

**BEFORE THE NATIONAL GREEN TRIBUNAL,
WESTERN ZONE BENCH PUNE**

ORIGINAL APPLICATION NO. 85 OF 2022 (WZ)

Sachin Sudamrao Pachpute

...Applicant

Vs.

Shahakar Maharshi Shivajirao Narayanrao

Nagawade SSK Ltd. (Sugar Unit) & Ors.

...Respondent(s)

ADDITIONAL AFFIDAVIT ON BEHALF OF THE RESPONDENT

NO. 1 IN COMPLIANCE OF THE ORDER DATED 11.01.2023

PASSED BY THIS HON'BLE TRIBUNAL IN O.A. NO. 85 OF 2022

PAPER BOOK

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Drawn on: 23.02.2023

Filed on: 23.02.2023



SANGRAMSINGH R. BHONSLE, SAMRIDHI S. JAIN,
NRUPAL A DINGANKAR, PUSHKARA A. BHONSLE,
SNEHA S. BHONSLE & RIWAJ RAI

ADVOCATES

A-10, LGF, LAJPAT NAGAR III, NEW

DELHI- 110024.

Ph: +91 7773969845.

Email: srb.chambers@gmail.com



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1 IN COMPLIANCE OF THE ORDER DATED 11.01.2023 PASSED BY

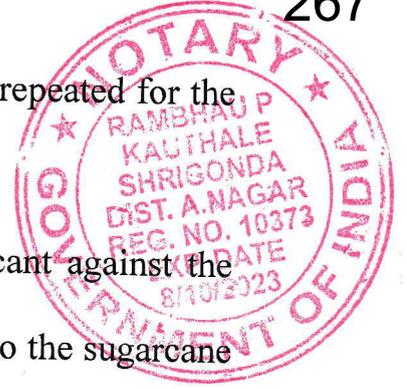
THIS HON'BLE TRIBUNAL IN O.A. NO. 85 OF 2022 (WZ)

I, Mr. Vijaysinh Shahaji Phalke, Age: 34 Years, Occupation: Environment Officer of the Respondent No. 1 Sugar Factory, Having Office At: Shrigonda Factory, Taluka Shrigonda, District- Ahmednagar- 413726, Maharashtra, do hereby state on solemn affirmation as:

1. That, I am the Authorized Representative of the Respondent No. 1 Sugar Factory and as such, well versed with the facts and circumstances arising in the present O.A. No. 85 of 2022 (WZ) and therefore competent to swear the present affidavit on behalf of the Respondent No. 1 before this Hon'ble Tribunal.
2. At the outset, it is submitted that the Respondent No. 1 has filed a detailed Reply to the contentions raised by the Applicant vide the present Original Application on 10.01.2023. The Respondent No. 1 seeks liberty of this Hon'ble

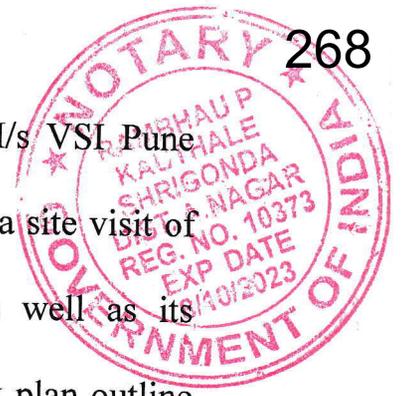
Phalke

Tribunal to rely upon the same and the contents therein are not repeated for the sake of convenience and brevity.



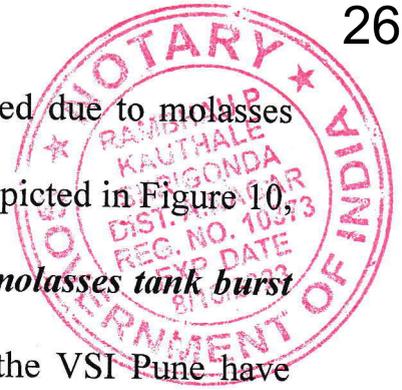
3. The present Original Application has been filed by the Applicant against the Respondent No. 1 industry alleging environmental damage due to the sugarcane crushing activity of the Respondent No. 1 industry in breach of the Renewal of Consent dated 23.12.2021 as well as the direction of the Stop Work Order dated 10.02.2022 issued by the Respondent No. 2 / MPCB against the Respondent No. 1 industry. Also, it has come on record in the present Original Application that on 10.02.2022, an accidental blast occurred at the molasses storage tank of the Respondent No. 1 industry. In this background, the Respondent No. 2, MPCB had issued Stop Work Order dated 10.02.2022 and also, on 17.10.2022 directed the Respondent No. 1 industry to carry out assessment of the contamination of the soil, cost of remediation and damage assessment through NEERI/IIT/VSI. In compliance of the Order dated 17.10.2022, issued by the Respondent No. 2, the Respondent No. 1 industry appointed VSI Pune for carrying out soil contamination assessment study including damages to the recipient environment and remedial measure thereto. In terms thereof, VSI Pune, in association with the Respondent No. 1 has been carrying out "Damage Assessment for Molasses Tank Burst Accident" occurred at the Respondent No. 1 industry.
4. The present matter was last listed before this Hon'ble Tribunal on 11.01.2023 whereby this Hon'ble Tribunal was pleased to consider the detailed Reply dated 10.01.2023 filed by the Respondent No. 1 industry. Vide the Order dated

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11.01.2023, this Hon'ble Tribunal was pleased to record that M/s VSI Pune along with the representative of the Respondent No. 1 conducted a site visit of the entire area in order to assess the impact of the blast as well as its consequence in the surrounding area and have chalked out a work plan outline in order to assess the contamination and to further curb its effect on the environment. It was further submitted on behalf of the Respondent No. 1 that M/s VSI Pune has only provided a copy of the Report on 'Assessment of the Contamination' of the Respondent industry and the Respondent No. 1 was still awaiting the Report on damage assessment. Vide the Order dated 11.01.2023 in the present matter, this Hon'ble Tribunal was pleased to grant further time to the Respondent No. 1 to bring on record the Damage Assessment Report by M/s VSI, Pune. In compliance of the Order dated 11.01.2023, the Respondent No. 1 is filing the present Additional Affidavit before this Hon'ble Tribunal. A copy of the Order dated 11.01.2023 passed by this Hon'ble Tribunal in O.A. No. 85 of 2022 i.e. the present case is enclosed herewith as **ANNEXURE R-1**. (Page No. **272** to **275**)

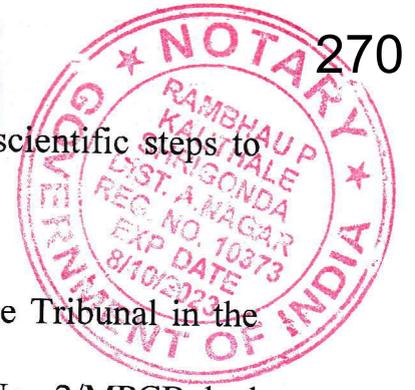
5. It is submitted that VSI Pune is conducting the damage assessment for molasses tank burst accident occurred at the Respondent No. 1 industry in 'phase wise manner'. The VSI Pune, has completed Phase 1 of the damage assessment and submitted a ***Damage Assessment Report (Phase 1) for molasses tank burst accident*** occurred at Respondent No. 1 industry. In phase 1, the VSI Pune recorded geographical location, raw material and finished material and storage details, environmental as well as climate conditions etc. On completion of the



same, the VSI Pune have recorded and marked area affected due to molasses spread and the same was demarcated on satellite image as depicted in Figure 10, 11 & 12 of the *Damage Assessment Report (Phase 1) for molasses tank burst accident* occurred at Respondent No. 1 industry. Further, the VSI Pune have also collected the samples of the soil as well as well water for the damage analysis from different areas surrounding the Respondent No. 1 industry categorized as 'low affected area, moderately affected, highly affected area and non-affected area'. A copy of the Damage Assessment Report (Phase 1) for molasses tank burst accident submitted by VSI Pune in February 2023 is enclosed herewith as **ANNEXURE R-2. (Page No. 276 to 298)**

