

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,  
WESTERN ZONE BENCH AT PUNE  
Original Application No.85/2022 (WZ)**

Sachin Sudamrao Pachpute

....Applicant

v/s

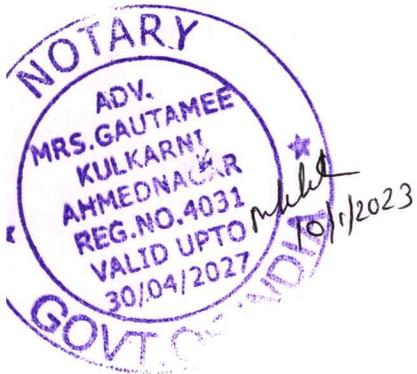
Sahakar Maharshi Narayanrao Nagawade  
SSK Ltd. & Ors.

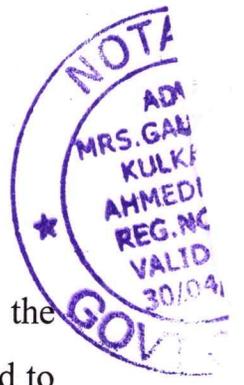
..... Respondents

**Affidavit on behalf of Respondent No.2-Maharashtra Pollution Control Board in compliance of the Order dated 10/11/2022 passed by this Hon'ble Tribunal.**

I, Chandrakant Shinde, Age : Adult, Occupation : Service, the Sub-Regional Officer of the Maharashtra Pollution Control Board at Ahmednagar having my office at Savitribai Fule Vayapari Sankul, 1<sup>st</sup> Floor, Hall No.2 & 3, Near T.V. Centre, Savedi, Ahmednagar-414 003, do hereby state on solemn affirmation as under :-

1. I have perused the papers and proceedings of the above matter. I am thus conversant with the facts of the case and I am able to depose the same. I am filing the said Affidavit in Reply on behalf of Respondent No.2-Maharashtra Pollution Control Board(MPCB).
2. At the outset, the present Original Application is filed by the Applicant regarding pollution caused due to discharge of untreated effluent into the Ghod river by the Respondent No.1-Sugar Unit.





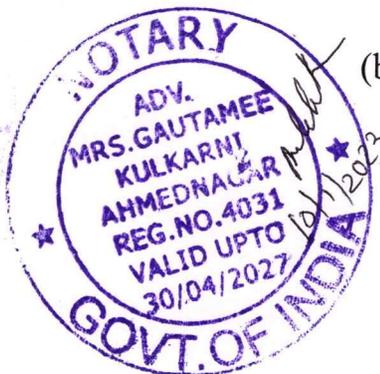
3. I say and submit that in order to verify the compliance, the official of the Respondent Board at Ahmednagar has visited to the Sugar and Distillery Units of Respondent No.1 on 6/1/2023 and observed as under :

(i) **Sugar Unit :**

- (a) During visit the sugar industry is in operation.
- (b) The sugar unit has provided primary, secondary & tertiary treatment for trade effluent, which were found in operation at the time of visit and the treated effluent is used for irrigation purpose nearby farmers land.
- (c) The industry is having one no. of boiler with capacity 140 TPH with ESP stack of height 73.0 meters at APC. During visit, the same is in operation.
- (d) The industry is having 4 nos. of old boilers, but, during visit the same is not in operation and process of scrapping of the same is in process.
- (e) The industry is having 01 No of Kaccha pit & process of Scrapping of the same is in process.

(ii) **Distillery Unit :**

- (a) During visit, the Distillery Unit is not in operation. The industry has provided bio-disaster followed by MEE and bio-composting for trade effluent, only Bio Composting process is in operation by using previous Spent Wash.
- (b) The industry has installed one no. of molasses storage tank.



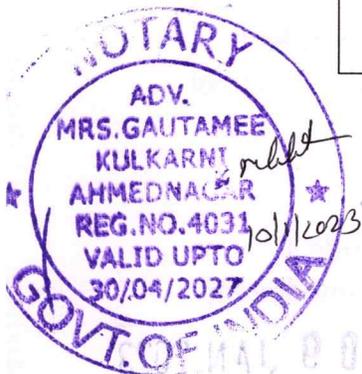
*[Signature]*

(c) The industry has appointed VSI, Pune for assessment of contamination, cost of remediation & damage, the work of the same is in progress.

