

BEFORE THE NATIONAL GREEN TRIBUNAL WESTERN ZONE BENCH, PUNE
ORIGINAL APPLICATION NO. 146/2024

Babasaheb Mahadev Patil

..Petitioner

Vs.

M/s. Shikshan Marashi Dnyandeo Mohekar Agro
Industries Ltd & Ors.

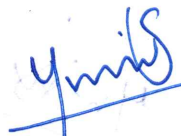

..Respondent

Affidavit in reply on behalf of MPCB (Respondent No 2 & 3)

pursuant to order dated 10/12/2024.

I, **Parmeshwar Naik**, aged about 39 years, occupation-service, the Sub Regional Officer, Maharashtra Pollution Control Board, Latur, having office at Plot No P-10, Latur, District Udyog Samuh Building, MIDC, Latur-413531. I am filing this affidavit on behalf of Respondent No. 2 & 3 and I do hereby solemnly affirm and state as under.

1. I am working as the Sub Regional Officer, Latur with the Maharashtra Pollution Control Board. I am well conversant with the facts and circumstances of the case as well as the record of the case lying in my office, I am filing this Affidavit only with the limited purpose of bringing on record true facts of the case as under.
2. I say and submit that the Respondent Board had issued Closure Direction u/s 33A of the Water (Prevention and Control of Pollution) Act, 1974 and u/s 31A of the Air (Prevention and Control of Pollution) Act, 1981 to M/s Shikshan Maharishi Dnyandeo Mohekar Agro Industries Ltd, Gut No 623,647, A/p Moha, Tq-Kallam, Dist- Dharashiv vide letter dated 18.11.2024. Hereto annexed and marked as Annexure I is the Closure Direction dated 18.11.2024.
3. I say and submit that Pursuant to this Hon'ble Tribunal's order dated 10th Dec 2024, the Board officials have visited the industry and inspected the site in question on 1.2.2025, to assess the status of the industry after the closure direction issued by the Board dated 18.11.2024. The Board officials have reported as follows vide visit report dated 1.2.2025.
 - i) During the visit, there was no manufacturing activity found being carried out by the industry.
 - ii) The Electricity power supply has been disconnected by the MSEDCL as per closure direction dated 18.11.2024.


BEFORE ME

Adv. & Notary Govt. Of India
Latur, Dist. Latur

- iii) The industry has completed its upgradation work of ETP.
- iv) The industry has provided Bar Chamber, Oil & Grease Chamber, Equalization Tank, Primary Classifier, auto firm tank, Secondary Clarifier, Sand Filtering and Carbon filter and Sludge drying beds.
- v) The industry has provided closed PVC pipeline to carry untreated effluent to the ETP.
- vi) The industry has stopped expansion activities. The maintenance work of machineries was in process.
- vii) The industry has requested to issue restart direction in view of above compliance and steps taken by it. A copy of said visit report dated 1.2.2025 is enclosed and marked as **Annexure II** and the application for restart as **Annexure III**.

Solemnly affirmed on 03rd day of February 2025.

For and on behalf of
Maharashtra Pollution Control Board

[Signature]
(Parmeshwar Naik)
Sub Regional Officer-Latur

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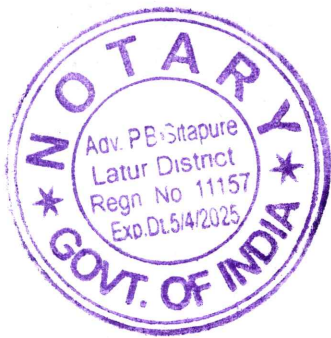
AFFIDAVIT

I solemnly affirm before me
 by Parmeshwar Vishwanath Naik
 Age 39 Yrs. Occ. Service
 R/O. Latur Tq. Latur
 Who is identified before me by
 Shri A. B. Patil Adn
 to whom I know Personally.