6. It is submitted that the Respondent No. 1 industry on 23.02.2023 received a letter from the VSI Pune thereby informing that the analysis of the soil and well water sample is in the process and the VSI Pune would submit the final/Phase 2 Report for damage Assessment for molasses tank burst accident occurred at Respondent No. 1 industry by the end of the April, 2023. A copy of the letter dated 23.02.2023 issued by the VSI Pune to the Respondent No. 1 industry is enclosed herewith as **ANNEXURE R-3. (Page No. 299)**.
7. Therefore, the VSI Pune is undertaking further process of the 2nd Phase for damage Assessment for molasses tank burst accident occurred at Respondent No. 1 industry. The Respondent No. 1 is awaiting the analysis results of the soil and well water samples collected in Phase 1 from the VSI Pune. After the Respondent No. 1 receives the said analysis results and if at all any type of

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damage is found, the Respondent No. 1 industry shall take scientific steps to remediate the soil as well as well water contamination.

8. Also, vide the Order dated 11.01.2023 passed by this Hon'ble Tribunal in the present case, it has come on record that the Respondent No. 2/MPCB had passed an Order dated 09.01.2023 u/s 33A of the Water (Prevention and Control of Pollution) Act, 1974 r/w Environment (Protection) Act, 1986 assessing the damage of Rs. 84,70,000/- in this regard for the period from 09.02.2022 to 17.11.2022. It is pertinent to note that the Respondent No. 1 herein has filed an Appeal bearing No. 05 of 2023 (WZ) before this Hon'ble Court u/s 16(c) of the NGT Act, 2010 r/w section 33-B(c) of the Water (Prevention and Control of Pollution) Act, 1974 against the said Order dated 09.01.2023 passed by the Respondent No. 2/MPCB and the same is pending adjudication before this Hon'ble Tribunal.

Whatever stated herein above is true and correct to the best of my knowledge and belief and nothing material has been concealed there from. Also, the Annexures enclosed herewith this Affidavit are true copies of the Original Documents. Solemnly affirmed at Ahmednagar on 23rd day of Feb, 2023



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DEPONENT

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Shrigonda	2023

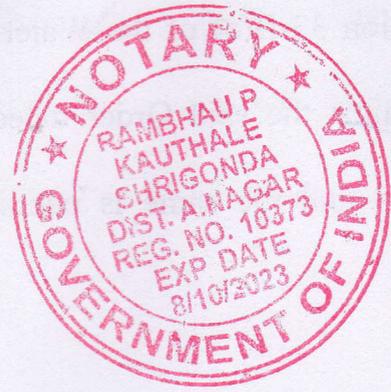


Prity

BEFORE ME

Solemnly affirmed before me
 by Vijayrinks Shiraji Phalke
 who is identified before me
 by S. S. Nale
 whom I personally know.

S. S. Nale
 I Know affiant



BEFORE ME
Rambhau P. Kauthale
RAMBHAU P. KAUTHALE
 NOTARY PUBLIC, GOVT. OF INDIA
 SHANI CHOWK, SHRIGONDA
 TAL. SHRIGONDA, DIST. A. NAGAR
 MOB: 9423463092 / 9595373537
 23 FEB 2023

Prity
 DEPARTMENT

ANNEXURE R-1

Item No. 2

(Pune Bench)

**BEFORE THE NATIONAL GREEN TRIBUNAL
WESTERN ZONE BENCH, PUNE**

(By Video Conferencing)

Original Application No. 85/2022 (WZ)
Caveat No. 12/2022

Sachin Sudamrao Pachpute

.....Applicant

Versus

Shahakar Maharshi Shivajirao Narayanrao
Nagawade SSK Ltd & Ors.

....Respondent(s)

Date of hearing: 11.01.2023

**CORAM: HON'BLE MR. JUSTICE DINESH KUMAR SINGH, JUDICIAL MEMBER
HON'BLE DR. VIJAY KULKARNI, EXPERT MEMBER**

Applicant : Mr. Tanaji B. Gambhire, Advocate
 Respondent(s) : Mr. Sangram Singh Bhonsle, Advocate for R-1/Caveator
 Mr. Aniruddha S. Kulkarni, Advocate for R-2/MPCB &
 R-3/CPCB

ORDER

1. From the side of Applicant, learned Counsel Mr. Tanaji B. Gambhire has appeared.
2. From the side of Respondent No.1/Project Proponent/Caveator, learned Counsel Mr. Sangram Singh Bhonsle has appeared and apprised that reply affidavit has been filed today and a copy of the same has already been provided to the learned Counsel for the other parties.
3. The learned Counsel for the Applicant seeks time to file rejoinder against the reply affidavit of Respondent No. 1 for which two weeks' time is allowed.
4. From the side of Respondent No. 2/MPCB and Respondent No. 3/CPCB, learned Counsel Mr. Aniruddha S. Kulkarni has appeared and

apprised that reply affidavit has been filed only from the side of Respondent No. 2/MPCB today and a copy of the same has already been provided to the learned Counsel for the other parties. It is further apprised that two weeks' time may be allowed to file the reply affidavit on behalf of Respondent No. 3/CPCB. Accordingly, the same is allowed with a direction that a copy of the same shall be provided to the learned Counsel for the other parties in advance.

5. The learned Counsel for the Respondent No. 1 has drawn our attention to the order of this Tribunal dated 10.11.2022, where-in it is mentioned that the MPCB had directed the Respondent No. 1 to get the assessment of contamination, cost of remediation and damage assessment carried out through NEERI/IIT/VSI within two months. It is pointed out that in this regard position has been made clear in para no. (ix) of their affidavit filed today, where-in it is clarified that in pursuance of the interim directions dated 17.10.2021, issued by the Respondent No. 2/MPCB, M/s. VSI, Pune has carried out assessment of contamination of the affected area on 08.11.2022 and 02.12.2022. The VSI team along-with the representatives of the Respondent No. 1 conducted a site visit of the entire area in order to assess the impact of the blast as well as its consequence in the surrounding area and have chalked out a work plan outline in order to assess the contamination and to further curb its effect on the environment. However, M/s. VSI, Pune has only provided a copy of report on 'Assessment of Contamination' of the Respondent Industry and the Respondent No. 1 is still awaiting the report on 'Assessment of Cost of Remediation' and a report on 'Damage Assessment'. It is orally stated by the learned Counsel for the Respondent No. 1 that he is expected to receive the said report within a period of 15 days, therefore, this matter may be taken up after 15 days.

6. The learned Counsel for the Respondent No. 1 has further argued that the reliefs claimed in the present application have become redundant in view of Renewal of Consent dated 08.11.2022 granted to the Distillery unit of Respondent No. 1, which is valid up to 31.08.2023 as well as Renewal of Consent to Operate dated 11.11.2022 granted to 3500 TCD sugar and 26 MW Co-generation unit of the Respondent No. 1, which is also valid till 31.07.2023.

7. The learned Counsel for the Appellant has drawn our attention to the reply affidavit of Respondent No. 2/MPCB, where-with an order dated 09.01.2023 was passed under Section 33A of the Water (Prevention and Control of Pollution) Act, 1974 read with Environment (Protection) Act, 1986 in respect of environmental compensation has been annexed, where-in environmental damage on the basis of approved formula has been calculated of an amount of Rs. 84,70,000/- for the period from 09.02.2022 to 17.11.2022. It is prayed by him that this order is appealable, therefore, this Tribunal should not pass any order with respect to environmental compensation separately.

