

BEFORE THE NATIONAL GREEN TRIBUNAL
WESTERN ZONE BENCH, PUNE

ORIGINAL APPLICATION NO. 85 OF 2024

IN THE MATTER OF:-

Kedar Dattatray Gurav

.... Applicant

V/s.

M/s Ichalkaranji Agro Foods & Ors

.... Respondents

ADDITIONAL REPLY AFFIDAVIT ON BEHALF OF RESPONDENT No. 4

I, Nikhil N. Gharat, age about 39 years, Occupation-service, the Regional Officer of the Maharashtra Pollution Control Board at Kolhapur having my office at Maharashtra Pollution Control Board, Udyog Bhavan Building, Near Collectorate Office, Kolhapur - 416 002, do hereby state on solemnly affirmation as under:-

I, am presently working as the Regional Officer, Kolhapur with the Maharashtra Pollution Control Board, I have gone through the Hon'ble National Green Tribunal (WZ) Pune order dated 29.04.2025. I am submitting a reply to the affidavit on behalf of Respondent No. 4 regarding a specific reply dated 17.05.2023 submitted by respondent No.1 was considered by way of filing an additional affidavit.

1. I say and submit that, the Board issued Proposed Direction on 12.05.2023 on which industry has submitted the reply vide letter dated 17.05.2023. The copy of the Proposed Direction & reply submitted by the industry is enclosed and marked as **Annexure-I & II** respectively.
2. I say and submit that after a reply submitted by the industry dated 17.05.2023, MPC Board had received the letter from Medical Health Officer, Ichalkaranji Municipal Corporation dated 28.08.2023 with site inspection report of Sanitary Inspector in which they have stated the discharge of



effluent outside the factory premises into nalla through pipeline by the Respondent industry. The copy of the letter & site inspection report is marked & enclosed as **Annexure-III & IV** respectively.

3. I say and submit that, based on Medical Health Officer, Ichalkaranji Municipal Corporation letter & report of Sanitary Inspector MPC Board has issued Proposed Direction on 31.08.2023. The copy of the Proposed Direction is marked and enclosed and marked as **Annexure-V**.
4. I say and submit that, even after the Proposed Direction issued dated 12.05.2023 & reply submitted by the industry 17.05.2023 the Respondent industry continued non-compliances as per the Medical Health Officer, Ichalkaranji Municipal Corporation letter dated 28.08.2023. Also, as per the report of MPC Board Officials dated 29.02.2024 observed that, the Respondent industry complied the directions, so duration of non-compliance is considered from 11.04.2023 to 29.02.2024 (total days 324) for EDC calculation. The copy of the visit report dated 29.02.2024 is marked as **Annexure – VI**.

Solemnly affirmed on this 15th day of July 2025 at Kolhapur.



For and on behalf of Respondent No.4

(Nikhil N. Gharat)
Regional Officer

Maharashtra Pollution Control Board, Kolhapur



Notary/Sr./No.- 2082/2024
Solemnly affirm & Signed / L. H. T. L. Before me
me by निखिल न. घराट
& State that the Contents of the Affidavit are
true and correct. Who is identified by स्वरी:

Adv. R. D. Bhosale
Notary Public (Govt. of India)
Dist. Kolhapur.

15 JUL 2025

**MAHARASHTRA POLLUTION CONTROL BOARD
REGIONAL OFFICE, KOLHAPUR.**

Tel. No. (0231) 2652952,
2660448
Fax No. (0231) 2652952
E-mail:
rokolhapur@mpcb.gov.in



Udyog Bhavan,
Near Collector Office,
Kolhapur - 416 003.
Website: <http://mpcb.mah.nic.in>

"Your Service is Our Duty"

No. MPCB/RO/KOP/PD/ 2305/2003

Date: 12/05/2023.

To,
M/s. Ichalkaranji Agro Foods.
(Slaughter House)
R.S.No.813 Site No.115 ShantiNagar,
Near Shanti Hotel Thorat Chowk, A/p. Ichalkaraji
Tal. Hatkanangle, Dist. Kolhapur.

Sub: Proposed Directions under section 33 A of Water (Prevention & Control of Pollution) Act, 1974, 31 A of Air (Prevention & Control of Pollution) Act, 1981 & Hazardous Waste (M, H & T) Rules, 2008 as amended.

