

MAHARASHTRA POLLUTION CONTROL BOARD

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Opp. Sion Circle, Sion (East)
Mumbai-400 022.

No.: BO/CAC Cell/TB/B- 1305

Date: 10.04.2015.

To,
M/s. Utech Sugars pvt. Ltd.,
A/p. Kavthe Malkapur, Tal. Sangamner,
Dist. Ahmednagar.

Sub: Reinstate the Consent to Establish granted by the Board vide dtd.
06.08.2013.

Ref: 1. Consent to Establish granted by the Board vide no. BO/JD (WPC)/
EIC No. NK-13493/E/CAC-6643 dtd. 06.08.2013.

2. Withdrawal/ cancellation of Consent to Establish granted by the Board
vide letter dtd. 12.06.2014.

3. Order passed by the Appellate Authority dtd. 10.02.2015.

4. Minutes of CAC meeting held on 10.03.2015.

5. Order passed by the Hon'ble NGT Pune vide dtd. 31.03.2015.

The Board has granted Consent to Establish for your 3800 TCD sugar unit & 14 MW co-gen unit vide under reference no. 1. The said Consent was withdrawal / cancelled by the Board vide letter dtd. 12.06.2014, only on the grounds of distance criteria as stipulated in the RRZ policy dtd. 13.07.2009.

Being aggrieved by the withdrawal order dated 12/6/2014, you had filed an Appeal under Section 28 of the Water (Prevention & Control of Pollution) Act 1974 & 31 of the Air (Prevention & Control of Pollution) Act, 1981 before the Appellate Authority.

The said Appeal was heard by the Appellate Authority on 09.09.2014, 10.11.2014, 15.12.2014 & 06.02.2015 respectively & passed an order dtd. 10.02.2015 and remand back the matter to MPCB to reinstate the Consent to Establish, as distance criteria was the only reason for its withdrawal. MPCB is

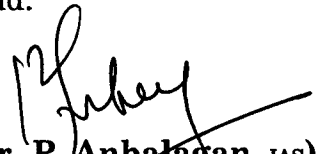
also directed to examine the matter in light of the order passed by the Appellate Authority & proceed with further actions in a time bound manner.

Accordingly the order passed by the Appellate Authority was placed before the CAC meeting held on 10.03.2015 and it was decided to reinstate the Consent to Establish and to withdraw the revocation order with following conditions –

1. The Consent is reinstated without prejudice to the order passed or being passed by the Hon'ble NGT, Pune in application filed by Shri Dinkar Sitaram Dhulgand.
2. Industry shall comply with the Directions issued by the Hon'ble NGT, Pune in its order dtd. 25.02.2015.
3. All the conditions of Consent to Establish granted by the Board vide dtd. 06.08.2013 remain unchanged.

In view of above as per the decision taken in CAC meeting held on 10/3/2015, your Consent to Establish is hereby reinstate subject to following conditions –

1. All the conditions of Consent to Establish granted by the Board vide consent dtd. 06.08.2013 remain unchanged.
2. The Consent to Establish is reinstated without prejudice to the order passed or being passed by the Hon'ble NGT, Pune in the Application No. 20/2014 filed by Shri Dinkar Sitaram Dhulgand.


(Dr. P. Anbalagan, IAS)
Member Secretary

**Copy Submitted for information to:-
Principal Secretary, Environment Department & Hon'ble Chairman,
Appellate Authority, Mantralaya, Mumbai.**

Copy for information to:-

1. Sr. Law Officer (P & L Divn.)/ Joint Director (WPC) M. P. C. B. Mumbai.
2. Regional Officer, Nashik / Sub-Regional Officer – Ahmednagar