8. Since this matter has to be decided by us on merit after hearing the other parties as well and pleadings are yet to be completed, we would like to pass an order on merit only after entire pleadings are complete and the report of VSI is also submitted for which the learned Counsel for the Respondent No. 1 seeks 15 days' time to be allowed and the same is allowed.

9. As per service affidavit filed by the Applicant, the service on all the Respondents is sufficient. None has appeared from the side of Respondent No. 4/The District Collector, Ahmednagar, hence, proceedings will go ahead against them *ex-parte*.

Put up this matter for final hearing on 24.02.2023

Dinesh Kumar Singh, JM

Dr. Vijay Kulkarni, EM

January 11, 2023
Original Application No. 85/2022 (WZ)
Caveat No. 12/2022
P.Kr


-TRUE COPY-

Damage Assessment report (Phase 1)
for molasses tank burst accident occurred
at

**M/s. Sahakar Maharshi Shivajirao
Narayanrao Nagawade Sahakari Sakhar
Karkhana Ltd.,**

Village: Limpangaon, Tal. Shrigonda, Dist.
Ahmednagar- 413726

PREPARED BY



VASANTDADA SUGAR INSTITUTE

Manjari (Bk), Pune, Maharashtra 412 307

Telephone: (020) 2690 2100, 2690 2343/7 Fax (020) 26902244

Website: www.vsisugar.com

Content of report

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Damage Assessment Report: Phase I

1.0 Introduction

M/s. Sahakar Maharshi Shivajirao Narayanrao Nagawade Sahakari Sakhar Karkhana Limited (SMSNNSKL), Tal. Shrigonda, Dist. Ahmednagar is a one of the progressive and leading sugar factory of Ahmednagar district of Maharashtra. It was established in the year 1965 and having registration No.: ANR/PRG (A)/1-dated 03.08.1965. The factory achieved significant development under the leadership of Late Mr. Shivajirao Nagawade. Now, it is growing under the leadership of Chairman Mr. Rajendra S. Nagawade. Gradually, the sugar unit expended and the factory established 30 KLPD distillery unit in 1986. In the year 2021 factory started 26 MW cogeneration unit. Presently the cane crushing capacity of the sugar unit is 4,800 TCD, Cogeneration unit is 26 MW and distillery unit is operated at 30 Kilo litre per day (KLPD) capacity.

1.1 Geographical location of the factory

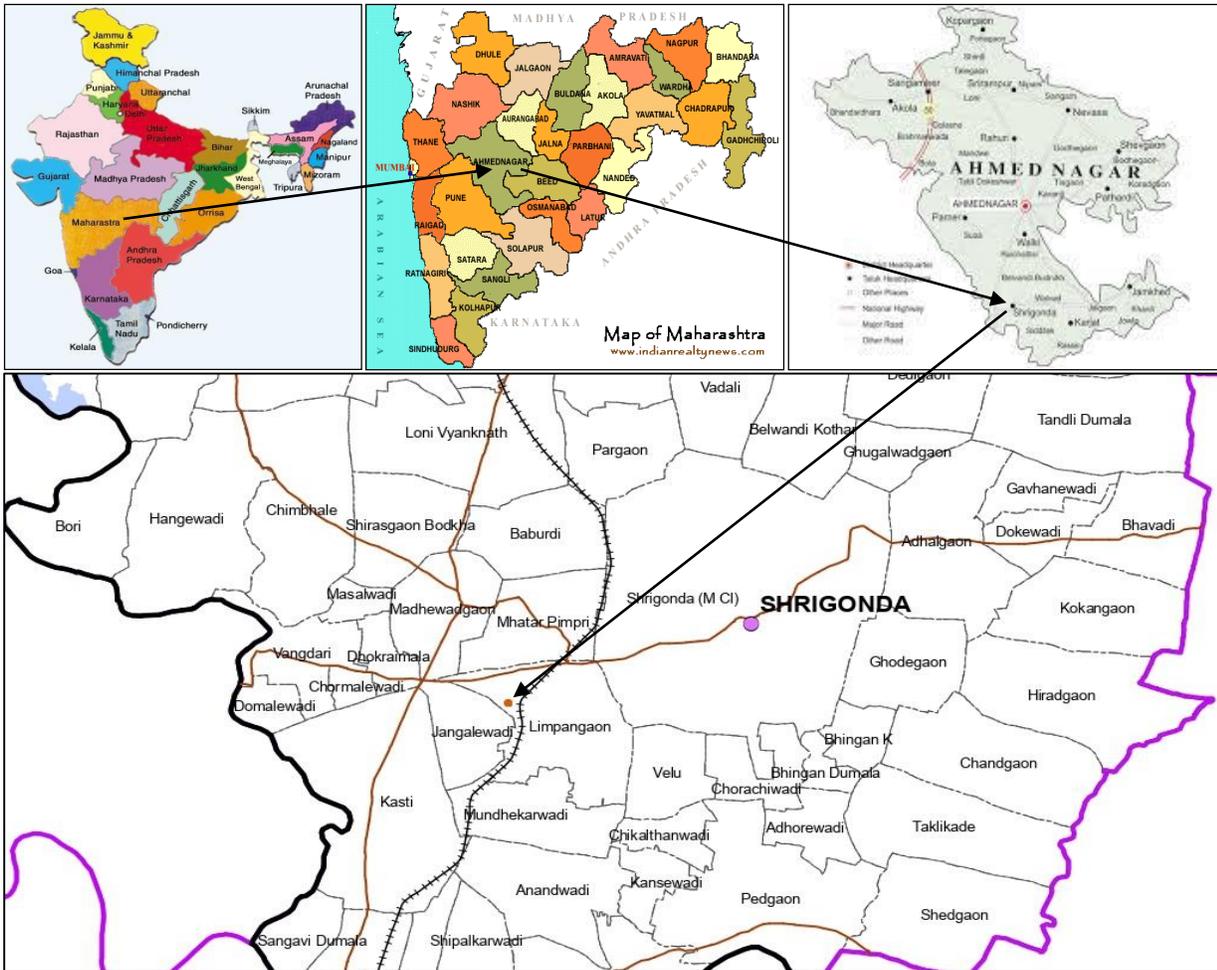


Figure 1: Site location map

The site is located at Plot number 52/2 village Limpangaon of Shrigonda taluka of Ahmednagar district, Maharashtra.

Geographical coordinates of the industrial unit are –

- | | |
|--------------------------------|---------------------------------|
| 1. 18°35'31.71"N, 74°37'0.86"E | 2. 18°35'20.94"N, 74°37'28.02"E |
| 3. 18°35'2.82"N, 74°37'19.10"E | 4. 18°35'18.38"N, 74°36'56.07"E |

1.2 Access

Taluka headquarter and town Shrigonda is approx. 8.5 km from the factory site. The unit is approx. 0.5 km from Shrigonda- Nhavare State highway and approx. 2.3 km from NH 160 i.e. Kurkumbh-Ahmednagar road. Nearest railway station is Shrigonda which is approx. 2.5 km from the project site. It is on Daund-Manmad route. Pune and Shirdi airport are near to the site. They are at approx. 75 and 120 km aerial distance from the site.

1.3 Raw material and finished product storage details

Storage details	Capacity
Molasses storage tank M1	4500 MT (02 Nos.)
Molasses storage tank M2	4500 MT (01 Nos.)
Rectified Spirit Storage Tank - 1	6,77,934 BL
Rectified Spirit Storage Tank - 2	6,83,944 BL
Rectified Spirit Storage Tank - 3	6,53,777 BL
Rectified Spirit Storage Tank - 4	95,807 BL
ENA Storage Tank-1	96,000 BL
ENA Storage Tank- 2	96,000 BL

*All tanks are provided with Recirculation and water cooling system.