Copies of the Visit Reports dtd.6/1/2023 alongwith typed copies of the same are enclosed herewith and marked as an **Annexure-'I' collectively.**

4. I say and submit that in compliance of the directions of this Hon'ble Tribunal vide order dated 10/11/2022, the Respondent Board has calculated the environment damage as follows :-

Environmental Compensation(EC) untreated / Partial treated sewage						
1	PI	Pollution Index of industrial sector (Consent categorization)	Red	Orange	Green	
			80	0	0	
2	N	Number of days of Violation took place	282			
3	R	A factor in Rupees	250			
4	S	Scale (LSI=1.5,MSI=1,SSI=0.5)	1.5			
5	LF	Location Factor [ Population in million , less than 1=1,1 to less than 5=1.25, 5 to lees 10=1.5,10 and above=2	1			
	EC in Rs.	PI *N*R*S*LF	84,70,000	0	0	



*[Handwritten signature]*

*[Faint, mirrored text from the reverse side of the page, including 'NOTARY' and 'GOVT. OF INDIA']*

BEFORE ME

NOTED & REGISTERED

MRS. GAUTAMEE KULKARNI, No. GOK 4031

NOTARY

GOVERNMENT OF INDIA

<b>Date of Proposed Direction</b>	09.02.2022	<b>No of Days- 282</b>
<b>Date of Direction of Stoppage operation of the sugar</b>	10.02.2022	
<b>Date of Show Cause Notice for Closure Direction</b>	29.09.2022	

\* EC Calculated from the date of PD dtd.09.02.2022 to last visit along with CAG Auditor dtd. 17-11-2022 Nos of Days of Violation-282

5. I say and submit that accordingly, the Respondent No.2-MPCB has issued directions to the Respondent No.1-Industry vide letter dated 9/1/2023 and directed them to submit Environmental Compensation of Rs.84,70,000/- alongwith compliance of the directions. A copy of the directions dated 9/1/2023 is enclosed herewith and marked as an **Annexure-II**.
6. I say and submit that in compliance of the Order dated 29/9/2022, a Joint Committee has submitted its report before this Hon'ble Tribunal on 30/10/2022, which is taken on record.

Solemnly affirmed on this .....<sup>9<sup>th</sup></sup>.....day of January, 2023 at  
...Ahmednagar

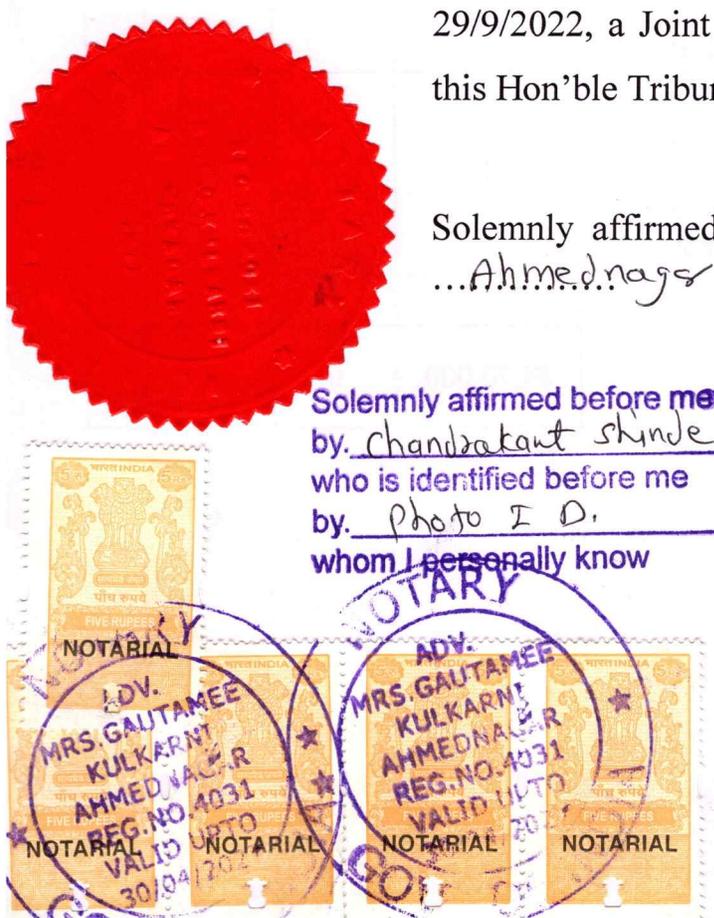
Solemnly affirmed before me  
by Chandrakant Shinde  
who is identified before me  
by Photo I.D.  
whom I personally know

