

# MAHARASHTRA POLLUTION CONTROL BOARD

## Minutes of the 4<sup>th</sup> Meeting of Environment Clearance Committee held on 21/1/2014

The 4<sup>th</sup> Meeting of Environmental Clearance Committee was held on 21/1/2014, in respect of the proposals referred to the EC Committee from the HoDs and Subject Incharge. The Committee examined the proposals from the point of view of the applicability of the EC, based on the available record. During the meeting, the following Members were present.

1. Shri D. T. Devale, Chairman  
Sr.Law Officer(P&L Divn.),  
Maharashtra Pollution Control Board,  
Mumbai.
2. Shri P.K. Mirashe, Member  
Asstt.Secretary (Technical),  
MPCB, Mumbai.
3. Shri B. B. Nimbarte, Member  
Joint Director(WPC),  
MPCB, Mumbai.
4. Shri Deepak Bansod, Member Convener  
Field Officer(AST Section),  
MPCB, Mumbai.

The following proposals were discussed and it was decided to submit report to the Authorities subject to the condition that this report shall not be considered as an exemption from obtaining EC. The interception / clarification is based on the Notification and Circulars issued by the Ministry of Environment & Forests, Govt. of India from time to time. The report is submitted subject to the condition that the Competent Authority(SEIAA/IAA) reserves its right to review such cases in the public interest, if material facts justifying the need for such review come to light. Similarly, the clarification has been issued in pursuance of the circular issued by the Ministry of Environment & Forests, Govt. of India (IA Division) vide No.F.NO.J-11013/41/2006-IA-II (I), dtd.14/12/2006.

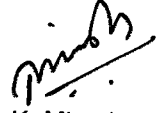
Sr. No	Name of the industry	Issues to be examined	Recommendation of the Committee.
1	Vision Pharmacoat Pvt Ltd, Gat No-397/B/1,A/P Chandanpuri,Tal- Malegaon,Dist-Nasik	PSO has reported that industry is engaged in mfg of synthetic chemicals and E.C is applicable.  Hon'ble M.S. has raised question that if E.C is applicable then how R.O can grant Consent to Establish to the Industry.  PSO has remark about applicability of E.C for mfg of synthetic organics	Mythyl Acrylic Acid Co-Polymer is synthetic organic polymer and attract provisions of 5(f), Category-A of EIA Notification, 2006.  The issue was raised by M/s.Brilliant Polymers Pvt.Ltd., MIDC Ambernath stating that speciality polymer based products are generally formulations that are sold on the basis of their performance and are usually formulated to solve a particular

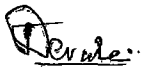
			<p>problem and therefore, such companies involved in manufacturing of speciality chemicals may be exempted from Environment Clearance. The issue has been referred to the Environment Deptt., Govt. of Maharashtra for onward submissions to the MoEF, Gol for appropriate clarifications. However, nothing has been clarified till date and therefore, while granting consent, we may impose condition to obtain prior EC before taking any effective steps.</p>
2	<p>Sandvik Asia Pvt Ltd, Mumbai-Pune Road, Dapodi, Pune-412220</p>	<p>CAC dtd-12/07/2013 decided to keep the case in abeyance &amp; revert to CAC after re-examining E.C applicability for increased BUA of additional building.</p> <p>Industry vide letter dtd-30/07/2013 has submitted that they are not exceeding the limit of 20,000 sq.mtrs of construction during 2008 to 2013 and hence not required to obtain E.C.</p> <p>JD APC has referred the case to committee constituted by board to confirm applicability of E.C</p>	<p>While considering the proposal, total construction i.e. existing BUA + proposed BUA will have to be taken into consideration. If, existing + proposed BUA is above 20,000 sq.mtrs., then for new construction, EC will have to be obtained along with existing activity. The renewal of existing activity can be granted and for additional construction, if total BUA above 20,000 sq.mtrs., then, condition of prior EC to be imposed.</p> <p>Since, existing construction is 45,660 sq.mtrs. built up area and further construction is also done during the period 2008 to 2013, it requires EC.</p>
3	<p>ITC Limited, Foods Division, D-1, MIDC Ranjangaon, Tal-Shirur, Dist Pune</p>	<p>The application was discussed in the Consent Committee meeting of the Board dtd.22.08.2013 and it was decided to refer the case to EC committee of Board and Application was discussed in the EC Committee meeting dt. 21.09. 2013 and it was decided on the basis of clarification further decision can be taken.</p> <p>SRO Pune-II vide letter dt.30.11.2013 reported that industry have mentioned in the application that existing built up area is 38702.21 Sq. mtrs and for storage shed for briquettes the proposed area will be 4809 Sq. mtrs, and now industry vide letter dt. 25.11.2013 has submitted that they will make only temporary shed with base and MS structure to store briquettes.</p>	<p>ITC Ltd. requested that it will construct temporary shed of 4,809 sq.mtrs. with base &amp; MS structure to store briquettes.</p> <p>As per effective steps definition on the basis of MoEF's circular, acquisition of land with fencing of the land as well as temporary sheds for Guards to protect the land from encroachments is only permissible.</p> <p>We may consider grant of consent/renewal for the BUA of 30,702.21 sq.mtrs. only with the condition that for further effective steps, EC will have to be obtained, as per EIA Notification, 2006 and standard condition of effective steps can be imposed.</p>

4	M/s. Arch Hydro Power Project Pvt Ltd Bemla Hydro Electric Project (1MW) Tq- Babhulgaon Dist- Yavatmal	Boards APC section has received letter from M/s. Arch Hydro Power Project Pvt Ltd stating that they have been awarded the project Bemla Hydro Electric Project (1MW) which is below the 25 MW and does not require E.C. APC submitted for clarification regarding requirement of E.C.	<p>As per entry No.1(c) of Schedule of activities requiring prior EC under EIA Notification, 2006, River Valley Projects above 25 MW to 50 MW hydro electric power generation with less than 10,000 ha. of culturable command area requires EC from the State Govt.</p> <p>In the present case, as per the communication received from Additional Director, MoEF, GoI, independent hydro electric projects less than 25 MW do not require EC from any Regulatory Agency.</p> <p>In the instant case, M/s.Arch Hydro Power Projects Pvt.Ltd. by its letter dtd.26/11/2013 in Chapter-4 , which is enclosed to its letter made it clear that the main canal is 113 KM in length and has irrigation potential of 47,000 ha. Out of which, 10,468 ha. irrigation potential is created in 2006-2007 and 27,832 ha. irrigation potential is proposed to be created upto June, 2009. It is also mentioned that the work of construction of canal is under progress.</p> <p>Therefore, the Committee on the basis of the contentions in Chapter-4 is of the view that on the face of record, there appears to be culturable command area and unless, it is repeated, the condition will have to be imposed in respect of EC.</p>
---	---	---	--

The minutes shall be circulated to all the HoDs and concerned HoD/Subject Incharge to process their pending applications for consent in respect of the above proposals as per delegation of powers and decide in the CC / CAC Meetings, as the case may be, grant of consent to such units.

  
(B. B. Nimbarte)  
Joint Director(WPC)

  
(P. K. Mirashe)  
Asstt. Secretary(Tech.)

  
(D. T. Devale)  
Sr. Law Officer