1.4 Environmental Conditions

M/s. Sahakar Maharshi Shivajirao Narayanrao Nagawade Sahakari Sakhar Karkhana Limited (SMSNNSKL) is located in village Limpangaon, taluka Shrigonda, district Ahmednagar.

The distillery unit of the factory is located towards south of the industrial plot. Satellite image shows that there are spent wash storage lagoons and compost yard is located towards east of the unit. Towards south, there are agricultural plots located in the immediate surrounding and a tiny settlement at approx. 100 m from the site. In the west, there is a small natural drainage (nalla) and a fallow land plot with scrub vegetation. Few

agricultural plots observed after the fallow land. Towards north, sugar unit of the factory is observed in the immediate surrounding.

The plots in the immediate surrounding of the site are presently under agricultural land use. There is a residential area at an approx. 500 m towards NW of the site. An artificial small-scale reservoir is located towards West direction within the project boundary. Nearest Village Jangalewadi is located towards SW of the site at approx 1.5 km. Ghod Left Canal is adjacent to factory in West direction. River Ghod ~6.2 km from the site flows from West of village Jangalewadi. In addition to these few Wells are within 1 km radius of the site.

1.5 Climatic conditions

Gradual increase in maximum temperature of the taluka observed from the month of February of 2022. Max temperature of +40°C was recorded in the months of April and May. Sharp decrease in the maximum temperature observed after onset of monsoon.

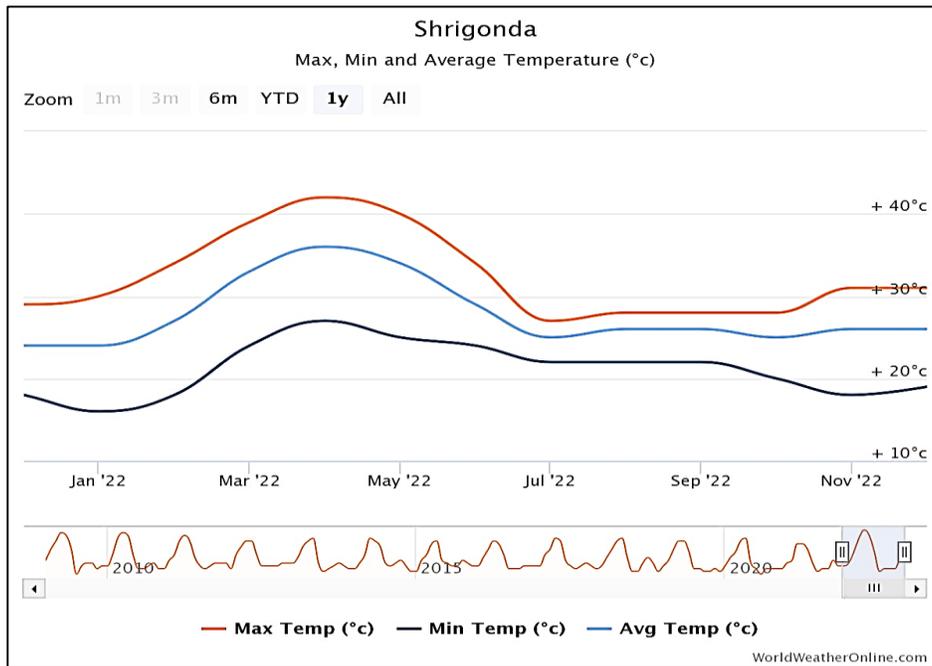


Fig. 2: Maximum, Minimum and Average temperature of Shrigonda taluka (year 2022)

The maximum humidity of taluka ranges between 70-80% in the month of June to September. Humidity ranges around 40 % in the month of January. It decreases further upto April, observed around 20-25%.

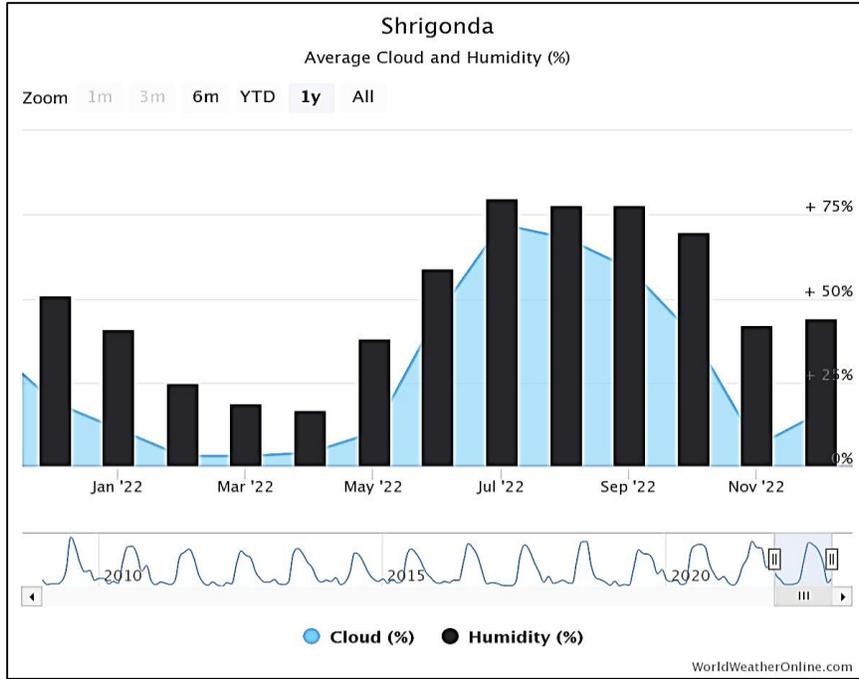


Fig. 3: Average humidity of Shrigonda taluka

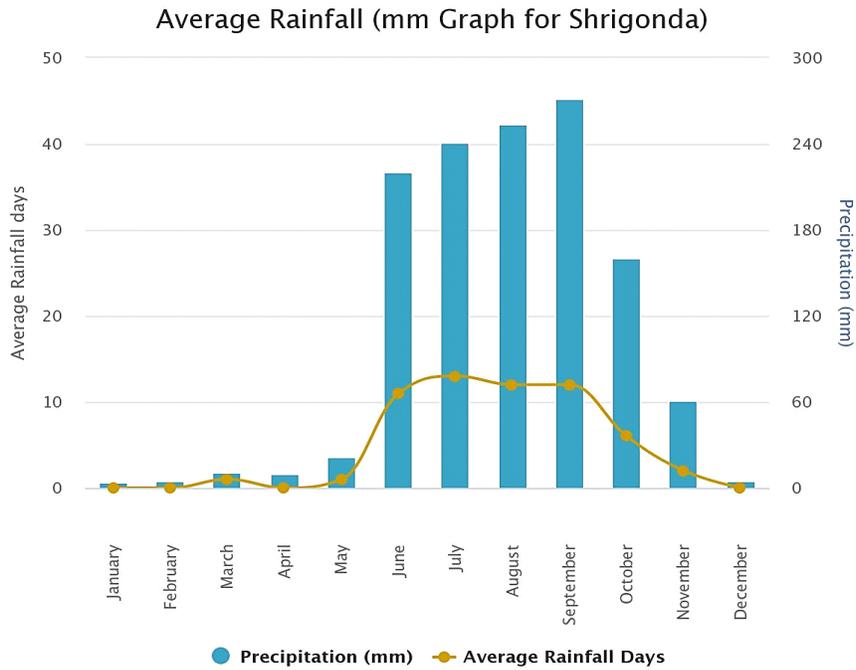


Fig. 4: Average rainfall of Shrigonda taluka (year 2022)

Source: worldweatheronline.com

2.0 Background of damage assessment work

On 10th Feb 2022, one of the molasses tank of 4500 MT capacity located in the distillery unit burst at 06.45 am. Due to this, the stored molasses flowed out of the factory premises and found its way through nearby natural drainage. The factory management took immediate action to control and remove the molasses from outside premises. In the control action, the management took following steps.

