

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
WESTERN ZONE BENCH, PUNE**

Original Application No.143/2017 (WZ)

Kushabapu Pawar & Anr.

... Applicant

v/s

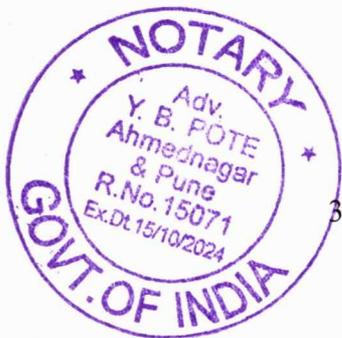
Padmashree Dr. Vithalrao Vikhe Patil Sahakari
Sakhar Karkhana and Ors.

... Respondents.

Additional Affidavit in compliance of Hon'ble NGT Order dated 05/08/2021

I, Sanjeev A. Redasni, Age - 47 Year, Occupation- Service, the I/c. Sub-Regional Officer of the Maharashtra Pollution Control Board at Ahmednagar having my office address at Savitribai Fule Vayapari Sankul, 1st Floor, Hall Nos.2 & 3, Near T.V. Centre, Savedi, Ahmednagar-414 003, do hereby state on solemn affirmation as under :-

1. I say and submit that the Applicant have filed the Original Application bearing No.143/2017 against Respondent No.1 i.e. Padmashree Dr. Vithalrao Vikhe Patil Sahakari Sakhar Karkhana (Distillery Unit) due to release of spent wash on agricultural land at Gat No.511 & 512, Village: Tambhere, Tal: Rahuri, Dist: Ahmednagar
2. I say and submit that in the aforesaid matter, this Hon'ble Tribunal vide order dated 08/11/2017 directed the Central Pollution Control Board and Maharashtra Pollution Control Board to jointly visit the land and collect soil and ground water samples and assess the damage caused there on account of release of spent wash and further recommend methodology for the restoration of the land and quality of the ground water and verify the damage cause in terms of money required for restoration.
3. In compliance of the Hon'ble NGT Order dated 08/11/2017, the Respondent Board had filed Joint Report before this Hon'ble Tribunal on 28/11/2018 stating that there is no decipherable adverse change observed in the quality of soil of the aforesaid land on account of release of spent wash. Therefore, quantum of environmental damage if any in this case is insignificant for assessment.
4. I say and submit that the Respondent Board has received a complaint from the Applicant regarding discharge of effluent into nalla from the sugar unit of Respondent No.1.





5. In order to verify the complaint, the officials of the Respondent Board at Ahmednagar visited to the site of sugar unit of Respondent No.1 on 06/02/2020 and observed that slight blackish coloured effluent from Sugar Unit is discharged outside the factory premises through Chari Near Can Gate and Compound Wall near ETP and domestic septic noticed.
6. On the basis of non-compliance observed during the aforesaid visit and after extending an opportunity of personal hearing on 17/02/2020, the Respondent Board has issued Proposed Directions u/s 33A of the Water (Prevention & Control of Pollution) Act, 1974 and u/s 31A of the Air (Prevention & Control of Pollution) Act, 1981 to the Sugar Unit of Respondent No.1 vide letter dated 20/02/2020 and directed them to submit the Demand Draft of Rs.1.5 Lakhs towards environment compensation. In response, to the said directions the Respondent No.1 has submitted Demand Draft of Rs.1.5 Lakhs to MPCB vide letter dated 29/02/2020. Hereto annexed and marked **Annexure-A & B respectively** are the copies of the Proposed Directions dated 20/02/2020 and Letter dated 29/02/2020.
7. I say and submit that the Original Application filed by the Applicant is against the Distillery Unit of the Respondent No.1, wherein the Joint Report was filed by the Respondent Board vide Affidavit dated 28/11/2018 and on the basis of complaint related to the Sugar Unit of Respondent No.1, the Respondent Board has assessed the Environment Compensation to the Sugar Unit of Respondent No.1 for discharge of effluent outside the factory premises.

