

Noted & Registered	
Serial No.	1447
Date-	13 DEC 2021

BEFORE THE NATIONAL GREEN TRIBUNAL
WESTERN ZONE BENCH, PUNE

ORIGINAL APPLICATION NO.18 OF 2021

Mr. Sanjay Bhimashankar Thobde,

Vs.

The Chairman and Directors,
Shree Siddheshwar Sahakari Sakhar Karkhana Ltd.,

And Ors.

.... Respondents

Affidavit

I have filed the application no. 18 of 2021 before the NGT on 03/02/2021. Since then the case is pending and issues are under consideration.

- I got to know that the respondent no. 1 shree siddheshwar SSK Ltd hasn't been taken the consent from the respondent no. 2 Maharashtra Pollution Control Board and also the environmental clearance. This means at present the said sugar industry is functioning illegally.
- This clearly shows that the Respondent no.1 Shree Siddheshwar SSK Ltd has not compiled with the mandatory provision to obtain valid renewal of consent from the MPCB which is required under section 26 of Water (Prevention & Control Pollution) act 1974, under section 21 of Air (Prevention & Control Pollution) Act, 1981.
- I wish to mention that the respondent sugar factory also have other violations and non-compliances.
- I state that on 12/11/2021 the respondent no. 2 Maharashtra Pollution Control Board has issued notice that the Sugar Unit of Shree Siddheshwar SSK Ltd is not having consent as it is expired and the consent for Distillery Unit is also expired on 31/08/2021
- The respondent no. 1 Shree Siddheshwar SSK Ltd has applied for the extension to the TOR in the form no. 5, from the state environment impact authority. I am attaching herewith the undertaking given by the respondent no.1 sugar factory. in the form no. 5 (Annexure-L)
- I wish to underline that in the undertaking given by the chairman Dharmaraj Kadadi in the application for extension of validity of TOR, states that, "The project will be rejected and Clearance given, if any.

13 DEC 2021

Adv. Vidya R. Katakdhond
Notary Government of India
Solapur (Maharashtra State)
Page No. 1



2

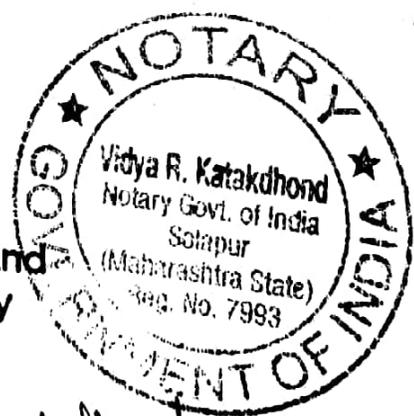
to the project will be revoked at our risk and cost. In addition to the above, I hereby give undertaking that no activity / construction / expansion has since been taken up. "As the respondent no. 1 Shree. Siddheshwar SSK Ltd has completed it's expansion long back in 2015 and since crushing and utilising the expanded capacity which can be seen from their annual audit report, in which it's clearly mentioned that their crushing per day has exceeded their permitted capacity. The relevant page of the audit report in Marathi as well as it's translation in English is attached herewith. (Annexure M & N).

7. On the affidavit, I wish to mention that without having any Environmental clearance and valid consent to operate for the sugar industry and for distillery unit the Respondent no. 1 Shree Siddheshwar SSK Ltd has been crushing the sugarcane to the tune of 7000 TCD , which is a clear violation of due process established under environmental law..Also in the public hearing I have taken objection for the word proposed and the management had accepted the truth that the expansion was already completed. The relevant page is attached herewith. (Annexure O)
8. Considering that the SSK is functioning illegally without following any law. It will be just and proper to take serious cognizance and pass order to stop functioning of the said Respondent no.1 Shree Siddheshwar SSK Ltd and also to take stringent action against the administration of it.
9. Hence, I am making this affidavit. The Applicant herein do hereby verify and mention on oath that the contents of this affidavit as mentioned above are true and correct to the best of my personal knowledge, information and belief and that I have not suppressed any material fact.