- Stopped the flow of molasses in the natural drainage (*nalla*) by constructing temporary bunds
- Deployed tankers to collect the molasses from the *nalla*
- Used vehicle mount diesel engine pumps to collect the molasses in tankers
- Brought the tankers to the factory premises and stored the molasses from tankers into spent wash storage constructed lagoons of distillery unit
- Used scrapped material such as bagasse to prevent spread of molasses in the surrounding field
- Collected the scrapped bagasse and brought it to the compost yard of the distillery unit
- Used the scrapped material for composting activity
- The management could able to control and restrict the flow of molasses within 800 m (aerial distance) from the distillery premises
- Prevented the spread molasses in the surrounding agricultural and/or open land to maximum extent
- Closed the distillery operations till the action of molasses removal from natural environment gets completed.



Figure 5: The place (tank location) of accident

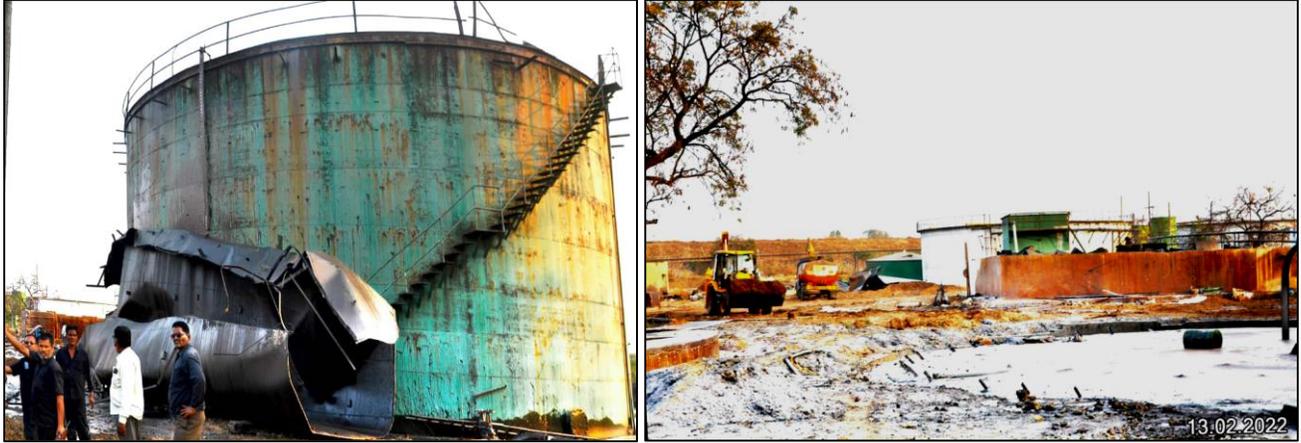


Figure 6: Photographs of the damaged area

- Immediate control measures implemented by the factory management after the incident:



Figure 7: Removal of contaminated soil



Figure 8: Construction of temporary bunds on natural drain to restrict the flow of molasses



Figure 9: Used vehicle mount diesel engine pumps to collect the left over molasses in tankers

Immediately, the factory management reported the accident to regulatory authorities such as Maharashtra State Pollution Control Board. The board officials visited the site on the same day i.e. Feb 10, 2022 and prepared the onsite observation report. Copy of the same is enclosed as annexure I.

2.1 Summary of the MPCB-FO visit report

As per instruction SRO, Ahmednagar visit paid to industry regarding blast of molasses tank incident happened in industry premises. During visit following observations are made as below

- During visit it is observed that, blast of molasses tank (No.-1) M-1 incident happened in molasses storage area.
- Industry representative informed that, said incident happened at 6.45 AM on 10/02/2022
- Due to said incident molasses has been spread in premises (i.e. near ETP area, CPU area) & it has also went into the nearby *nalla* and it has flown till approx. 1.0 Km in the said *nalla*. Same *nalla* blocked through soil.
- Due to said incident molasses flown into *nalla*, due to which It has also spread in nearby farmlands
- Industry representative informed that, they have stored approx. 4102.800 MT molasses in molasses storage tank no.-1 (M-1) same is spread in premises and nearby *nalla*
- Industry representative informed that, they have stored approx. 3034.710 MT in molasses tank No. 2 (M-II) & approx. 4072.380 MT molasses in tank No. 3 (M-III)
- Due to this incident the wall near ETP has damaged

Remarks (By MPCB):

- Instructed to industry submit action taken report on top priority
- Industry shall remove all molasses from nearby *nalla* on top priority
- Instructed to industry submit the molasses storage arrangement details on top priority in MPCB office
- Industry shall carry out safety audit of molasses storage tank No. 2 & 3
- Industry representative informed that this accident happened due to spontaneous combustion in tank No.- 1 (M-I)

Later, due to NGT Application No. 85/2022 (WZ) and Caveat No. 12/2022, the state pollution control board gave directives to the factory to prepare a damage assessment report. Hence, the factory management approached Vasantdada Sugar Institute (VSI), Pune to prepare damage assessment work. VSI is NABET accredited Environment Impact Assessment (EIA) consultant providing its services to the sugar industry for more than two decades.

Scope of phase 1

- 1) Detailed survey of the accident affected/damaged site and identification of locations for collection of water and soil samples
- 2) Geo-referencing of locations identified for water/soil sample collection

This was mainly to identify highly, moderately & low affected area of the accident. It should get clearly demarked on the map/satellite image. On the basis of this data number of samples for water, soil and geological/hydrogeological investigations would get finalized.

On Dec. 02, 2022 a project team comprised of following members visited the site and collected site specific information and data.

#	Name	Expertise
1)	Dr. Nitin Karmalkar	Geology and hydro-geology
2)	Dr. Amol Deshmane	Ecology and Biodiversity, Impact assessment
3)	Dr. R.A. Durai Swami	Geology and hydro-geology, Land Use Land cover studies using remote sensing, GIS
4)	Dr. Vivek Patil	Environment Sciences, Impact assessment
5)	Ms. Priyanka Kad	Land Use Land cover studies using remote sensing, GIS

3.0 Findings of first phase study

Based on the visit and collected data, an area affected due to molasses spread was demarcated on satellite image.



Figure 10: Image showing spillage of molasses inside factory premises



Figure 11: Image showing spillage of molasses outside factory premises



Figure 12: Google earth image showing spillage of molasses in the nearby area

(In these images orange colour used to show the spread of molasses and its flow in the natural drainage)

Also, soil and water sample collection locations were determined. These locations are covered in figure 13 and 14. While selecting the locations, highly, moderately and low affected areas as well as non-affected areas were considered to get the broader picture.

Water and soil samples for the mentioned location was collected on Feb 06 and 07, 2023.