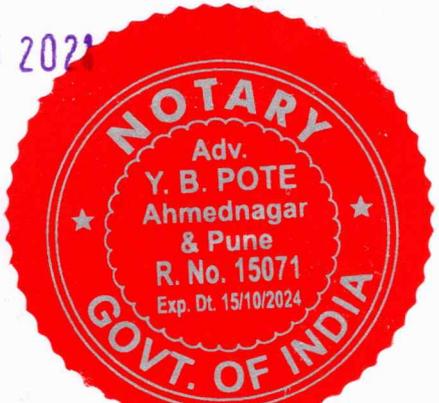
Solemnly affirmed on this 27 day of August, 2021 at Ahmednagar



BEFORE ME
Solemnly affirmed before me
by Sanjeev A. Redasni Age-47
who is identified before me see - service
by Adv. Y. V. Jadhav R/O saved
whom I personally know A. Nagar

For and on behalf of Maharashtra
Pollution Control Board,
Sanjeev A. Redasni
I/c. Sub-Regional Officer,
M.P.C. Board, Ahmednagar

S.No./Y.B.P./N.T. 991/2021
27 AUG 2021



MAHARASHTRA POLLUTION CONTROL BOARD

Phone : 0253-2365150
 Fax : 0253-2365140
 Website: <http://mpcb.gov.in>.
 E-Mail: ronashik@mpcb.gov.in



Udyog Bhavan, First Floor Trimbak
 Road, Near ITI, Satpur, Nashik-
 422007.

BY R.P.A.D./FAX/HAND DELIVERY

L. No: MPCB/RONK/Direction/300471/2019

Date:-20/02/2020.

To,
 M/s Pad. Dr. Vitthalrao Vikhe Patil Sahakari Sakhar Kharkhana Ltd.
 Gut No, 196/1, 198/A/2, At- Pravranagar,
 Tal - Rahata, Dist- Ahmednagar.

Sub:- Proposed Directions u/s 33A of the Water (Prevention & Control of Pollution) Act, 1974 and u/s 31A of the Air (Prevention & Control of Pollution) Act, 1981.

- Ref:-**1. Consent granted by the Board vide No. BO/CAC-CELL/UAN No. 0000052438/R/CAC-1902000179 Valid up to 31.07.2019.
 2. Complaint received from Mr. Khushabhau Pawar regarding discharge of effluent into Nalla.
 3. Visit of the Board official at your unit on 06.02.2020.
 3. Personal Hearing conducted on 17.02.2020.

WHEREAS, it is mandatory and obligatory on your part to abide the conditions stipulated in Consent to Operate granted by the Board under Section 26 of the Water (Prevention & Control of Pollution) Act, 1974 and under Section 21 of Air (Prevention & Control of Pollution) Act, 1981 and Hazardous Waste (Management & Tran boundary Movement) Rules, 2016 for running the industry activity at aforesaid location.

WHEREAS, as per consent condition vide ref.no 1. Schedule-I, C – In no any case treated / untreated effluent shall find its way outside the factory premises directly or indirectly.

WHEREAS, Complaint was received from Mr. Khushabhau Pawar regarding discharge of effluent into Nalla. vide above ref.no 1.

WHEREAS, Board official visited your Industry on 06.02.2020, for verification of complaint. And during visit effluent found discharge outside the factory premises through channel.

WHEREAS, Personal hearing was conducted in front of Hon'ble Member Secretary on 17.02.2020. And you have agreed that the said discharge was due to seepages and leakages for 5 to 6 days.

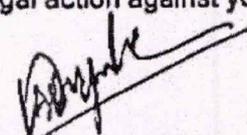
NOW THEREFORE, you are hereby directed,

1. To submit DD of Rs. 1.5 Lacks against Environmental compensation within 7 days. (Calculation as per Hon'ble NGT order, i.e Rs. 30,000 X 5 days = 1,50,000/-)

ANDWHEREAS, after examining the record of your case and after making necessary enquiry this office has concluded that you have violated the consent conditions and causing pollution problem in the nearby surrounding area.

NOW THEREFORE, you are hereby directed that why your production activity shall not be stopped down forthwith? And why competent authority shall not be directed to disconnect electricity and water supply of your industry immediately?

Your reply, if any to these Directions shall be submitted within 7 days from date of issuance of this notice, failing which, the Board will have no any other option than to initiate legal action against your unit, which may be noted.



(Amar B Durgule)
Regional Officer, Nashik.

Copy Submitted for Information to:-

1. The Member Secretary, MPC Board, Mumbai.
2. The Principal Scientific Officer, M.P.C. Board, Mumbai.
3. CAC Cell, MPC Board, Mumbai.

Copy forwarded to:-

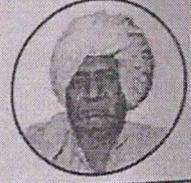
Sub-Regional Officer MPCB, Ahmednagar – He is directed to serve the copy of these directions to the industry & submit the present status report of the industry along with analysis report.

