect of four units who have submitted BG. 1. M/s. EPCOS Power Generation Company, Satpur, Nashik 2. Maharashtra State Power Generation Company Ltd. Khaparkheda, Nagpur 3. Maharashtra State Power Generation Company Ltd. Chandrapur Super Thermal Power Station, Urja Nagar, Chandrapur 4. Maharashtra State Power Generation Company Ltd. Balapur, Akola
9	Status of Consent granted under Auto Renewal Scheme - 2 cases	...	...	Discussed
10	List of Direction issued in	...	...	As per ANNEXURE

	respect of CAC cases by respective Regional Officers as on 21.05.2012			
	<b>Table Item</b>			
1	M/s. Bal Krishna Industries Ltd. B-66 MIDC, Walunj Aurangabad	Approved Consent to establish for expansion	Commissioning of the unit or 5 years whichever is earlier	
2	M/s. Inox air Product Ltd. Plot No. B- 93 Vilage Bagad MIDC area, Tal – Mangad, Dist – Riagad	Approved Establish	Commissioning of the unit or 5 years whichever is earlier	
3	Classic Stripes Pvt. Ltd. Village Pelhar, Tal – vasi, Dist –Thane	Approved Renewal of Consent	31.12.2012	It was decided to grant consent with condition industry shall submit BG of 5 lakhs for O & M
4	Rashtriya Chemical and Fertilizers Ltd. Thal unit, village – Thal, Waishet, Tal – Alibaug, Dist - Raigad	Approved Establish for Expansion	Commissioning of the unit or 5 years whichever is earlier	
5	M/s. Maharashtra State Power Generation Co. Ltd., Bhusawal Thermal Power Station, Unit No. – 5 At Deepnagar Tal – Bhusawal, Dist. Jalgaon	Not Approved 1 <sup>st</sup> operate		It was decided to revert back to CAC after receipt of completion report from RO regarding the pollution control systems etc.
6	M/s. Maharashtra State Power Generation Co. Ltd., Bhusawal Thermal Power Station, Unit No. – 2 and 3, At Deepnagar Tal – Bhusawal, Dist. Jalgaon	Not approved Renewal		It was decided to issue SCN for refusal of consent for non compliance of consent condition.
7	M/s. Maharashtra State Power Generation Co. Ltd., (1x660 MW) Thermal Power Station, at Pimprisekam Tal – Bhusawal, Dist. Jalgaon	Approved Consent to establish for expansion	Commissioning of the unit or 5 years whichever is earlier	

The consents shall be disposed after obtaining necessary consent fee difference from the industry as per GoM, Revised Consent fee structure dt. 25.08.2011

Further, CAC discussed on following points;

1. The issue of outstanding direction was discussed in CAC in detail, and it was decided that SLO will issue the circular to take further action.
2. Board is granting consent to the industries with compliance of certain specific conditions and it was found that some industries are not complying with the conditions. Therefore, it was decided that HOD shall submit the compliance report of specific conditions stipulated in consents of CAC industries within one week period.
3. HOD shall submit status report of Bank Guarantee within one week period.
4. The industry shall submit bank guarantee within 15 days period after issuance of consent. The bank guarantee obtained for Operation and Maintenance of Pollution control system will be coterminus with the consent validity period.

The meeting ended with vote of thanks to the Chair.

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## ANNEXURE

1. **CAC Item No. 51: M/s.Lenzing Modi Fibres India Pvt.Ltd., Plot No.M-1 & M-2, Addl.MIDC Patalganga, Dist: Raigad** :- The Item No.51 was discussed at length in the CAC. The issue which has arise for consideration is whether the circular dtd.1/6/2009, prescribing the validity period in respect of establishment of the project as per the prior Environmental Clearance granted to it can be retrospectively made applicable to M/s.Lenzing Modi Fibres India Pvt.Ltd. ?.

After going through the circular, which has been issued on the basis of the provision contained in the EIA Notification dtd.14/09/2006 in Clause-9 about the validity of Environment Clearance, which has been prescribed for the River Valley projects as 10 years, for mining projects maximum of 30 years and for other projects 5 years. The circular has been issued on 1/6/2009, specifically mentioning that the change in the validity period of Consent to Establish is to be implemented with an immediate effect i.e. from the date of circular itself. In the said circular, it has been made clear that in case, the project is not commissioned within the validity period, the project proponent will be required to apply afresh with necessary fees for consent to establish.

The present project proponent had applied for first consent to establish on 21/09/2005, which was granted on 1/10/2005. At that time, there was no provision prescribing validity period for grant of consent to establish for 5 years. Therefore, the first consent to establish was granted without mentioning any validity period for establishing the project. The consent was granted for a period upto commissioning of the unit.

Thereafter, on 8/4/2010, change in the name of the project was granted by amendment in the consent dtd.8/4/2010 without any change in earlier consent conditions. One more amendment granted on 12/1/2011 without any change in the consent conditions.