For and on behalf of Respondent  
No.2-Maharashtra Pollution Control  
Board,

(Chandrakant Shinde)  
Sub-Regional Officer-Ahmednagar

**BEFORE ME** 09 JAN 2023

**NOTED & REGISTERED**  
MRS. GAUTAMEE G KULKARNI, No. GGK 57/2023  
NOTARY  
GOVERNMENT OF INDIA  
TOTAL PAGES 04



**MAHARASHTRA POLLUTION CONTROL BOARD**

Sub Regional Office, Ahmednagar.  
Savitribai Fula Vyapari Sankul,  
1<sup>st</sup> 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**

<b>Date of Visit</b>	06/01/2023
<b>Name &amp; Address of the Industry</b>	Sahakar Maharshi Shivajirao
	Narayanrao Nagwade SSK Ltd
	P.No. 52/2, Tal. Shrigonda, Dist. Ahmednagar
<b>Person Contacted</b>	Phalke v.s
<b>Contact Number and E mail ID</b>	9420343834
	Shrigondasugar@yahoo.co.in
<b>Validity of Consent Status</b>	Valid up to – 31/07/2023

**Production Details (consented products):-**

Sr. No.	Product Name	Quantity (As per Consent)	Quantity Actual Dec - 2022
1)	Sugar	15840 MT/M	15000 MT/M
2)	Motels	5760 MT/M	9640 MT/M (CH + BII)
3)	Press mud	5760 MT/M	5236 MT/M
4)	Bagasse	40326 MT/M	40200 MT/M
5)	Co-gen	26 MW	23 MW

**Water Pollution aspect:-**

Effluent Generation in M3/d	Industrial		Domestic
	Process	Cooling	Domestic
As per Consent	398.0	-	45.0
Actual	380.0	-	30.0
Treatment System Provided Details (Capacity):-	Primary, Secondary & Tertiary		Soak Pit
Disposal as per Consent	Yes		Yes / No.
Quantity of Disposal	irrigation		-
Online Monitoring System Applicable Water	Yes	If Yes Connected to 1. CPCB Server 2. MPCB Server	
	Remote calibration applicable	Yes	
	Sensor Properly Placed	Yes	
Separate Electric Meter Provided	Yes		
Meter Readings	3429.9		

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

**Domestic:** Poor

Average Good

Last JVS Details : - Date of Collection  
Amount details:

Payment: - Yes / No

Water Sample collected: Yes

if Yes details of source- ETP outlet, CPU outlet  
Parameters- G.P

**Air Pollution Aspects:**

Source	Fuel	Quantity/ Unit	Pollutants	Stack Height	Control Equipment Installed
1) Boiler (Capacity 140TPH)	Bagasse	42.97 MT/D	TPM, So2	73.0Mtrs	ESP
			502		

Online Monitoring System Air (Stack)	Yes	If Yes Connected to 1. CPCB Server 2. MPCB Server
	Remote calibration applicable	Yes
	Sensor Properly Placed	Yes
	Whether proper stack monitoring facility exists	Yes
	Whether calibration facility exist	Yes

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	5kg/Day	Mixed along with Bagasse				

**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) Boiler Ash	2749	Bio-Composting			

**Tree Plantation:**

Total plot area sq. mtr.	BUA in sq. mtr.	Green Belt area sq. mtr.	Plantation Done in Nos.	Proposed Plantation
331800	96683	78340	5500No	100 nos

**Statutory Submission:**

Hazardous waste Annual Returns: - Submitted on \_30/06/2022

Environment Statement Report : - Submitted on \_19/09/2022

<b>Previous Legal Action</b> Action Initiated Date:- Specific Compliance :-	<b>Bank Guarantee Details:</b>  BG Imposed : Yes BG Imposed against : Consent / Directions Number (Only for Directions) :
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**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	Rs.25.0 lacks	0668IPCPG 220004	11/02/2022	31/12/2022

**Additional observations:**

Visit paid to sugar industry for checking of compliance of consent condition, SCN & Compliant Investigation Received from Mr. Bhausahab Pawar through E-mail, during visit following observation are made as below.