Ref: 1. Complaint received from Shri. Santosh Hattikar regarding discharge of effluent.
2. Slaughter House Rules 2011.
3. Visit of Board officials on 11.04.2023.
4. Online Proposal submitted by SRO Kolhapur

WHEREAS, you are operating your unit in 'Pollution Prevention Area' declared under Water (Prevention & Control of Pollution) Act, 1974 & Air (Prevention & Control of Pollution) Act, 1981 & Hazardous Waste (Management & TM) Rules, 2008 as amended 2016.

AND WHEREAS, it is obligatory on your part to provide adequate water and air pollution control devices and adequate health and safety & accidental precautionary measures and to operate it round o'clock so as to prevent any sort of pollution in the surrounding area and to achieve the standards laid down under the provisions of Environment (Protection) Act, 1986.

AND WHEREAS, Board Officials visited your unit on 11.04.2023 for investigation of the complaint and observed following non compliances..

1. During visit O & M was found very poor,
2. You have provided 4 to 5 numbers of bypass arrangements for discharging effluent into nearby odha.
3. During the visit the symptoms of the discharge of the effluent were observed at the backside of the Skin cleaning, and washing activity unit.
4. You have not provided ETP to the effluent generated from the Skin cleaning, and washing activity unit and also not sending the same to the sister concerned unit M/s. Gayama Enterprises.
5. You were not disposing of the waste material as per the consent condition imposed to your unit.
6. You have failed to comply the Slaughter House Rules 2011.

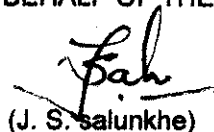
AND WHEREAS, after examining the record of your case, reports of officers of the Board & making necessary enquiries, I am satisfied that you are causing Environmental Pollution problems in the surrounding area and knowingly & wilfully causing grave injury to the environment thereby violating various Environment enactments.

NOW THEREFORE, in exercise of the powers conferred on the undersigned by the Board under section 33A of the by the Water (Prevention & Control of Pollution) Act, 1974 and section 31A of Air (Prevention & Control of Pollution) Act, 1981 it is proposed to issue the following directions (for avoidance of doubt, the directions include closure, prosecution, prohibition or regulation of your activities).

- 1) Why further legal action shall not be initiated against your unit?

You are directed to file your reply to these directions if any, within seven days from the receipt of this notice, failing which Board shall consider issuance of appropriate legal directions as may be deemed fit in your case, which may please be noted.

FOR AND ON BEHALF OF THE BOARD



(J. S. Salunkhe)
Regional Officer,
M.P.C. Board, Kolhapur

Copy submitted for information.

- 1) Member Secretary, M.P.C. B, Mumbai.
- 2) Joint Director (Water Pollution Control) Mumbai.

Copy to:

Sub-Regional Officer, M.P.C. Board, Kolhapur

- He is directed to serve the directions to the above industry and submit the compliance Report along with clear cut remarks accordingly.



M/s. Ichalkaranji Agro Foods

■ **Slaughter House & Office**

R.S. So. 613, Site No 115, Shantinagar,
Near Sarthi Hotel, Thorat Chowk, Ichalkaranji
416 115 Fax - (0230)
E-mail ichalkaranjiagrofood@yahoo.com

Ref No. IAF/2023/01

Date : 17/5/23

■ **Office**

8/12, Opp. Vikramnagar Police Chowki,
Shahapur Road, Ichalkaranji - 416 115.
Phone : 9822431990

To,
The Regional Officer
MPCB KOLHAPUR

Ref. Proposed direction No. MPCB/RO/KOP/PD/2805120003 Dated 12/05/2023
Subject: - Reply to your above referred Proposed direction.

Dear Sir,

As a reference to the above subject hereby we are submitting our points-wise justification as follows:

Sr.No	Points raised	Justification
01.	O & M was found very poor.	We regularly operate pollution control systems and maintain good housekeeping. We segregate all the slaughterhouse waste properly and dispose scientifically. But some political vegetarian people opposed slaughterhouses and frequently submit complaints and tried to blackmail us. We can submit evidence. Please guide us and promised that we will maintain O & M. properly and good
02.	We have provided 4 to 5 numbers of bypass arrangements for discharging effluent into nearby odha.	Sir, we have not any bypass arrangements and never discharge our effluent to the odha because our treated effluent is a good organic content fertilizer. And this is what we used in our own Ken farm. You observe 4 to 5 holes in the boundary walls and you assumed that this was the bypass arrangements. But these 4 to 5 holes drain the rainwater. Earlier here it rained heavily and at that time rainwater comes to our workshop, and office and



M/s. Ichalkaranji Agro Foods

■ **Slaughter House & Office**

R.S. So 613, Site No. 115, Shantinagar,
Near Sarthi Hotel, Thorat Chowk, Ichalkaranji
416 115 Fax - (0230)
E-mail : ichalkaranjiagrofood@yahoo.com