The earlier circular is being made applicable from 1/6/2009. Therefore, after due deliberations in the CAC Meeting, it was decided that the projects, which are not commissioned within the validity period are required to apply afresh with necessary fees for consent to establish. In the present case, since, the project proponent had applied afresh with necessary conditions for consent to establish, the Board may communicate it that as per EIA Notification dtd.14/09/2009 at clause-9, since the validity of Environment Clearance was only 5 years and therefore, for not commissioning the project within 5 years time, as per Circular dtd.1/6/2009, the project proponent was required to apply afresh with necessary fees for consent to establish and therefore, the fees cannot be refunded. The project proponent is at liberty to file an appeal before the Appellate Authority in case aggrieved by the decision of the CAC.

The present fresh application for consent to establish is considered for grant of consent to establish subject to the condition that the project proponent shall commission its project within 5 years from the date of consent to establish granted to it. It was decided to issue afresh Circular incorporating EIA Notification clause about validity of consent to establish applicability after 14/09/2012.

2. **CAC Review Item No.10** : After going through a list of directions issued in respect of CAC cases by the respective Regional Officers as on 21/5/2012 and the present status reports in respect of the compliance of various conditions imposed in the said directions by the Respective Regional Officers received by return of email, it was observed that most of directions are old and in spite of sufficient time & opportunity given to industry, no compliance/s of various conditions imposed upon industry have been observed. In some cases, though proposed directions are issued, those directions have not been finalized and no further action so far initiated. In cases of grant of restart permission long back, subject to the compliance of certain conditions in the stipulated time, no further compliance is brought on record and those directions are also not been closed/treated as complied, by issuance of

appropriate communication to that effect or reporting that the directions have been fulfilled / complied.

Sr.Law Officer(P&L Divn.) pointed out that the Rule-4 of the Environment (Protection) Rules, 1986 framed by the Ministry of Environment & Forests, Govt. of India under Section 5 of the Environment (Protection) Act, 1986, lays down the detailed procedure to be followed while initiating action u/s 5 of the Environment (Protection) Act, 1986. It was also pointed out that the final directions are to be given within a period of 45 days from the date of receipt of the objections, if any or from the date upto which, an opportunity is given to file objections, whichever is earlier, after consideration the objections if any received. All the directions issued in the CAC cases needs to be reviewed in the light of these provisions of Law. Regional Officers/Sub-Regional Officers are therefore requested to carry out the review & revert back to CAC about the outstanding directions that are legally valid.

3. **CAC Table Item - Sharing of dock pipeline in JNPT by Ganesh Benzoplast Limited, JNPT-**

The matter was discussed at length in the CAC held on 29/05/2012 and the committee approved the proposal for sharing of pipeline subject to the amendment in the consent conditions of M/s Ganesh Benzoplast Limited(GBL) about the modification and compliance of environmental norms. It was decided to grant permission to share the pipeline of M/s Deepak Fertilizers and Petrochemicals Corporation Limited by M/s GBL for optimal utilization of the tank farms and to carry out necessary modifications in their pipeline inside/outside their terminal end for sharing it to route acetic acid. M/s GBL will apply for an amendment in the Consent giving details of modification and expenditure incurred thereon as well as the arrangement being provided for cleaning of the pipeline and treatment of residue generated/ spillage etc due to washing and handling of above chemical. It was decided to communicate accordingly to both the companies in reply to the communication received from M/s Deepak Fertilizers and Petrochemicals Corporation Limited . The amendment to consent is accordingly to be done after receipt of the amendment application

4. **Review Item No.1 - M/s. Chevrolet Sales India Pvt. Ltd., Pune:** - M/s. Chevrolet Sales India Pvt. Ltd., MIDC Talegaon, Pune has applied for separate consent to operate for its warehouse activity of automobile components on the ground that M/s. Chevrolet Sales India Pvt. Ltd. has been de-merged from M/s. General Motors India Pvt. Ltd., which had initially obtained combined consent with the manufacturing & part distribution centre, which was valid up to 31/08/2011. The Sub-Regional Officer, MPCB, Pune - II reported that M/s. General Motors India Pvt. Ltd. has subleased the PDC activity to M/s. Chevrolet Sales India Pvt. Ltd., which consist of sales & warehouse activity. The subleased copy is submitted along with an Undertaking of projected capital investment of Rs.76 Crores.

The issue of demerger was discussed and it was pointed out that such a demerger on sublease basis or otherwise will invite unnecessary precedent, promoting the practice of transferring non-industrial activity, connected to main manufacturing process to subleasing and disturb/affect the integrated consent management approach. There will be tendency to delete non-industrial activities from main industrial activity and this should not be promoted.

It was, therefore, decided that since the activity of sales & warehouse has been part & parcel of M/s.General Motors India Pvt. Ltd. main production activity, both the consent applications will be amalgamated and one consent will be granted in the name of M/s.General Motors India Pvt.Ltd. on Plot No.A-16, MIDC Talegaon, Tal: Maval Dist: Pune.

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