- 1) During visit sugar industry is in operation engaged in sugar cane crushing capacity 4200 TCD.
- 2) They have provided primary, secondary & tertiary treatment for trade effluent, during visit same is found in operation. Treated effluent is used for irrigation purpose nearby farmer land.
- 3) Industry is having 01 No of Boiler with capacity 140 TPH with ESP & Stack of height 73.0 mtrs as APC, during visit same is found in operation.
- 4) Provided OCEMS to ETP out let & Boiler stack & same is connected to MPCB & CPCB server need to calibrate of the same.
- 5) Provided 15 days effluent storage tank (HDPE lining) & Closed pipeline as per consent condition.
- 6) Industry is having 04 Nos of old Boiler. But during visit same is not in operation and same is not scrapped as per SCN, but process for scrapping of the same is in process.
- 7) Not Scrapped Kaccha lagoon.
- 8) Industry has attended leakages near sugar sludge drying bed & 15 days storage tank.
- 9) They have provided CPU, during visit same is found in operation.

10) 02 Nos of JVS sample collected (ETP outlet & CPU outlet) in presence of industry representative.

11) Provide digital display board.

**Remark:** Industry shall comply consent & SCN condition.

Sd-  
Phalke V.S.  
Env. Officer

Sd-  
Raviraj Patil (FO),  
MPCB, Ahmednagar

**MAHARASHTRA POLLUTION CONTROL BOARD**

Phone : 0241-2470852

Email : sroahmednagar@mpcb.gov.in

Visit us At: [www.mpcb.gov.in](http://www.mpcb.gov.in)**"Your Service is our Duty"**

Sub Regional Office,

Savitribai Fule vayapari sankul,

1<sup>st</sup> floor, Hall No. 2 & 3,

Near T. V. Centre, Savedi,

Ahmednagar - 414003.

Date: 06 / 01 /2023

VISIT REPORT

Name of Industry : M/s. S.M. Shivajirao Narayanrao Nagwade SSk Ltd.  
(Distillery unit), Plot No 52/2 limpagaon, Tal. Shrigonda,  
Dist. Ahmednagar

Product Details : R.S or ENA or Ethanol

Consent Status : Valid up to – 21/03/2023

Industry Representative : phalke v.s.

Phone No & Mail ID : 9420343834, shrigondasugar@yahoo.co.in

Observation:

Visit paid to industry for checking of complete of consent condition, PD & compliant investigation Received from Mr. Bhausahab Pawar through e-mail during visit following observation are made as below.

- 1) During visit Distillery unit is not in operation.
- 2) They have provided Bio Digester followed by MEE followed by Bio Composting for trade effluent, However during Visit Bio-digester & MEE is not in operation, but Bio- Composting activity is in operation, by using spent wash from 30 days pacca lagoon (02 nos) (pacca lagoon spent wash found approx. – 30%).
- 3) Industry had provided 05 acres Bio-composting as per CPCB guideline.
- 4) They have provided flow meter & web camera as per CPCB guideline, & same is connected to CPCB server.
- 5) They have provided CPU for distillery unit, during visit same is not in operation, due to distillery unit is not in operation.

- 6) As per ID, industry has appointed VSI, Pune for assessment of cotaminaton , cost of remediation & damages, work of the same is in progress (as per visit dated – 08/11/22 & 02/12/22).
- 7) Industry has installed 01 No of New molasses storage tank.
- 8) Industry has submitted Bank Guaranty of RS. 25.0 lacks as per consent condition.

Remark: Industry shall comply consent & ID condition.

Sd-  
Phalke V.S.  
Env. Officer

Sd-  
Raviraj Patil (FO),  
MPCB, Ahmednagar

# MAHARASHTRA POLLUTION CONTROL BOARD

<p>Sub Regional Office, Ahmednagar. Savitribai Fula Vyapari Sankul, 1<sup>st</sup> floor, Hall No. 2 &amp; 3, Near T.V. Centre, Savedi, Ahmednagar-414003.</p>		<p>Office Contact No. : 0241 - 2470852 E-mail ID :-sroahmednagar@mpcb.gov.in Visit us At-mpcb.gov.in</p>
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## VISIT REPORT

Date of Visit	06/01/2023.
Name & Address of the Industry	<p>Lahakar Maharshi shivajirao Narayen Rao Nagaradh, SSK (td, p.no. 5212, Limpagan vill. Tal. shrigonda, Dist. A. Nagar.</p>
Person Contacted	P. Halkar U.S.
Contact Number and E mail ID	<p>9420363834. shrigondesugar@yahoo.co.in.</p>
Validity of Consent Status	Valid upto = 31/07/2023.