[Signature]
P.B. Sitapura
Notary
Govt. of India

Reg. Sr. No. 137/2025

[Signature]



*Id by
Patil
Adn A.B. Patil*



MAHARASHTRA POLLUTION CONTROL BOARD

Tel.No. (0240) 29930004

Visit us at www.mpcb.gov.in
E-mail: roaurangabad@mpcb.gov.in



"Your Service is our Duty"



Regional Office, Paryavaran Bhavan, A-4/1, MIDC Area, Chikalthana, Behind Daynik Lokpatra, Near Seth Nandlal Dhoot Hospital, Jalna Road, Chhatrapati Shambhajnagar -431 210.

No.MPCB/CD/2411180002

Date: 18/11/2024.

To,
M/S. Shikshan Maharashi Dnyandeo Mohekar Agro Industries Ltd.
Gut No. 623,647, a/p. Moha,
Tq. Kallam Dist. Osmanabad

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

- Ref:-
1. Consent granted by the MPC Board ORANGE/LSI/UAN.No.0000082550 vide No. RO Aurangabad CONSENT-1911001290 on 28.11.2019, Valid Upto 31.10.2029.
 2. Complaint of air pollution received from Shri. Babasaheb Mahadev Patil, Chawa Maratha Yuva Mahasangh dated 21.12.2023.
 3. Proposal for legal Action submitted by SRO Latur Dtd. 25.01.2024
 4. Proposed Direction issued vide No. MPCB/PD/2401260001, dated 26.01.2024.
 5. Visit of Board officials to your unit dated 11.07.2024.
 6. Approval for issuance of Closure Order from HQ dtd 13/11/2024

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WHEREAS, it is obligatory on your part to obtain Consent to Establish and Consent to Operate from the Maharashtra Pollution Control Board under the provisions of the Water (Prevention and Control of Pollution) Act, 1974 and the Air (Prevention and Control of Pollution) Act, 1981 & Authorization under the provisions of the Hazardous and Other Wastes (Management and Trans-boundary Movement) Rules, 2016. It is also obligatory on your part to provide adequate pollution control devices.

AND WHEREAS, it was also obligatory on your part to provide adequate and efficient pollution control devices and take adequate measures to control air and water pollution, so as to achieve the consented standards.

AND WHEREAS, the Board has received a complaint regarding air pollution from Shri. Babasaheb Mahadev Patil, Chawa Maratha Yuva Mahasangh dated 21.12.2023.

AND WHEREAS, The Board Officials of the Board at Latur have visited your unit on 17/01/2024 and observed following non compliances:

1. You have provided inadequate effluent treatment plant.
2. You have not provided dedicated closed pipeline system for transfer of effluent from source to effluent treatment plant.

3. You have not provided treated effluent holding tank of adequate capacity for storage of treated effluent.
4. You have not submitted design details /adequacy report of air pollution control system provided.
5. You have installed machinery for expansion of industry without obtaining Consent to establish for expansion from MPC Board.


AND WHEREAS, the Maharashtra Pollution Control Board had issued Proposed Direction vide letter dated 26.01.2024 to you & directed to :-

1. Why your consent shall not be refused / revoked ?
2. Why your industrial activity shall not be close down ?
3. Why the competent authorities shall not be directed to disconnect water / electricity supply to your unit ?

AND WHEREAS, in response to the proposed directions, you have failed to submit reply to the proposed directions within stipulated time the Board officials visited to your industry on 11/07/2024 and reported continued non-compliances. The effluent is being disposed on land of farmers without any agreement of disposal with the industry.

NOW THEREFORE, in view of the above non-compliances, you are hereby directed to stop your manufacturing activities forthwith, failing which, the Board will have no option than to initiate appropriate legal action under the provisions of the Water (Prevention & Control of Pollution) Act, 1974 and the Air (Prevention & Control of Pollution) Act, 1981.

This is issued with the approval of competent authority.