Ref No. : IAF/2023/01

Date : 17/5/23

■ **Office**

8/12, Opp. Vikramnagar Police Chowki
Shahapur Road, Ichalkaranji - 416 115
Phone : 9822431990

		flooded all the premises so these holes were made. For your ready reference enclosed a photo of the same.
03.	The symptoms of the discharge of the effluent were observed at the backside of the Skin cleaning and washing activity unit.	For skin-cleaning activities, very, negligible water is required. After cleaning we collect the effluent and storage tank and transfer to ETP hardly 500 ltrs/day qty. Generated. And this is treated in our existing ETP and treated water utilized on our own farm.
04.	We have not provided ETP to the effluent generated from the Skin cleaning and washing activity unit and also have not sent the same to the sister concerned unit M/s. Gayama Enterprises.	M/s. Gayama Enterprises. Activities we closed already because all the material was sent to our sister concerned unit M/s Maharashtra FOOD PROCESSING UNIT, PHALTAN for they have a rendering plant so all the material was sent only for skin collection, cleaning, and applying the sult for maintaining the life and sent to the vendors. Very negligible wastewater generated approx..500 litters. And this treat in our existing full fledged ETP.
05.	We were not disposing of the waste material as per the consent condition imposed on our unit.	We run the slaughterhouse as per the consent conditions. All the buffalo parts are valuable. There is nothing waste material in it and All the parts are recyclable for example blood, dung, skin, horns, tallow, etc. and these are all properly segregated and sold to the recycler. and we get good value of the same.
06.	We have failed to comply with the Slaughter House Rules 2011.	We already maintain slaughterhouse rules 2011. And maintain good housekeeping. Our unit location is near odha if you observed this odha comes from industrial textile units and so many textile effluents come in this odha and goes to Common ETP for treatment. If our wastewater drain in Nala helps to reduce the pollution load in odha water. also, near



M/s. Ichalkaranji Agro Foods

■ **Slaughter House & Office**

R.S. So. 613, Site No. 115, Shantinagar,
Near Sarthi Hotel, Thorat Chowk, Ichalkaranji,
416 115 Fax - (0230)

E-mail : ichalkaranjiagrofood@yahoo.com

Ref No. : IAF/2023/01

Date : 17/5/23


■ **Office**

8/12, Opp. Vikramnagar Police Chowki,
Shahapur Road, Ichalkaranji - 416 115.
Phone : 9822431990

		<p>our unit 2 to 3 cemeteries and all the city hotels' chicken wastages and chicken shops' wastage are collected in drums and these are thrown into the odha near our unit. We complained so many times to The Nagar Parishad but no action was taken. For your ready reference, we enclose a photocopy of the same.</p>
--	--	--

We hope you will be satisfied with the above clarification and we promise that we will abide by all laws stipulated by you. Kindly request you do not take any legal action against us. We will follow your rules & regulations.

Thanking you, Yours faithfully
For M/s ICHALKARANJI AGRO FOODS.
(Slaughter House)

Sd/


Authorized signatory

M/S ICHALKARANJI AGRO FOODS

CC to

1. M.S. MPCB MUMBAI

2. J.D.(WPC) MUMBAI



इचलकरंजी महानगरपालिका
इचलकरंजी
(जिल्हा:- कोल्हापूर)



कार्यालय दूरध्वनी क्र. ०२३०-२४२१४५१ ते ५५, फॅक्स क्र. ०२३०-२४३०९७७,

ई-मेल आयडी :- lmc22.aarogya@gmail.com वेबसाइट :- www.ichalkaranjinp.co.in

ई-मेल आयडी :- ichalkaranjinp@gmail.com

जाचक क्रमांक:- इ.म.न.पा/ आरोग्य / १४४९ / २०२३

दिनांक- २६ / ६ / २०२३

प्रति,

उपप्रादेशिक अधिकारी,
 महाराष्ट्र प्रदुषण नियंत्रण मंडळ,
 कोल्हापूर.

विषय - इचलकरंजी ॲग्रो फूड व ग्यामा कंपनीकडून जनावरांच्या चामड्यावर प्रक्रिया केलेले सांडपाणी व वेस्टेज मटेरियल ओढ्यामध्ये व विहीरीमध्ये सोडलेबाबत.