Table 1: Soil Sampling locations with geographical coordinates

#	Sample	Geographical location	Location specification	Remark
1.	Soil Sample 1	18°35'4.61"N, 74°36'25.67"E	Farm of Mr. Pappu Jangale Gat No. 164, Janglewadi	Low affected area
2.	Soil Sample 2	18°35'5.10"N, 74°36'22.67"E	Farm of Mr. Bhaskar Jangale Gat No. 172, Janglewadi	Low affected area
3.	Soil Sample 3	18°35'4.41"N, 74°36'35.47"E	Farm of Mr. Ganesh Gund Gat No. 180, Janglewadi	Moderately affected
4.	Soil Sample 4	18°35'6.19"N, 74°36'38.63"E	Farm of Mr. Dyandev Gund Gat No. 182, Janglewadi	Moderately affected
5.	Soil Sample 5	18°35'6.26"N, 74°36'51.75"E	Farm of Mr. Tukaram Rode Gat No. 203, Janglewadi	Moderately affected

#	Sample	Geographical location	Location specification	Remark
6.	Soil Sample 6	18°35'5.78"N, 74°36'52.01"E	Farm of Mr. Tukaram Rode Gat No. 203, Janglewadi	Moderately affected
7.	Soil Sample 7	18°35'12.77"N, 74°36'51.93"E	Farm of Mr. Parshuram Rode Gat No. 202, Janglewadi	Moderately affected
8.	Soil Sample 8-1	18°35'7.19"N, 74°36'55.34"E	Farm of Mr. Lokesh Rode Gat No. 202, Janglewadi	Highly affected area
9.	Soil Sample 8-2	18°35'7.33"N, 74°36'58.62"E	Farm of Mr. Lokesh Rode Gat No. 202, Janglewadi	Highly affected area
10.	Soil Sample 9	18°35'5.22"N, 74°36'58.23"E	Farm of Mr. Dyaneshwar Rode Gat No. 202, Janglewadi	Highly affected area
11.	Soil Sample 10	18°35'9.61"N, 74°36'59.21"E	Farm of Mr. Madhukar Gund Gat No. 203, Janglewadi	Highly affected area
12.	Soil Sample 11	18°35'11.01"N, 74°37'2.54"E	Farm of Mr. Rangnath Gund Gat No. 207, Janglewadi	Highly affected area
13.	Soil Sample 12	18°33'20.37"N, 74°34'22.64"E	Farm of Mr. Santosh Kokate Gat No. 104, Kashti	Non affected area
14.	Soil Sample 13	18°34'34.88"N, 74°35'21.32"E	Farm of Mr. Kondiba Rahinj Gat No. 511, Rahinjwadi	Non affected area
15.	Soil Sample 14	18°34'36.46"N, 74°35'21.02"E	Farm of Mrs. Anjana Gawade Gat No. 511, Rahinjwadi	Non affected area
16.	Soil Sample 15	18°35'23.76"N, 74°37'29.17"E	Farm of Mr. Madhukar Kalane Gat No. 051, Near factory	Non affected area
17.	Soil Sample 16	18°35'4.66"N, 74°37'13.22"E	Farm of Mr. Baban Dhage Gat No. 207, Near factory	Highly affected area
18.	Soil Sample 17	18°35'6.89"N, 74°37'11.77"E	Farm of Mrs. Rukhmini Dhage Gat No. 207/23, Near factory	Highly affected area
19.	Soil Sample 18	18°35'16.56"N, 74°37'5.53"E	Near molasses storage tank	Highly affected area

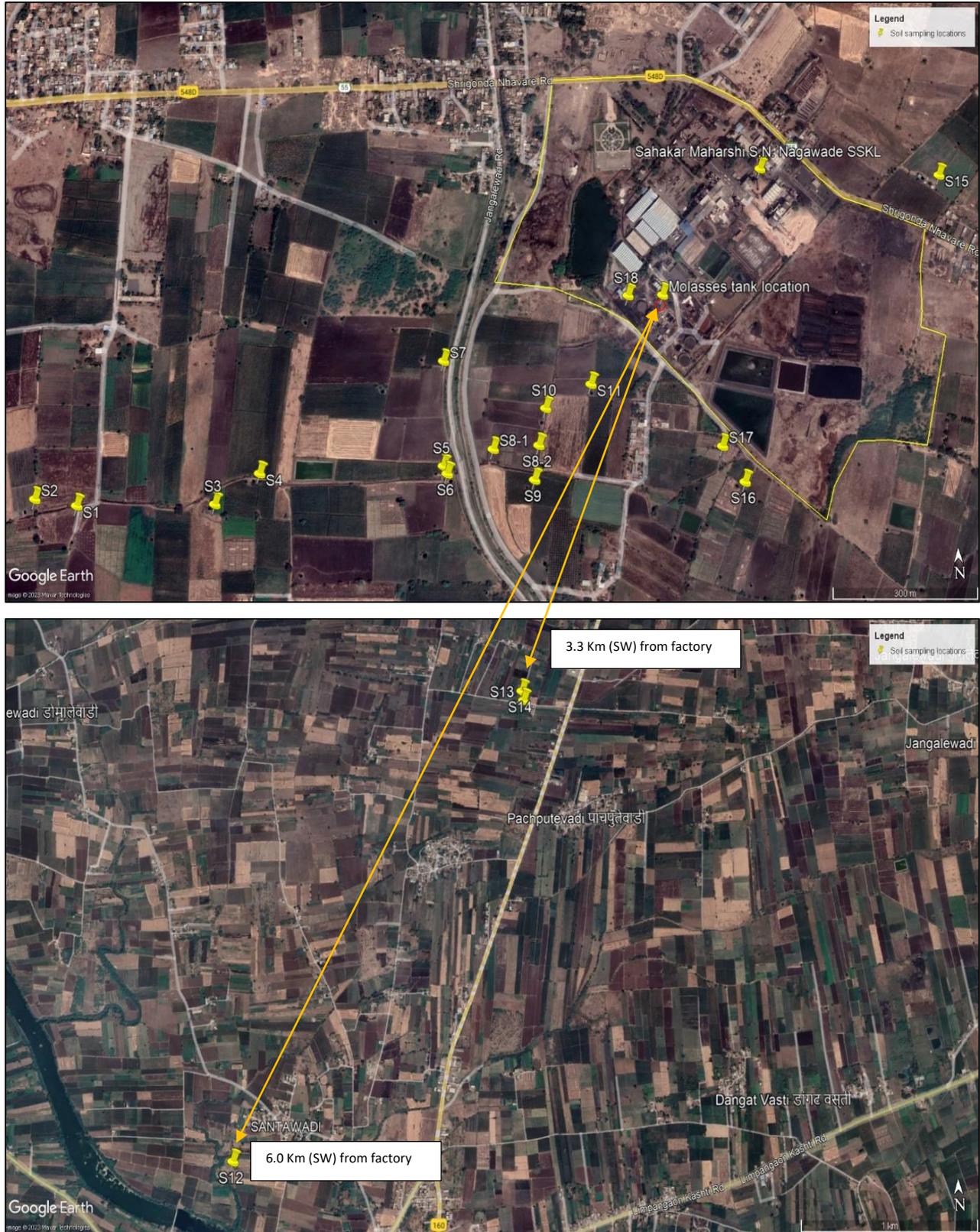


Figure 13: Soil sampling location map

Table 2: Water Sampling locations with geographical coordinates

#	Sample	Geographical location	Location specification	Remark
1.	Well water 1	18°35'3.14"N, 74°36'25.58"E	Well of Mr. Pappu Jangale Gat No. 164, Janglewadi	Low affected area
2.	Well water 2	18°35'4.91"N, 74°36'22.31"E	Well of Mr. Bhaskar Jangale Gat No. 172, Janglewadi	Low affected area
3.	Well water 3	18°35'4.96"N, 74°36'35.29"E	Well of Mr. Ganesh Gund Gat No. 180, Janglewadi	Moderately affected
4.	Well water 4	18°35'6.43"N, 74°36'38.30"E	Well of Mr. Dyandev Gund Gat No. 182, Janglewadi	Moderately affected
5.	Well water 5	18°35'6.40"N, 74°36'51.53"E	Well of Mr. Tukaram Rode Gat No. 203, Janglewadi	Moderately affected
6.	Well water 6	18°35'5.83"N, 74°36'52.37"E	Well of Mr. Tukaram Rode Gat No. 203, Janglewadi	Moderately affected
7.	Well water 7	18°35'13.42"N, 74°36'50.61"E	Well of Mr. Parshuram Rode Gat No. 202, Janglewadi	Moderately affected
8.	Well water 8	18°35'6.57"N, 74°36'58.86"E	Well of Mr. Lokesh Rode Gat No. 202, Janglewadi	Highly affected area
9.	Well water 9	18°35'5.50"N, 74°36'57.96"E	Well of Mr. Dyaneshwar Rode Gat No. 202, Janglewadi	Highly affected area
10.	Well water 10	18°35'9.49"N, 74°36'59.02"E	Well of Mr. Madhukar Gund Gat No. 203, Janglewadi	Highly affected area
11.	Well water 11	18°35'11.01"N, 74°37'2.81"E	Well of Mr. Rangnath Gund	Highly affected area