 18.01.2024
 (Manish Holkar)
 Regional Officer-
 Chhatrapati Sambhaji Nagar

Copy submitted for information to: The Member Secretary, MPCB, Mumbai

Copy f.w. cs.to: -

1. The Principal Scientific Officer, MPCB HQ, sion, Mumbai
 2. Law Officer (P & L Division), MPCB, Mumbai
 3. The Executive Engineer, Maharashtra State Electricity Distribution Co. Ltd. Kallam, -
- He is directed to disconnect electricity supply to the aforesaid unit forthwith & inform this office accordingly.

Copy to: The Sub Regional Officer Latur, MPCB- - He is directed to take follow up and ensure the compliance of the aforesaid directions. He is directed to ensure that these Directions to be served to the industry and competent authorities & submit the compliance verification report.

MAHARASHTRA POLLUTION CONTROL BOARD

Website: http://mpcb.gov.in		Sub Regional Office
		Plot No. P-10
		Latur District Udyog Samuh Building
E-mail: santosh.chavan@mpcb.gov.in		MIDC Latur-413531

Visit Report

Date: 01/02/2025

1. Name & Address of the Industry :- **Ms. Shikshan Maharashtra Dyandeo,**
Mohakan Agro Inds. Ltd. G. No.
623, 647, A.P. Moha Pa. Kallamb
Dist. Dhavashir.
2. Industry Representative :- **Santosh Madake.**
3. Contact details :- Phone No.:-
 E-mail :-
4. Consent Status :- **8/11/2024, Jaggay f Jaggay**

Observations:

founder.

1. Visit is made with respect to the order passed by Hon'ble MP (WA) in OA No. 146/2024 dated. 10/12/2024.
2. During the visit unit/manufacturing activities were not observed.
3. Electric power supply found disconnected by MSBDC.
4. Authority has completed the upgradation work of ESP.
5. They have provided bar chamber, oil & Grease chamber, **Water Treatment Tank,**

Managing Director
 Shikshan Maharashtra Dyandeo

continued

SMOM 138

01/02/2025

Primary classifier, Aeration tank, secondary classifier, Sand filter & carbon filter & sludge drying beds.

6) Provision of closed PVC pipeline to carry untreated effluent to the ERP is completed.


7. They have stopped expansion activities.

8. Maintenance work of machines found in process.

9. They have submitted request letter to MPCB for restart directions on 25/12/2024.


(Jantosh Madake)

Managing Director
Shikshan Maharshi Dnyandeo
Mohekar Agro Industries Ltd. Moha


(Jantosh K. Chavan)
Field Officer
M.P.C.B. Kadam

**SHIKSHAN MAHARSHI DNYANDEO MOHEKAR
AGRO INDUSTRIES LIMITED**

Gat No :623/647 At. Post Moha Tq. Kallamb, Dist. Osmanabad-413507

GSTIN: 27ABACS0230N1ZF

Contact No.9850111169

Email- smdmagro@gmail.com



SHIKSHAN MAHARSHI DNYANDEO MOHEKAR AGRO & FINANCE

Outward No:

Date:25/12/2024

To

The Hon'ble Chairman Sir,
Maharashtra State Pollution Control Board (MPCB),
Kalpataru Point 3rd Floor, Sion Mumbai

**Subject: Reply to Closure Directions & Request for Restart of Manufacturing Activities –
Jaggery & Jaggery Powder Production.**

Reference:

1. Board's Closure Directions vide dtd. 18.11.2024 to M/s. Shikshan Maharshi Dnyandeo Mohekar Agro Industries Ltd. Gat No. 623, 647 A/P Moha Tal. Kallam Dist. Dharashiv.
2. Board's granted consent to operate to this Jaggery & Jaggery powder unit vide dtd. 28.11.2019 valid upto 31.10.2029.
3. Compliance made by the industry based on Closure Directions.
4. Board Official visit to verify the compliance of Closure Directions on 20.12.2024

Respected Sir,

We, M/s. Shikshan Maharshi Dnyandeo Mohekar Agro Industries Ltd., situated at Gat No. 623, 647, A/P Moha, Tal. Kallam, Dist. Dharashiv, are engaged in the manufacturing of Jaggery and Jaggery powder from sugarcane. Our operations are critical not only for our business but also for the local farmer's dependent on the sugarcane crushing process for their livelihood.