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Explained and identified by



13 DEC 2021

Shobde
Mr. Sanjay Thobde
Petitioner

I know the Affiant
[Signature]
Adv. V.R. Katakdhond

[Signature]
Advocate Vidya R. Katakdhond
Notary Govt. of India
Solapur- 413 006. (Mah. State)
Reg. No.- 7993
Mob.- 9011460646

BEFORE ME

[Signature]
Advocate Vidya R. Katakdhond
Notary Govt. of India
Solapur- 413 006. (Mah. State)
Reg. No.- 7993
Mob.- 9011460646

Solemnly Affirmed before me by
Sanjay B. Thobde

who is identified by Adv. V.R. Katakdhond
Whom I personally know

Date:- 13 DEC 2021

[Signature]
Adv. Vidya R. Katakdhond
Notary Government of India
Solapur (Maharashtra State)
Page No. 2

- 3
- (i) Accreditation No : NABET/EIA/1922/RA 0201
(ii) Name of EIA Consultant : Mantras Green Resources Ltd Nashik
(iii) Address : Hall no. 1, 1st Floor, NICE Sankul, Plot no. A-9, Oppo. Nashik Merchant Co-op Bank Ltd., MIDC Satpur,
(iv) Mobile No: 8458979969
(v) Landline No : 00
(vi) E-mail Id : vipinyadav1981@gmail.com
(vii) Category of Accreditation : A
(viii) Sector of Accreditation : 5(g), 5(j)
(ix) Validity of Accreditation : 8th April 2022
(x) Uploaded certificate of Accreditation certified by QCI/NABET :

12. Documents to be Attached

- (a) Uploaded Copy of revised Form-I (in case of amendment in ToR also required):
(b) Uploaded revised Pre-feasibility report (in case of amendment in ToR also required):
(c) Uploaded Cover Letter duly signed by the project proponent or authorized person:
(d) Uploaded a copy of authorization duly signed by the project proponent in support of the person making this application on behalf of the User Agency:
(e) Uploaded Additional File, If any:

Essential Details Sought

Essential Details Sought			
S.no.	EDS Sought Date	EDS Sought	Letter
NIL			

Additional Detail Sought: NIL

13. Undertaking:-

(a): I hereby give undertaking that the data and information given in the application and enclosures are true to be best of my knowledge and belief and I am aware that if any part of the data and information found to be false or misleading at any stage, The project will be rejected and clearance given, If any to the project will be revoked at our risk and cost. In addition to above, I hereby give undertaking that no activity / construction / expansion has since been taken up.

(b) Name : Dharmraj Kadadi

(c) Designation: Chairman

(d) Company: SHREE SIDDHESHWAR SAHAKARI SAKHAR KARKHANA LTD KUMATHE

4

Shri Siddheshwar Sahakari Sugar Factory Ltd., Kumthe, Solapur

Sr. No.	Item	2016-17	2017-18	2018-19	2019-20	2021-21
3	a) Cane supplying towns in the working area	275	289	309	248	283
	b) Out of working area but from maharashtra	22	44	120	12	42
	c) Out of maharashtra towns (nos)	83	18	35	41	36
	d) Total cane supplying towns (nos) (a+b+c)	380	351	455	301	361
	Daily cane crushing capacity (daily tons)					
4	a) Permitted capacity	7500	7500	7500	7500	7500
	b) Installed capacity	7500	7500	7500	7500	7500
	Crushing season					
	a) Season started date	09/11/2016	07/11/2017	01/11/2018	01/12/2019	09/11/2020
	b) Season closed date	10/02/2017	29/03/2018	20/02/2019	10/03/2020	05/03/2021
	c) Gross crushing days	94	143	111	101	117
	d) Actual crushing hours	2126.45	3139	2664	2230	2663.15
	e) Actual season days	96.67	142.68	121.09	101.36	121.06
	f) Average daily crushing	--	--	--	--	--
	f-2) Inclusive of closed hours (tons)	3629.58	5248.71	5813.08	3541.86	6665.11
	f-2) Exclusive of closed hours (tons)	3829.68	5701.85	6159.31	3849.98	6987.33
5	Season cane crushing					
	a) From shereholders in working area (tons)	248664	691452	477520	274525	647261
	b) Operating areas non shereholders sugarcane in the state	34257	36765	77994	43996	95320
	c) From outside of working area but from maharashtra state (tons)	4253	9935	64239	3740	8522
	d) Cane from out of maharashtra	52191	7602	25498	35467	24272
	e) Total cane crushed (tons)	339365	745754	645251	357728	775375
	f) The percentage of (a+b) to (e)	83.37%	93.49%	86.09%	89.04%	95.77%
g) The cane available with share holdeas and sold outside (Hectors)	--	--	--	--	--	