#	Sample	Geographical location	Location specification	Remark
			Gat No. 207, Janglewadi	
12.	Well water 12	18°33'4.49"N, 74°34'35.83"E	Well Near Ghod River Mr. Dattu Pachpute; Gat No. 288/90, Kashti	Non affected area
13.	Well water 13	18°33'20.80"N, 74°34'23.99"E	Well Near Natural drain Mr. Santosh Kokate Gat No. 104, Kashti	Non affected area
14.	Well water 14	18°34'34.68"N, 74°35'21.90"E	Well of Mr. Kondiba Rahinj Gat No. 511, Rahinjwadi	Non affected area
15.	Well water 15	18°34'36.97"N, 74°35'20.05"E	Well of Mrs. Anjana Gawade Gat No. 511, Rahinjwadi	Non affected area
16.	Well water 16	18°35'24.36"N, 74°37'28.24"E	Well of Mr. Madhukar Kalane Gat No. 051, Near factory	Non affected area
17.	Well water 17	18°35'5.19"N, 74°37'12.86"E	Well of Mr. Baban Dhage Gat No. 207, Near factory	Highly affected area
18.	Well water 18	18°35'6.48"N, 74°37'11.84"E	Well of Mrs. Rukhmini Dhage Gat No. 207/23, Near factory	Highly affected area

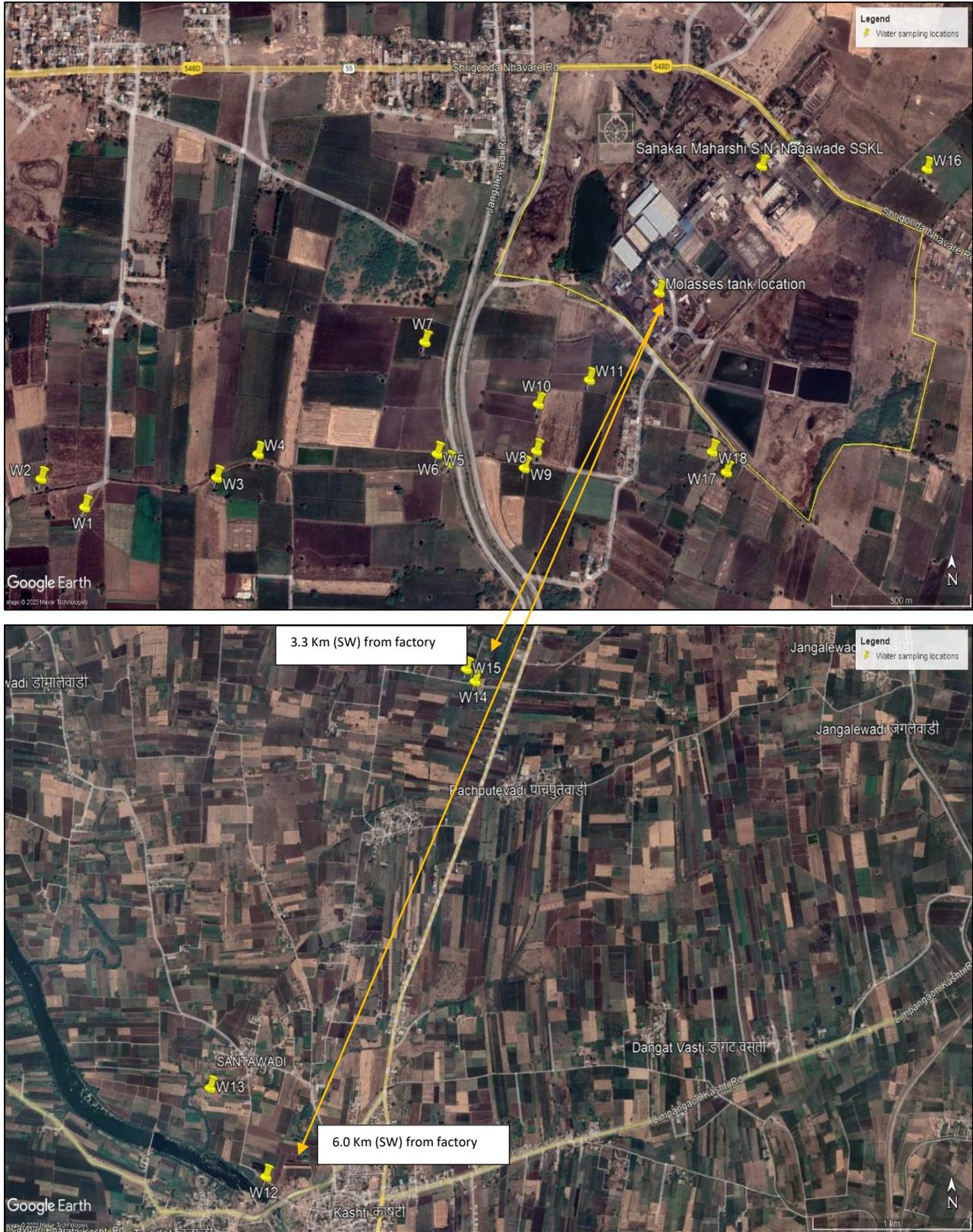


Figure 14: Water sampling location map

Annexure I

MPCB site visit (Dt. 10/02/202) report

MAHARASHTRA POLLUTION CONTROL BOARD

Sub Regional Office, Ahmednagar.
Savitribai Fula Vyapari Sankul,
1st floor, Hall No. 2 & 3,
Near T.V. Centre, Savedi,
Ahmednagar-414003.



Office Contact No. : 0241 - 2470852
E-mail ID :-sroahmednagar@mpcb.gov .in
Visit us At-mpcb.gov.in

VISIT REPORT

Date of Visit	10/02/2022.
Name & Address of the Industry	Sahakar Maharshi Shivajirao Narayanrao Nagawade SSKL Plot no. 5212, Limpangavillage, Tal. Shrigonda, Dist. Ahmednagar.
Person Contacted	R.S. Naik
Contact details (Industry representative)	9130009200
Contact Number and E mail ID	shrigondasugar@yahoo.co.in.
Validity of Consent Status	Valid upto - 31/07/2022.

Production Details (consented products):-

Sr. No.	Product Name	Quantity (As per Consent)	Quantity Actual Jan-2022
1)	Sugar	15840 MT/M	16196 MT/M
2)	Molasses	5760 MT/M	5380 MT/M
3)	press mud	5760 MT/M	4590 MT/M
4)	Bagasse	40320 MT/M	40440 MT/M
5)	Co. generation	26 MW	16 MW.

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Water Pollution aspect:-			Domestic
Effluent Generation in M3/d	Industrial		Domestic
	Process	Cooling	
As per Consent	398.0	-	45.0
Actual	390.0	-	30.0
Treatment System Provided Details (Capacity):-	Primary, secondary & tertiary.		Soak Pit/ STP
Disposal as per Consent	Yes / No		Yes / No.
Quantity of Disposal	Stored in kachha lagar for irrigation		gardening
Online Monitoring System Applicable Water	Yes/No	If Yes Connected to 1. CPCB Server <input checked="" type="checkbox"/> 2. MPCB Server <input checked="" type="checkbox"/>	
	Remote calibration applicable	<input checked="" type="checkbox"/> Yes/No	
	Sensor Properly Placed	<input checked="" type="checkbox"/> Yes/No	
Separate Electric Meter Provided	Yes/No <input checked="" type="checkbox"/>		
Meter Readings	0		

Operation & Maintenance: Industrial: Poor Average Good Domestic: Poor Average Good

Last JVS Details : - Date of Collection Payment: - Yes / No
Amount details:

Water Sample collected: Yes/No

If Yes details of source-
Parameters-

Air Pollution Aspects:

Source	Fuel	Quantity/ Unit	Pollutants	Stack Height	Control Equipment Installed
Boiler I & 2	Biogas	27000 kg/hr	TPM/ SO ₂	30.0	wet scrubber
Boiler III	-	15000 kg/hr	-	30.0	-
Boiler IV	-	-	-	60.0	-
Boiler V	-	1272 MSIPay	-	73.0	ESP.