We acknowledge the closure directions issued by your esteemed Board concerning the issue of air pollution. As per the directions, we halted all manufacturing activities and have taken immediate steps to address the concerns raised by the MPCB.

We have upgraded our pollution control system in compliance with the consented terms and conditions. An official from your department visited our facility, inspected the compliance measures, and confirmed that manufacturing activities are currently halted, and the electricity supply has been disconnected by MSEDCL.

In this regard, we are submitting herewith the point-wise reply to the Closure Directions issued to our unit in a tabulated format for your kind perusal and consideration for the resumption of operations as below:

Sr. No.	Issue/Direction	Action Taken	Details
1	You have provided inadequate effluent treatment plant	We have upgraded the water pollution control systems –ETP to meet the consented limits. We have made provisions of Bar Screen chamber, Oil and Grease Chamber, Equilization Tank, Buffer Tank, Primary Clarifier, Aeration Tank, Secondary Clarifier, Sludge Drying beds sand Filter and Carbon Filter	We have thoroughly taken review of the system and done proper repairing & maintenance work of ETP with provision of addition of chemical electrolytes resulting into best settling for further treatment. In secondary treatment system, we have made provision to develop best culture/MLSS to the sufficient quantity by adding Urea/ DAP and specific culture, if required. We have increased the number of diffused aerators for best aeration and enhanced the capacity of Blower from 25HP to 50 HP. We have replaced sand and charcoal media filters of the tertiary treatment system.
2	You have not provided dedicated Closed Pipeline system to transfer of effluent from source to ETP	We have provided the Closed conduit system for to carry trade effluent.	We have provided PVC pipelined in closed conduit loop from source to the ETP to avoid any leakage and same has verified by the Board Official.
3	You have not provided treated effluent holding tank of adequate capacity storage of treated effluent	We have provided treated effluent tank with 100 CMD capacity to hold the treated effluent.	We will also monitor the treated effluent which has hold in treated tank of 100 CMD capacity to check the BOD and COD level for corrective measures, if any.
4	You have not submitted design details/adequacy report of air pollution control system provided.	We were provided the scrubber pack column as air pollution control system. Considering the compliant issue, we have replaced the same by installing venturi scrubber.	Venturi scrubber is adequately assured with 99 % effectiveness and to control particulate matter (PM). Design details of the Air pollution control system is enclosed herewith, please. We are also ready to submit the adequacy report of Air Pollution Control System and Effluent Treatment Plant either from Government College of Engineering Chh. Sambhaji Nagar or Environment Department, Dr. Babasaheb Ambedkar Marathwada University, Chh. Sambhaji Nagar

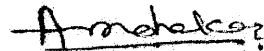
Sr. No.	Issue/Direction	Action Taken	Details
5	You have installed machinery for expansion of industry without obtaining consent to establish for expansion from MPCB Board	We have already applied for consent to the Board for Khandasari installation and as per instructions machinery installation work was stopped immediately.	We assure that, we will not take any further work regarding Khandasari till to obtain consent, please.

We assure you that we have taken all necessary steps to meet the prescribed environmental standards and are committed to operating in compliance with the regulations set by the MPCB.

We respectfully request you to kindly review our submission and grant permission for the restart of our manufacturing activities at the earliest to alleviate the economic hardships faced by our business and the local farmers. We remain committed to ensuring that our operations contribute positively to both the environment and the community.

Thank you for your kind attention and support.

Yours sincerely,



Anil Mohekar,

Director Technical & Administrator
M/s. Shikshan Maharshi Dnyandeo
Mohekar Agro Industries Ltd. Moha,
Tal. Kallam, Dist. Dharashiv

Copy Submitted to:

1. Hon'ble Member Secretary, M.P. C. Board, Mumbai.
 2. Regional Officer, M.P. C. Board, Chh. Sambhaji Nagar.
- with a request not to refuse the consent, as we have complied all the conditions of closure direction