श्री सिधेश्वर सहकारी साखर कारखाना लि., कुमठे, सोलापूर

क्र.सं.	बाब	२०१६-१७	२०१७-१८	२०१८-१९	२०१९-२०	२०२०-२१
३	गळितासाठी ऊस पुरविणारी गावे					
	अ) कार्यक्षेत्रातील ऊस पुरविणारी गावे संख्या	२७५	२८९	३०९	२४८	२८३
	ब) कार्यक्षेत्राबाहेरील पण महाराष्ट्रातील गावे (संख्या)	२२	४४	१२०	१२	४२
	क) महाराष्ट्राच्या बाहेरील गावे (संख्या)	८३	१८	३५	४१	३६
	ड) ऊस पुरविणारी गावे एकूण (संख्या) (अ+ब+क)	३८०	३५१	४५५	३०१	३६१
४	दैनंदिन ऊस गाळप क्षमता (प्रतिदिनी टनी)					
	अ) मंजूर क्षमता	७५००	७५००	७५००	७५००	७५००
	ब) उभारलेली क्षमता	७५००	७५००	७५००	७५००	७५००
५	गळीत हंगाम					
	अ) हंगाम चालू दिनांक	०९/११/१६	०७/११/१७	०१/११/१८	०१/१२/१९	०९/११/२०
	ब) हंगाम बंद दिनांक	१०/०२/१७	२९/०३/१८	२०/०२/१९	१०/०३/२०	०५/०३/२१
	क) गळिताचे स्थूल दिवस	९४	१४३	१११	१०१	११७
	ड) प्रत्यक्ष गळिताचे एकूण तास	२१२६.४५	३१३९	२६६४	२२३०	२६६३.१५
	इ) नक्त हंगाम दिवस	९६.६७	१४२.६८	१२१.०९	१०१.३६	१२१.०६
	फ) सरासरी दैनंदिन गाळप	--	--	--	--	--
	फ-१) बंद तास धरून (टनी)	३६२९.५८	५२४८.७१	५८१३.०८	३५४१.८६	६६६५.११
	फ-२) बंद तास सोडून (टनी)	३८२९.६८	५७०१.८५	६१५९.३१	३८४९.९८	६९८७.३३
६	हंगामातील ऊस गाळप					
	अ) कार्यक्षेत्रातील सभासदांचा (पूर्ण टनी)	२४८६६४	६९१४५२	४७७५२०	२७४५२५	६४७२६१
	ब) कार्यक्षेत्रातील बिगर सभासदांचा राज्यातील ऊस (पूर्ण टनी)	३४२५७	३६७६५	७७९९४	४३९९६	९५३२०
	क) कार्यक्षेत्राबाहेरील पण राज्यातील ऊस (पूर्ण टनी)	४२५३	९९३५	६४२३९	३७४०	८५२२
	ड) महाराष्ट्राबाहेरील आणलेला ऊस (पूर्ण टनी)	५२१९१	७६०२	२५४९८	३५४६७	२४२७२
	इ) एकूण गाळलेला ऊस (पूर्ण टनी)	३३९३६५	७४५७५४	६४५२५१	३५७७२८	७७५३७५
	फ) (अ+ब) या बेरजेची (इ) शी टक्केवारी	८३.३७%	९६.४९%	८६.०९%	८९.०४%	९५.७७%
	ग) उपलब्ध असूनही कारखान्याने सभासदांचा जो ऊस गाळला नाही व जो बाहेर विकण्यात आला. (हेक्टर)	--	--	--	--	--

6

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conducted in the year 2017. In that public hearing meeting, the doubts were raised regarding Traffic Management Plan and at that time, the directives were issued for preparing the Traffic Management Plan and the ToR is issued accordingly. After compliance of it, we are approaching this Public Hearing Committee.

Project Proponent further informed that Shri Thobade has objected that this project is "totally commissioned project." This is true, but here I want give information of last three years. The sugar crushing project is of 2,500 TCD. In the year 2017-18, our sugar crushing was 7,45,000.0 TCD. In 2018-19, it was 6,45,000.0 TCD and in the year 2019-20 our crushing was 3,57,000.0.

In 2017-2018 – 3.83; in 2018-2019 – 5.65 and in 2019-2020 it 2.50 export of the factory. It means that if the project of 2,500.0 TCD runs for 160 days, as per the figures, if this project of 7,500 TCD is operated, then there should be crushing of 12 – 14 lakh crushing. Utmost care is taken that violations of directives/rule should not happen.

The issue of stack is raised. The discussions are already going on with various departments of Central Government regarding the stack and the airport. There will be discussions with the Airport Authority of India at Mumbai and all the objections will be rectified. Hence, here it is better not to give any comments. But this is Proposed Project.

Here, Shri Thobade raised the objection that one thing happened good. The management has accepted that the project is in operation. But why the management misleading that the discussions are going on with various departments. Three times, District Collector have written a letter to Dy. Secretary that considering all the aspects, it is not possible to prescribe stay for the construction of the chimney. Then how