श्री.संतोष राजाराम हत्तीकर यांनी दि.११ / ०४ / २०२३ दिले तक्रार अर्जानुसार इकडील स्वच्छता निरीक्षक यांनी समक्ष जागेवर जावून पाहणी केली असता इचलकरंजी ॲग्रो फूड व ग्यामा कंपनीद्वारे जनावरांच्या चामड्यावर प्रक्रिया केली जाते. त्याठिकाणी ETP प्लांट नसलेने सदरठिकाणचे सांडपाणी व वेस्टेज मटेरियल हे मागील बाजूस मोठा नळ टाकून ओढ्यामध्ये सोडलेले असलेबाबतचा यस्तुस्थितीजन्य अहवाल इकडे दिलेला आहे. त्यामुळे सदरठिकाणी दुर्गंधी पसरलेली असून नागरिकांच्या आरोग्याच्या दृष्टीने हानीकारक परिस्थिती निर्माण होण्याची शक्यता नाकारता येत नाही. तरी सदर प्रकरणी आपले विभागाकडून पुढील कार्यवाहीसाठी सदरचा अहवाल सादर.

वैद्यकीय आरोग्य अधिकारी
 इचलकरंजी महानगरपालिका

प्रत :- श्री.संतोष राजाराम हत्तीकर,
 बॉर्ड नं.१७ / ४२, विवेकानंद कॉलनी,
 इचलकरंजी.

से वैयक्तिक अर्थोपार्जन के लिए, 231
इ.स.पा. प्रांचेकडे

Annexure-IV

रिपोर्ट - स्वच्छता निरीक्षण का.का. प्रांचेकडे.

विषय - इचलकरंजी अंग्रेजी फूड व ड्रामा कंपनीकडून
जन्नावरांच्या चमड्यावर मच्छिमा केलेले सांडपाणी
व वेस्टेज सेटेरिअल ओल्यामध्ये व विटरीममध्ये
सोडलेखन.

आपल्या आदेशानुसार इचलकरंजी अंग्रेजी फूड व
ड्रामा कंपनी रि.स.नं. ६९३, साइट नं. ११५ शांतीनगर,
येथे समक्ष जाऊन घराणी केली त्यासाठी सदर कंपनीला
दि. ३१-५-२०२३ रोजी दिलेल्या नोटिसीचे उत्तर देताना
साफसफाई करून फोटो काढलेले आहेत. सदर घराणी
ड्रामा कंपनीकडून जन्नावरांच्या चमड्यावर मच्छिमा केली
जाते. त्याठिकाणी ETP प्लांट असलेले तेथील सांड-
पाणी व वेस्टेज सेटेरिअल पाईपलाईनने ETP प्लांट मध्ये
सोडले आहे, असे दाखवत आहेत. परंतु वस्तुस्थिती
वेगळी आहे. सदर कंपनीमधील सांडपाणी व वेस्टेज
सेटेरिअल मागील वाजून सोळा नवा राखून ओल्यामध्ये
सोडलेले आहे. तरी सदर कंपनीवर पुढील योग्य ती
कारवाई होणे काही सादर.

(सहादेव शा. मिसाल)

श्री. शि. शि.
Report to MACTB
24/8/2023

**MAHARASHTRA POLLUTION CONTROL BOARD
REGIONAL OFFICE, KOLHAPUR.**

Tel. No. (0231) 2652952,
2660448

Fax No. (0231) 2652952

E-mail:
rokolhapur@mpcb.gov.in



Udyog Bhavan,
Near Collector Office,
Kolhapur - 416 003.
Website: <http://mpcb.mah.nic.in>

"Your Service is Our Duty"

No. MPCB/RO/KOP/PD/ 2302310005

Date: 31/08/2023.

To,
M/s. Ichalkaranji Agro Foods.
(Slaughter House)
R.S.No.613 Site No.115 ShantiNagar,
Near Shanti Hotel Thorat Chowk, A/p. Ichalkaraji
Tal. Hatkanangle, Dist. Kolhapur.

Sub: Proposed Directions under section 33 A of Water (Prevention & Control of Pollution) Act, 1974, 31 A of Air (Prevention & Control of Pollution) Act, 1981 & Hazardous Waste (M, H & T) Rules, 2008 as amended.

Ref: 1. Complaint received from Shri. Santosh Hattikar regarding discharge of effluent.
2. Slaughter House Rules 2011.
3. Visit of Board officials on 11.04.2023.
4. Online Proposal submitted by SRO Kolhapur
5. Proposed direction issued by this office dtd.12/05/2023
6. Verification report received to SRO Kolhapur office from M/s.Ichalkaranji Municipal Corporation officers dtd.28/08/2023 as well as complaint vide email through Shri. Santosh Hattikar regarding discharge of effluent..