### Production Details (consented products):-

Sr. No.	Product Name	Quantity (As per Consent)	Quantity Actual
1)	Sugar	15840 MT/M	15000 MT/M Dec-2022.
2)	Molasses	5760 MT/M	9640 MT/M (CH+BT)
3)	Press mud	5760 MT/M	5236 MT/M
4)	Bagasse	40320 MT/M	40200 MT/M
5)	Co-gen	26 MW	23 MW.

Water Pollution aspect:-

Effluent Generation in M3/d	Industrial		Domestic
	Process	Cooling	Domestic
As per Consent	398.0	-	45.0
Actual	380.0	-	30.0
Treatment System Provided Details (Capacity):-	Primary, Secondary & Tertiary		Soak Pit/ STP
Disposal as per Consent	Yes / No		Yes / No.
Quantity of Disposal	Irrigation.		
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	Yes/No	
	Sensor Properly Placed	Yes/No	
Separate Electric Meter Provided	Yes/No		
Meter Readings	3229.9		

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- C.P.

ETP outlet, CPV outlet.

Air Pollution Aspects:

Source	Fuel	Quantity/ Unit	Pollutants	Stack Height	Control Equipment Installed
1) Boiler (146 TPH)	Bcgall	42.97 MT/D	SPM, SO <sub>2</sub>	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	5 kg Day	Mixed along with Bagasse	-	-	-	-

**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) Boiler Ash	2749 519	Bio-Composting			

**Tree Plantation:**

Total plot area sq. mtr.	BUA in sq. mtr.	Green Belt area sq. mtr.	Plantation Done in Nos.	Proposed Plantation
331800	96683	78340	5500 Nos	700 Nos

**Statutory Submission:**

Hazardous waste Annual Returns: - Submitted up to 30/06/2022.

Environment Statement Report :- Submitted up to 19/09/2022.

<b>Previous Legal Action</b> Action Initiated Date:- Specific Compliance :-	<b>Bank Guarantee Details:</b> BG Imposed : Yes/No ✓ BG Imposed against : Consent / Directions Number (Only for Directions) :
<b>Bank Guarantee details:-</b>	

Bank Guarantee Imposed for	Amount as per consent / direction	Bank Guarantee number	BG issued date	Bank Guarantee Validity
OPM of PCS	Rs. 25.01 lacs	0668 IPEBG 220004	11/02/22	31/12/2022

Additional observations:

\* visit paid to sugar industry for checking of compliance of consent condition, scope of compliance investigation received from Mr. Bhaushab Patil through e-mail, during visit following observations are made as below.

- 1) During visit sugar industry is in operation engaged in sugar cane crushing capacity -  $\frac{4200}{TCD}$
- 2) They have provided primary, secondary & tertiary treatment for back effluent, during visit same is found in operation & treated effluent is used for irrigation purpose near by former land.
- 3) Industry is having 01 no of boiler with capacity 140 TPH with ESP & stack of height 73.0 mts as APC, during visit same is found in operation.
- 4) Researched accms to ETP outlet & Boiler stack

& same is connected to MPCB & CPCB server, need to calibrate of the same.

- 5) Provided 15 day's effluent storage tank (HDPE lining) & closed pipe line as per consent condition
  - 6) Industry is having 04 nos of old Boiler, but during visit same is not in operation, but same is not scrapped as per SCM, but process for scrapping of the same is in process.
  - 7) Not scrapped because logon.
  - 8) Industry has attached Holdings near sludge drying bed & 15 day's storage tank.
  - 9) They have provided CPU - during visit same is found in operation.
  - 10) 02 nos of JWS sample collected (ETP outlet & CPU outlet) in presence of industry representative.
  - 11) Provided digital display board..
- Remark -> Industry shall comply consent & SCM condition,

*Phalke*  
 Phalke v.s.  
 Env. Officer

*Ravi Raj Patil*  
 Ravi Raj Patil (So)  
 J.P.C.B. Ahmednagar.

# MAHARASHTRA POLLUTION CONTROL BOARD

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1<sup>st</sup> floor, Hall No. 2 & 3,

Near T. V. Centre, Savedi,

Ahmednagar - 414003.

