

Application No.157/2022

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

AT PUNE...

Shri. Shantinath Devappa Hukkeri

Petitioner

V/s....

1) Dunung Industries Pvt. Ltd.
through directors

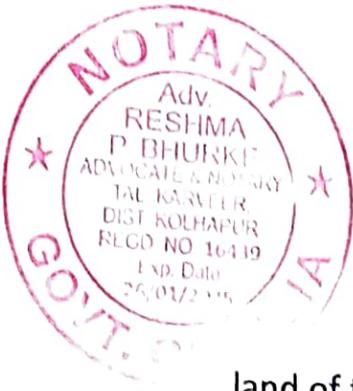
Respondent

Affidavit on behalf of the petitioner -

I, Shri. Shantinath Devappa Hukkeri Age 69 yrs, Occu - Agriculture, R/o - Peth Vadgaon, Tal Hatkanagale, Dist Kolhapur do hereby state on solemn oath as follows :-

- 1) The Hon'ble bench had passed and order for setting up committee for assessment of damages arising out of the pollution caused by the respondent industry. Accordingly the committee, its members have visited the agricultural

(2)



land of the petitioner and given a committee report on date - accordingly the committee has recommended to provide details of the agricultural produce of the petitioner yeilding out of his lands for a duration of five years prior to establishment of respondent factory i.e. five years prior to 2017 and for the duration of five years after the establishment of the factory. Accordingly the petitioner hereby submits the detailed income arising out of his agricultural lands from the respective crops and fruit trees serially.

A) Agricultural produce year 2013 to 2017 from the agricultural land of the petitioner is as follows :-

Sr.No.	Name of Crops / Fruit Trees	Total No of Trees	Average income per year Rs.	Yearly income (Approximately)
1)	Curry Leaves	500[500*365days]	500/-	1,82,500/-
2)	Bananas (seasonal)	200[200 ghad*400Rs.per tree.]	200/-	80,000/-
3)	Custard Apple (seasonal)	25kg*50Rs.=1250 Rs.Per tree 1250 Rs*80trees]	1250/-	1,00,000/-



(3)

4)	Ramfal (seasonal)	10 trees 50 fruits*40Rs=Rs2000 Rs.2000*10 trees	200/-	20,000/-
5)	Mango (seasonal)	10 trees 125kg fruits 125Kg*10 trees=1250 kg 1250 Kg* 80 Rs=1,00,000/-	1250/-	1,00,000/-
6)	Drumsticks Trees	40 trees Rs 2000 per tree *40 trees=Rs.80,000/-	2000/-	80,000/-
7)	Guvava (seasonal)	5 trees Rs.1000*5trees	1000/-	5,000/-
8)	Chickoo	5trees *2000Rs	2000/-	10,000/-
9)	Papaya	40trees Average fruits 125*50=6250fruits 6250 fruits *10 Rs=62500/- aproximately	1250/-	62,500/-
10)	Coconut	10 trees	Produce was not yet begun--	--
11)	Lemon	12 trees*6000Rs per year per tree.	17 Rs	72,000/-
12)	Groundnuts	-	-	24,000/-
13)	Soyabean	-	-	21,000/-



(4)

14)	Turdal	-	-	35,000/-
15)	Chickpeas	-	-	47,000/-
16)	Tomatoes, Brinjals, Chilly etc.	-	-	50,000/-
Total Income				9,66,000/-
Total Cost incurred				2,00,000/-

B) Agricultural produce year 2017 to 2022 from the agricultural land of the petitioner is as follows :-

Sr.No.	Name of Crops / Fruit Trees	Total No of Trees	Average income per year Rs.	Yearly income (Approximately)
1)	Curry Leaves	500	-	All curry leaves discarded due to excessive pollution
2)	Bananas (seasonal)	200	All Bananas discarded due to excessive pollution
3)	Custard Apple (seasonal)	80	All Custard Apple discarded due to excessive pollution
	NMK Golden Custard Apple (seasonal)	-	-	All 35 trees cut down due to excessive pollution
4)	Ramfal (seasonal)	10	All Ramfal discarded due to excessive pollution



(5)

5)	Mango (seasonal)	10	..	All Mango discarded due to excessive pollution
6)	Drumsticks Trees	20	No income
7)	Guvava (seasonal)	-	-	Loss due to pollution
8)	Chickoo	5	-	Loss due to pollution
9)	Papaya	-	-	Loss due to pollution
10)	Coconut	10	-	Loss due to pollution
11)	Lemon	12	-	Loss due to pollution
12)	Groundnuts	-	-	Loss due to pollution
13)	Soyabean	-	-	Loss due to pollution
14)	Turdal	-	-	Loss due to pollution
15)	Chickpeas	-	-	Loss due to pollution
16)	Tomatoes, Brinjals, Chilly etc.	-	-	Loss due to pollution
Total Income				Loss
Total Cost incurred				2,00,000/-

2) The petitioner has incurred expenses for pesticides, fertilizers and labour charges even during the times of excessive pollution emission from the respondent industry. However all the efforts of petitioner were in vain resulting in total loss of his agricultural produce.



(6)

3) Hence the petitioner respectfully begs to this Hon'ble Bench to award maximum compensation for the damages incurred by him due to the heavy pollution from the respondent industry from the above table it is evident that the petitioner has incurred a loss of approximately seven lakhs yearly during the period of 2017 to 2022. Hence the petitioner begs this Hon'ble Bench to award maximum amount of compensation to the poor petitioner.

Hence this affidavit.

[Handwritten signature]

Kolhapur. Date 06/07/2023

VERIFICATION

I, Shri. Shantinath Devappa Hukkeri Age 69 yrs, Occu - Agriculture, R/o - Peth Vadgaon, Tal Hatkanagale, Dist Kolhapur do hereby state on solemnly verify that the contents of the affidavit are true and correct to the best of my knowledge and belief.

Kolhapur. Date 06/07/2023

[Handwritten signature]

SOLEMNLY affirmed before me
by *Shantinath Devappa Hukkeri* Notary Regi. No. 399
Who is identified before me
by —
Whom I personally know
This 05 day of 07 2023

BEFORE ME

[Handwritten signature]
5/7/23

RESHMA RANINI BHURKE
Advocate & Notary
26 B, Vishwakarma Colony,
Jawahar Nagar, Kolhapur 416 008.