Online Monitoring System Air (Stack)	Yes/No	If Yes Connected to 1. CPCB Server <input checked="" type="checkbox"/> 2. MPCB Server <input checked="" type="checkbox"/>
	Remote calibration applicable	Yes/No
	Sensor Properly Placed	Yes/No

	Whether proper stack monitoring facility exists	Yes/No ✓
	Whether calibration facility exist	Yes/No ✓
Online Monitoring System Air (Ambient)	Yes/No ✓	If Yes Connected to 1. CPCB Server 2. MPCB Server
	Remote calibration applicable	Yes/No ✓
	Sensor Properly Placed	Yes/No ✓

Air Sample collected: Yes/No ✓
if Yes details of source- -
Parameters- -

Hazardous Waste Management (Last consent Details):

Category No. & Type	Quantity as per consent/UOM	Method of disposal as per consent	Actual Disposal/UOM	Total quantity disposed as per FORM-IV	Last Disposal quantity/UOM	Last Disposal date
5.1	25 (t)/m	Burial under Boilers				

Non Hazardous Waste Management:

Name of Waste	Quantity as per consent	Method of disposal as per consent	Last disposal date	Last disposal quantity	Actual Disposal
1) Fly Ash / Boiler	2749 m ³ /Day	Biocomposting.			

Tree Plantation:

Total plot area sq. mtr.	BUA in sq. mtr.	Green Belt area sq. mtr.	Plantation Done in Nos.	Proposed Plantation
3318.00	966.83	783.01	15008	100

Statutory Submission:
Hazardous waste Annual Returns: - Submitted up to 13/06/2021.
Environment Statement Report : - Submitted up to 27/09/2021.

Previous Legal Action Action Initiated Date:- Specific Compliance :-	Bank Guarantee Details: BG Imposed : Yes/No ✓ BG Imposed against : Consent / Directions Number (Only for Directions) :
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Maharashtra Pollution Control Board

Bank Guarantee details:-				
Bank Guarantee Imposed for	Amount as per consent / direction	Bank Guarantee number	BG issued date	Bank Guarantee Validity
O & M of PCS & Compliance of consent condition.	Rs. 25.0 Lacs	No! Submitted.		

Additional observations:

As per instruction SRO, Ahmednagar visit paid to industry regarding blast of molasses tank incident happened in industry premises, during visit following observation are made as below.

- ① During visit it is observed that blast of molasses tank (NO-1) M-1 incident happened in molasses storage area.
- ② Industry representative informed that said incident happened at 6.45 AM on 10/02/2022.
- ③ Due to said incident molasses ~~sp~~ has been spread in premises (i.e. near ETP area, CPU area & ^{same} ETP tank) & it has also went into the nearby by nalla & same it has flown till approx 1.0 km in the said nalla. Some nalla blocked through soil.
- ④ Due to said incident molasses flown into nalla, due to which it has also spread

Maharashtra Pollution Control Board

in nearby farmlands.

⑤ Industry representative informed that they have stored approx - 4102.800 MT molasses in 5th molasses storage tank NO-1 (M-I) same is spread in premises & nearby by nalla.

⑥ Industry representative informed that they have stored approx - 3030.710 MT in molasses in tank NO-2 (M-II) & approx - 4072.380 MT molasses in tank NO-3 (M-III).

⑦ Due to this incident the wall nearby ZEP has damaged.

Remark -> 1) Instructed to industry submit action taken report on top priority.

2) Industry shall removed all molasses from near by nalla on top priority.

3) Instructed to industry submit the molasses storage arrangement details on top priority in MPCB office.

4) Industry shall carry out safety audit of molasses storage tank NO-2 & NO-3.

* Industry representative informed that this incident happened due to spontaneous combustion in tank NO-1 (M-I)

RS
Naik R.S.
M.N.

RS
Raviraj Patil (fo)
M.P.C.B. Ahmednagar.

Maharashtra Pollution Control Board

Phone : (020) 26902100 - 30 lines
Fax : (020) 26902244
E-mail : admin@vsisugar.org.in
Web site : www.vsisugar.com



VASANTDADA SUGAR INSTITUTE
Manjari (Bk.) Tal. : Haveli, Dist. : Pune - 412 307, Maharashtra, India.

VSI/Env. Sci. / 1 0 6 0 3 - /2022-23

February 23, 2023

To,

The Managing Director,

Sahakar Maharshi Shivajirao N. Nagawade, SSKL,
A/P: Shrigonda factory, Tal: Shrigonda,
Dist: Ahmednagar, Maharashtra- 413726

Subject: Damage assessment report work status

Reference: Your work order- SK/PUR/Disti./58/1553/2022-23; dated 12/01/2023

Dear Sir,

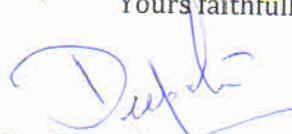
This has reference to the above work order and visit of your environment officer to VSI on Feb 20, 2023. We would like to update you on status of damage assessment report (molasses tank burst accident). We have completed soil and water sampling at site during the field visit on February 05 & 06, 2023 and sample analysis is in progress. Pumping test on a dug well and a survey on social impact aspect is planned in first week of March 2023. Analysis reports and survey findings will be used and processed further to assess the damage. This important part will require sometime due to the seriousness of the issue.

Considering overall requirements of the study, it is anticipated that the report of this damage assessment study will be finalized towards end of April 2023.

This estimated timeframe is communicated to you at your request.

Thanking you.

Yours faithfully,


(Dr. Deepali Nimbalkar)

Sr. Scientist and Head
Department of Environmental Sciences


-TRUE COPY-

Service: O.A. No. 85 of 2022(WZ): Sachin Sudamrao Pachpute V. Shahakar Maharshi Shivajirao Narayanrao Nagawade SSK Ltd (Sugar Unit) and others pending before the Hon'ble National Green Tribunal, Western Zone (Pune)

1 message

Adv Sangramsingh R Bhonsle <srb.chambers@gmail.com>

Thu, Feb 23, 2023 at 2:34 PM

To: sachinpachpute77@gmail.com, ronashik@mpcb.gov.in, ccb.cpcb@nic.in, collector.ahmednagar@maharashtra.gov.in, aniruddha1488@gmail.com

Cc: Sangramsingh Bhonsle <sangramsinghbhonsle@gmail.com>

Sir/Ma'am,

We are the advocates appearing on behalf of the Respondent No. 1 in the above mentioned matter. In compliance of the Order dated 11.01.2023, the Respondent No. 1 has filed an Additional Affidavit dated 23.02.2023 before the Hon'ble Tribunal.

Please find attached herewith the copy of the Additional Affidavit on behalf of the Respondent No. 1 dated 23.02.2023 in the above mentioned matter. Kindly consider this email as a service of the same on your esteemed office.

Regards,

Sangramsingh R. Bhonsle

Advocate

Supreme Court of India

A-10, LGF, Lajpat Nagar III,

New Delhi - 110024.

Mob- 9545809120

**OA 85_22_Addl. Affidavit_LT.pdf**

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