

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH AT NEW DELHI
ORIGINAL APPLICATION NO. 206 OF 2020

IN THE MATTER OF:

VINIT KUMAR

...APPLICANT

VERSUS

M/s SIR SHADILAL DISTILLERY & CHEMICAL

WORKS PVT. LTD & ORS.

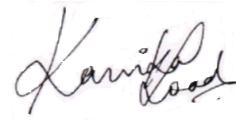
...RESPONDENTS

INDEX

SR. NO.	PARTICULARS	P. NOS.
1.	Additional documents and facts to be placed on record along with affidavit	157-159
2.	<u>Annexure P-1</u> A copy of the google earth image of the earthen pits of January, 2021 filled with spentwash within the premises of the unit	160
3.	<u>Annexure P-2</u> A copy of the photograph of the earthen pit filled with spentwash dated 25.01.2021	161

THROUGH


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PLACE: NEW DELHI**DATE: 29.01.2021**

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ADDITIONAL DOCUMENTS AND FACTS TO BE PLACED ON RECORD**ALONG WITH AFFIDAVIT**

- 1) The Applicant had filed the above application under Sections 14 and Section 15 read with Section 20 of the National Green Tribunal Act, 2010 raising a substantial issue related to the environment regarding the pollution caused by a Molasses based distillery (250KLPD) at village Mansurpur, tehsil Khatauli, district Muzaffarnagar in Uttar Pradesh owned and operated by Respondent No. 1, Sir Shadilal Distillery and Chemical Works.
- 2) That by order dated 24.09.2020, this Hon'ble Tribunal directed for a joint report by the CPCB and UPPCB upon the allegations raised by the Applicant. Thereafter, the UPPCB and the CPCB carried out a site inspection on 26.11.2020 and filed a report. The Report has clearly found the allegations made by the Applicant to be correct i.e. Respondent No. 1 has been discharging industrial effluent in the Mansurpur drain, and further within the premises of the unit, there are 5 lagoons/tanks filled with industrial effluent. The findings and conclusion of the Joint Committee is as follows:

"9. The Unit has 05 lagoons/tanks for the storage of spent wash near bio-compost yard within the premises and one storage tank at process area. The storage capacity of the 05 lagoons/tanks is more than the consented storage capacity granted by UPPCB i.e. more than 30 days equivalent of effluent generation which is violation of consent condition. All the lagoons and tanks were found filled with coloured effluent upto 60%-80% of their storage capacity during the visit. Sample analysis of one lagoon showed pH-5.2, BOD-62,250 mg/l, COD-1,84,200 mg/l, TS-2,08,870 mg/l.

4.3 Conclusion of the joint team of CPCB and UPPCB

During the joint visit of CPCB and UPPCB on 26.11.2020, the drain water quality results showed high BOD /COD value and low pH indicating industrial discharge resulting into contamination of the drain which meets Kali River (West) onwards and Kali River (West) is a tributary of Hindon River. The drain was carrying substantial amount of sludge which requires to be de-sludge upto 3 km and cost should be borne by the industry. During the joint visit, no effluent discharge from the unit premises was found, however, considering the presence of polluted /contaminated drain, 05 lagoons/tanks filled with untreated coloured effluent more than consented storage capacity, presence of flexible pipelines within the premises and past UPPCB visit report regarding untreated effluent discharge into the drain through flexible pipelines, it indicates that the unit intermittently discharge their untreated effluent into the drain which poses a serious threat to the surrounding environment and River Hindon water quality."

(emphasis supplied)

- 3) It is submitted that since the site inspection was carried out, the unit has temporarily stopped discharging the spentwash (industrial) effluent into the Mansurpur drain, and has also filled up the lagoon upto 100% (which was filled till 80% in the report). Respondent No. 1 has now dug up 5 earthen pits (kachhe gaddhe) where the spentwash is being stored and the same is leaching into the groundwater. A copy of the google earth image of the earthen pits of January, 2021 filled with spentwash within the premises of the unit is annexed here as **Annexure P-1.**
- 4) Further, there is one earthen pit outside the gate of the unit which is completely filled with spentwash and has started overflowing, which is leaching into the groundwater and causing land and water pollution. A copy of the photograph of the earthen pit filled with spentwash dated 25.01.2021 is annexed here as **Annexure P-2.**
- 5) That these are fresh violations and in continuation of the submissions filed by the Applicant to the Joint Inspection Report by the CPCB and the UPPCB. It is submitted that in light of the various observations and the nature of the industry and history of violations, the industry must be directed to be closed down permanently.

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AFFIDAVIT

I, Vinit Kumar s/o Ranbeer Singh, r/o Village Dulhaira, Post Kutba, District Muzaffarnagar, do hereby solemnly affirm and state as under:

1. That I am the Applicant in the above titled Original Application and am conversant with the facts and circumstances described in the present case and as such, I am competent to swear this affidavit.
2. That the contents of the accompanying document are true and correct and nothing material has been concealed therefrom.

[Signature]
DEPONENT

VERIFICATION

Verified on this 28 of Jan 2021 that the contents of the above mentioned affidavit are true and correct and nothing material has been concealed therefrom.

Certified that Mr. Vinit Kumar
S/o Mr. Ranbeer Singh
R/o Village Dulhaira, Post Kutba
Identified by Mr. Datta MZU
sworn the Contents of this affidavit
Before me on 28.01.2021 As
only per deposit.

[Signature]
DEPONENT

[Signature] 28.01.2021
NOTARY PUBLIC

ANNEXURE P-1



A copy of the image of the earthen pits of January, 2021 filled with spentwash within the premises of the unit

True Copy

Handwritten signature

ANNEXURE P-2



Earthen pit outside the gate of the Respondent No. 1' unit filled with spentwash dated 25.01.2021

True Copy

Chandrashekhar