Date : 06/01/2023

## VISIT REPORT

Name of Industry : M/s. S.M. Shivrajisao Narayanrao Noguekar  
SSK Ltd (Distillery unit), plot no. 52/2,  
Lim Pagan, Tal. Shrigonda, Dist. Ahmednagar

Product Details : R.S. or ENA or Ethanol.

Consent Status : Valid upto - 21/08/2023.

Industry Representative : Phalke V.S.

Phone No and Email ID : 9420303834, shrigondesugre@yahoo.co.in

## Observation

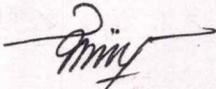
\* visit paid to industry for checking of compliance of consent condition, PD & complaint investigation received from Mr. Bhausaheb Pawar through email, during visit following observation are made as below:

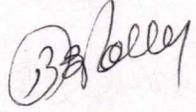
- 1) During visit Distillery unit is not in operation.
- 2) They have provided Bio-digester followed by MEE followed by Bio-composting for trade effluent, However during visit Bio-digester & MEE is not in operation, but Bio-composting activity is in operation, by using spent wash from 30 day's Paava Jagoon (पेवा जगून) Paava Jagoon spent wash level

2  
found approx - 30 (261)

- 3) Industry has provided 05 Acres Bio Composting as per CPCB guideline.
- 4) They have provided flow meter & web camera as per CPCB guideline. & same is connected to CPCB server.
- 5) They have provided CPU for distillery unit, during visit same is not in operation, due to distillery unit is not in operation.
- 6) As per ID, industry has appointed VSI, panel for assessment of contamination, cost of remediation & damages, work of the same is in progress. (as per visit dated - 08/11/22 & 02/12/22)
- 7) Industry has installed 01 no. of new molasses storage tank.

Remark => Industry shall comply consent & ID condition,  
Industry has submitted BC. of Rs. 25.00 lakh as per consent condition.

  
Phalke V. S.  
Env. Officer

  
Raviraj Patil (FO)  
P. F. C. B. Ahmednagar.

## 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/ 01 / 31 / 2023

Date: - 09/01/2023

To,  
 M/s. Sahakar Maharshi Shrivajirao Narayanrao Nagwade SSK Ltd., (Sugar Unit)  
 Gut no. 52/2, A/p - Limpangaon,  
 Tal. Shrigonda, Dist. Ahmednagar.

Sub: - Directions u/s 33A of the Water (Prevention & Control of Pollution) Act, 1974 read with Environment (Protection) Act, 1986 towards Environmental Compensation (EC) as per Hon'ble NGT Orders.

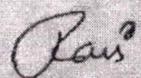
- Ref:-
1. Hon'ble NGT Order dtd. 10.11.2022 in the O.A. No. 85/2022.
  2. Show Cause Notice for Closure Directions issued on dtd. 29.09.2022
  3. Proposal submitted by Sub-Regional Officer, MPCB, Ahmednagar vide legal action No. MPCB- Legal Actions- 270122007.
  4. Directions received from HQ dtd 06.01.2023.

WHEREAS Hon'ble NGT passed an order dtd 10.11.2022 in the O.A. No. 85/2022, wherein, it is mentioned that, *"the assessment of damages is yet to be done as the same is pending. We find that prima facie case pertaining to environment violation is made out in the present case."*

ANDWHEREAS, Sub-Regional Officer, MPCB, Ahmednagar has calculated the Environment damage on the basis of approved formula amounting to Rs.84,70,000/- for the period from the issuance of Proposed Direction dtd.09.02.2022 upto the visit of MPCB officials along with the CAG Auditor dtd.17.11.2022.

NOW THEREFORE, it is directed that, to deposit Environmental Compensation of Rs. 84,70,000/- along with compliance of the Directions, failing to which MPC Board will have no other option rather than to initiate further stringent legal action, which may be noted.

The above Direction are issued as per approval of the higher authorities.

  
 (Ravindra B. Andhale)  
 Regional Officer, Nashik.

**Copy Submitted to :-**

1. The Member Secretary, MPC Board, Mumbai.
2. The AST, M.P.C. Board, Mumbai.
3. The Joint Director (WPC), M.P.C. Board, Mumbai.

**Copy forwarded to :-**

1. The Law Officer, MPC Board, Mumbai
2. Sub-Regional Officer MPCB, Ahmednagar - It is directed to serve the copy of these direction to the said industry and submit the compliance thereof.