Padmashri Dr. Vitthalrao Vikhe Patil Sahakari Sakhar Karkhana Limited



Post Office : Pravaranagar - 413712
Tal. Rahata, Dist. Ahmednagar.
Maharashtra State (India)

Phone : 252301 to 252304 - P'nagar
Fax : (02422) 253397 - P'nagar
E-mail : pravarasugar@rediffmail.com



Mfg./ 2019-2020/ 5812

Date - 29/02/2020

To,
The Regional officer
Maharashtra Pollution control Board,
Udyog Bhavan, 1st Floor, Trimbak Road,
MIDC Compound, Satpur,
Nashik -422007.

Sub – Compliance of directions received under section 33 A of the water prevention & control act 1974.

Ref – MPCB/RONK/Direction/306/471/2019 Dated – 20/02/2020.

Dear Sir,

With reference to the subject we have received referred direction letter on Date- 26/02/2020 by RPAD. In this connection we are submitting point-wise compliance of directions as under.

1. Never there is violation of consent conditions from our end. In future also we will try at our best to remain abide to conditions stipulated in consent.
2. We are taking due care that treated or untreated effluent not to find its way outside the factory premises all seepages leakages are been attained and closed.
3. Since last 5-6 years complainant Mr. Kushabhau Pawar is engaged in making various pollution complaints against our institute. Purpose behind the all complaints is not true.
4. It has been mentioned that during visit of MPCB field officer i.e. on Date-06/02/2020 effluent found discharging through nalla. In this concern we want to bring in your notice that, sewage generating from various public activities of nearby houses is flowing through the nalla which is adjutant to wall compound of our factory & same is beyond our control. At actual there was one rain water discharge point for run-off of rain water getting accumulated in factory premises. Hence in order to avoid misconceptions & misunderstanding we have also sealed said rain water discharge point by putting RCC block on it. As directed by Hon. Member Secretary during personnel hearing we have attended all seepages leakages & closed the same by putting RCC block As per directions we have drawn a D.D for Rs.150000/- (Enclosed D.D. No- 405857 of HDFC Bank Dated -29/02/2020 drawn on the name Regional Officer MPCB).

Registration No. G-254, date 31-12-48
TAN No. PNEP 09169 G

PAN No. AAAAP0848 A

VAT No. 27140410666 V/C
GSTIN No. 27AAAAAP0848A1ZZ

Padmashri Dr. Vitthalrao Vikhe Patil Sahakari Sakhar Karkhana Limited



Post Office : Pravaranagar - 413712
Tal. Rahata, Dist. Ahmednagar.
Maharashtra State (India)

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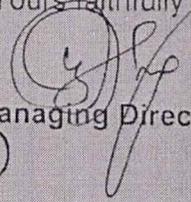
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5. As mentioned in direction leakages seepages observed were occasional & accidental. We are taking due care to avoid any leakages seepages through factory premises.
6. We have treated the matter as most serious & there is no any leakage seepage from our factory premises. Hence you are requested to verify the compliance made by us & not to take any legal action towards disconnection of water & electricity supply of our industry.

In view of compliance made by us your kind honor is humbly requested to not to take any corrosive action against our industry.

Thanking you.

Yours faithfully


Managing Director

Encl.-

- 1.) D.D No-405857 Dated 29/02/2020 of HDFC Bank.

Copy to -

1. Member Secretary,
Maharashtra Pollution Control Board,
Opp. Cine Planet cinema, near Sion circle,
Sion (E) Mumbai -400 022
2. Sub Regional Officer,
Maharashtra Pollution Control Board,
Savitribai Phule Vyapari Sankul
Near TV Center, Savedi
Ahmednagar - 414001



A/C Payee

Amt. in Lacs 01 2 3 4 5 6 7 8 9 10 Above 10 Lacs

For Value Above Rs. 1 Lac Drawn under arrangement with HDFC Bank

09 FEB 2020

Pay Regional officer Maharashtra water pollution control Board By Order आदेश अनुसार

Rupees रुपये One lac fifty thousand only

अदा करे

₹ 1,50,000/-

A/c No. 01810380000048 C/A

Payable at par at Nashik Clearing Branch of HDFC Bank Ltd.
RTGS / NEFT IFSC : HDFC0000181

For PRAVARA SAHAKARI BANK LTD

Name..... Joshi M. J.-79
Sign Code.....

Name.....
Sign Code.....
Please sign above

⑈405857⑈ 414240002⑈ 900008⑈ 30