

# MAHARASHTRA POLLUTION CONTROL BOARD

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Mumbai : 400 022

No. MPCB/JD (WPC)/B: 4793

Date: 20/11/2014.

## CIRCULAR

To,  
Regional Officer, Mumbai/Thane/Kalyan/Raigad/Pune/Navi Mumbai  
Kolhapur/ Aurangabad/ Nashik/ Amravati/  
Nagpur/ Chandrapur, MPC Board.

**Sub:** Grant of restart and consent to unconsented units under closure directions

**Ref:** Restart application for unconsented unit.

Hon'ble National Green Tribunal, New Delhi has passed an order dated 08/05/2013 in application No. 37/2012 filed by Wassan Singh V/s. State of Punjab, directing the concerned SPCB/CPCB for the Action Taken Report (ATR) in the Registry of the Tribunal to ensure that all the procedures for sealing the illegally/Run/operated factories/units is immediately undertaken without waiting for further orders.

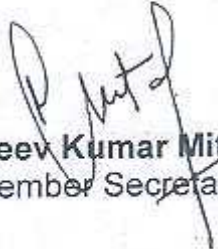
Accordingly, MPCB (HQ)/Regional Offices have issued voluntary closure orders to the non-complying units which were operating without consent of the Board.

During the scrutiny of the restart applications, it is observed that such restart applications are incomplete in respect of information, and it is difficult to take decision on restart. There appears to be confusion among officers about whether to grant restart orders first and then to consider grant of consent to such unconsented units? It is therefore clarified that, it will be imprudent to give restart to the unit, which is otherwise not eligible for grant of consent. The following procedure be followed henceforth.

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1. It is important that on receipt of request for restart, the application for grant of consent to be processed simultaneously by competent authority. You are aware that the Board has delegated power for grant of consent vide office order No. BO/P&L Divn./B-1160, dated 01/03/2013 for quick disposal and reduce pendency of the consent application.
2. The Competent authority should take in principle decision on grant of consent to unconsented unit and submit restart proposals which are fit for grant of consent along with draft consent and restart order for seeking approval to restart from Member Secretary.
3. After obtaining approval on restart order, consent should be issued as per delegation of power simultaneously, without any delay, preferably on the same day.

This circular shall come into force immediately.

  
(Rajeev Kumar Mittal)  
Member Secretary

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All HOD's, MPC Board, Mumbai.

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