

When a Chimney Met Its Fate: Solapur's 92-Meter Tower vs. Aviation Safety

On 15 June 2023, the city of Solapur witnessed a rare event – the demolition of a 92-meter industrial chimney at the Siddheshwar Cooperative Sugar Factory.



👉 The operation unfolded like a front-page news story:

- 🚔 Police protection & Section 144 ensured law and order.
- ✂️ The reason? The towering stack was obstructing operations at the long-pending Solapur Airport.
- 🏛️ Declared illegal in 2017, the chimney survived five years of litigation before finally being reduced to rubble.





Image credit : Zee News

The Legal Journey

- The Airports Authority of India (AAI), citing the Civil Aviation (Height Restrictions for Safeguarding of Aircraft Operations) Rules, 2015, limited permissible height at the site to ~30 m AGL [around 493.96 m Above mean sea level (AMSL)]
- The factory had built a 92-m chimney, citing environmental clearance requirements.
- AAI objected, declared it illegal → notices issued by civic authorities in 2017 → legal challenges followed.

Current Status

- Even though the chimney was demolished in June 2023, the legal battle continues in the Supreme Court under Civil Appeal No. 5731 of 2023 (Shree Siddheshwar Sahakari Sakhar Karkhana Ltd. vs. Sanjay Bhimashankar Thobde & Others).
- The SC has issued interim directions (on factory operations and compliance filings) but has not given a final word on the aviation clearance dispute.

Key Learnings for Industry

1 Environmental vs. Aviation Norms → Pollution-control designs (like tall stacks) cannot override flight safety.

2 Dual Clearance Is Mandatory → EC/Consent orders must be aligned with AAI NOC.

3 AMSL Matters More Than AGL → Height is judged against sea level, not just ground level.

4 Compliance Is a Web, not a Single Thread → Courts view clearances as parallel, not interchangeable

Takeaway

The Solapur chimney saga is a case study in holistic compliance:

- A project that satisfied environmental law failed because it overlooked aviation law.
- One missing NOC can undo years of investment, and even lead to demolition.

Case References:

- Shree Siddheshwar Sahakari Sakhar Karkhana Ltd. vs. Union of India & Ors., Bombay High Court, 2017 onwards.
- Civil Appeal No. 5731 of 2023, Supreme Court of India (pending)

 **Lesson for developers & power producers: When laws intersect, the tallest structure may fall if it casts a shadow on safety.**