WHEREAS, you are operating your unit in 'Pollution Prevention Area' declared under Water (Prevention & Control of Pollution) Act, 1974 & Air (Prevention & Control of Pollution) Act, 1981 & Hazardous Waste (Management & TM) Rules, 2008 as amended 2016.

AND WHEREAS, it is obligatory on your part to provide adequate water and air pollution control devices and adequate health and safety & accidental precautionary measures and to operate it round o'clock so as to prevent any sort of pollution in the surrounding area and to achieve the standards laid down under the provisions of Environment (Protection) Act, 1986.

AND WHEREAS, M/s. Ichalkaranji Municipal Corporation officers visited your unit on 24.08.2023 for investigation of the complaint and observed non compliances., as per verification carried by M/s.Ichalkaranji Municipal Corporation officers it is observed that industry partly discharging generated effluent form M/s.Ichalkaranji Agro Foods & sister unit

2.

i.e M/s. Gyama industry into odha through pipeline provided backside of premises. However, you have failed to comply the Slaughter House Rules 2011 amended thereof.

AND WHEREAS, after examining the record of your case, reports of officers of the Board & making necessary enquiries, I am satisfied that you are causing Environmental Pollution problems in the surrounding area and knowingly & wilfully causing grave injury to the environment thereby violating various Environment enactments.

NOW THEREFORE, in exercise of the powers conferred on the undersigned by the Board under section 33A of the by the Water (Prevention & Control of Pollution) Act, 1974 and section 31A of Air (Prevention & Control of Pollution) Act, 1981 it is proposed to issue the following directions (for avoidance of doubt, the directions include closure, prosecution, prohibition or regulation of your activities).

ii) Why further legal action shall not be initiated against your unit?

You are directed to file your reply to these directions if any, within seven days from the receipt of this notice, failing which Board shall consider issuance of appropriate legal directions as may be deemed fit in your case, which may please be noted.

FOR AND ON BEHALF OF THE BOARD



(J. S. salunkhe)
Regional Officer,
M.P.C. Board, Kolhapur

Copy submitted for information.

- 1). Member Secretary, M.P.C. B, Mumbai.
- 2). Joint Director (Air Pollution Control) Mumbai.

Copy to:

Sub-Regional Officer, M.P.C. Board, Kolhapur

- He is directed to serve the directions to the above industry and submit the compliance Report along with clear cut remarks accordingly.



234
MAHARASHTRA POLLUTION CONTROL BOARD
SUB REGIONAL OFFICE, KOLHAPUR.

Annexure-VI

Tel. No. (0231) 2652952, 2660448
Fax No. (0231) 2652952.
Email: srokolhapur@mpcb.gov.in



Udyog Bhavan,
Near Collector
Office, Kolhapur.
416 003.

Date: 29/02/2024

VISIT REPORT

- 1) Name of Industry :- M/s. Ichalkaranji Agro Foods,
and address R.S. No. 613 site no. 115 (Slaughter
House), Shantinggar, Near Shanti
Hotel, Thorat Chowk, Ichalkaranji
- 2) Date of Visit :- 29/02/2024.
Visited By :- Combined visit (IMC & MPCB)
- 3) Industry Representative :- _____
- 4) Consent Status :- 31/10/2024 (124674)
- 5) Observations :-
Ichalkaranji municipal corporation
Representative & MPCB official combined
visited to above said unit.
i) During inspection unit found in operation.
ii) The generating Industrial Effluent is
53.3 m³/d for that industry has provided
ETP consisting primary, secondary & filter-
ation system.
iii) During inspection it is observed that
industry discharging treated effluent
on 3 acre land for irrigation purpose.
Industry has provided total 8 acre land
iv) The generating D.S is 3 MLD for that
industry has provided septic tanks with
soak pit.
v) The generating Non H.W i.e. Type - I
(Vegetable matter such as Rumen, Stomach,

Industry Representative

Officer MPC Board, Kolhapur

235

intestine contents dung & agriculture residue
& TYPE - II (animal matter such as inedible offals,
tissues etc) is disposed to M/S. Maharashtra
Food Processing, Phaltan Tal Dist. Satara.

W) Industry has submitted BG as per consent
condition.

PII
S.I
Sanitary Inspector
Tal. Municipal Corporation
Ichalkaranji.

Parvez Qazi
Parvez Qazi
Company Representative.

Humbad
(Humbad S.J)
FO MFCB
Kolhapur.

29/2/2024
Dr. Sunilbhai G. Sangaris
Medical Health Officer
Ichalkaranji Municipal
Corporation.