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**COMMENTS OF THE APPLICANTS ON THE JOINT COMMITTEE
REPORT SUBMITTED IN COMPLIANCE WITH THE ORDERS DATED
22-4-2024 & 28-8-2024 RESPECTIVELY IN O.A. NO. 113 OF 2023WZ.**

**BEFORE THE NATIONAL GREEN TRIBUNAL, WESTERN ZONE BENCH, AT
PUNE.**

Original Application No.113 of 2023WZ.

Kapil Bomnale & 30 Ors.

.....Applicants

V/s

M/s Twenty-One Sakhar
Karkhana Unit No.3 & Others.

.....Respondents

INDEX

| Serial No. | Particulars of Document | Annexure | Page Nos. From |
|------------|---|---|----------------|
| 1 | Comments on 2 nd Joint Committee Report received from MPCB on 27.09.2024 | Reply to MPCB 2 nd Joint Committee Report | 1690 to 1697 |
| 2 | The representation given by and on behalf of applicants to the Sub-Regional officer, MPCB, Nanded, dated 24.09.2024 with enclosures thereto | True Translation of Marathi letter dated 24.09.2024 (representation of the applicants) with office copy thereof submitted to the Joint Committee. | 1698 to 1769 |



FOR APPLICANT

**COMMENTS OF THE APPLICANTS ON THE JOINT COMMITTEE REPORT SUBMITTED IN COMPLIANCE
WITH THE ORDERS DATED 22-4-2024 & 28-8-2024 RESPECTIVELY IN O.A. NO. 113 OF 2023WZ.**

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M/s Twenty-One Sakhar

Karkhana Unit No.3 & Others.

.....Respondents

Applicants Comments on the Joint Committee Report on Personal Compensation served by MPCB by Email dated 27th September 2024.

MAY IT PLEASE YOUR HONOUR,

The Applicants have been served with the Joint Committee Report on Personal Compensation by MPCB by Email dated 27th September 2024. The Applicants would like to submit their remarks more particularly against the Objections submitted by & on behalf of the Respondent No.1 to the Claim of Personal Compensation Form II by the Applicants to the Sub Regional Officer, MPCB, Nanded at Annexure-IV to the Joint Committee Report as under:

- 1) It is not correct to say that the Applicants have served an incomplete copy of the Reply dated 25-07-2024 & not provided Annexures A, C & D. Because Annexure-A is the Form-II which was already served on the R.N.1 on 13th March 2024, which was further replied with the Composite Objection + Reply dated 20th April 2024 by the R.N.1 by Email. As far as Annexures C & D are concerned the Applicants could not find Certificates of Public Health Centre as those were not made available. Still, inadvertently the Applicants stated it to be enclosed as Annexures C & D respectively. Anyhow no such personal compensation is assessed by the Joint Committee. A copy of the Written Submissions of the Applicants submitted to the Hon'ble Joint Committee in Marathi with the True Translation thereof in English duly countersigned by & on behalf of the Applicants by the Applicant No.1 is enclosed herewith & marked as an Annexure-1.

- 2) Concerning the contentions about the business of manufacturing sugar-related products in the State of Maharashtra since 2011, and the purchase of Dharashiv Sakhar Karkhana Unit-III, Village- Shivani (Jamga) in Slump Sale from it, it is incorrect to mean and state that M/s Dharashiv Sakhar Karkhana Ltd was in operation since 2011. M/s Dharashiv Sakhar Karkhana Unit-III has been in operation since 2019-20, 2020-2021 & 2021-22 & the R.N. has operated the Sakhar Karkhana under the name & Consent to Operate dated 28-11-2022 for which the Power of Attorney 28th November 2022 admitted to be granted as stated in the Para-1 of the Factual Matrix. Once, R.N. 1 has purchased Dharashiv Sakhar Karkhana Unit -III with all its Liabilities, it becomes responsible for making payments of Personal Compensation from 2019-20 to 2023-24 because M/s Dharashiv Sakhar Karkhana Unit-III is no more exist now.
- 3) Concerning the contention of the R.N.1 in para -2 & 3 of the Objections of the R.N.1 vide Letter dated 20-09-2024, it is submitted that though the Applicant-Nos 1,3,6,7,11, 19,20,21,22 & 23 stated to be employees, it is submitted that Applicant No.6 since the beginning is not in the service of the R.N.1 and Applicant No 19 is not in the service from 2023-24. M/s Dharashiv Sakhar Karkhana Unit-III has appointed some of the Applicants on account of the acquisition of their lands.

The R.N.1 is not bringing complaints made by Applicant No.15 against R.N.1 on record. The Crossed Complaints are made but no case is registered in a court of law. Otherwise, also, those NCs have nothing to do anything with the present case of compensation. R.N.1 is trying to create unnecessary confusion about these NCs. Therefore, the contents of para 2 & 3 of Objections are irrelevant to the assessment of compensation. The Applicants have made a no of complaints before January 2023 and therefore it is not correct to state that there were no complaints before January 2023.

- 4) The R.N.1 in para-4 of the Objections dated 20-09-2024 at Page of 11 that it has spent Rs. 08 Crores on upgradation, which means that it was causing serious pollution in the surrounding areas and therefore upgradation was made after various complaints. The first Visit of the Joint Committee was made on 14-

12-2023 & 15-12-2023 when specific non-compliance was observed & therefore EDC of Rs.1,1940000/- has been assessed.

5) Objections -II – The following are submissions to the Objections -II

5.1) M/s Dharashiv Sakhar Karkhana Unit-III has been in operation since 2019-20, 2020-2021 & 2021-22 & the R.N. has operated the Sakhar Karkhana under the name & Consent to Operate dated 28-11-2022 for which the Power of Attorney 28th November 2022 admitted to be granted as stated in the Para-1 of the Factual Matrix. Once, R.N. 1 has purchased Dharashiv Sakhar Karkhana Unit -III with all its Liabilities, it becomes responsible for making payments of Personal Compensation from 2019-20 to 2023-24 because M/s Dharashiv Sakhar Karkhana Unit-III is no more exist now.

5.2) The Applicants deny that the Applicants raised complaints only after the said factory was acquired by the R.N.1. Earlier also complaints were made but no cognizance was taken by earlier & this management. Once the damage is caused, the R.N.1 becomes liable to pay EDC & Personal Compensation.

6) About the contents of para-3 of the Letter dated 20-09-2024, our submissions are as under: It is denied that Form-II is filed afterthought as alleged in para-3.1, 3.2 & 3.3. The Applicants in their original application have prayed for the constitution of an independent Joint Committee to assess environmental & individual damage caused to the farmers, villagers, flora & fauna as well as the public at large. (Prayer Clause-E & F of Para-11, Page-19 of the Application.) The Applicants therefore filed Form-II in pursuance of the Hon'ble NGT Order dated 05-02-2024 after granting the necessary permission to file it. The Applicants have filed all the Reports, Results, and Non-Compliance-Reports along with the original application. Hence it is incorrect to say that the applicants have stated the Form-II late. It is denied that Form-II is filed based on the Joint Committee Report without any evidence. This is a genuine case based on a lot of non-compliance reports and also on the actual loss caused to the applicants. No details are so received in respect of damage caused to the public health. the cost of this application with annoyance and psychological as well as physical, mental harassment must also be imposed on the R.N.1. It is denied that it is a politically motivated complaint or vendetta.

7) Discrepancies in Form II – The Applicants would like to make submissions on the Discrepancies in Form II as under:

7.1) Concerning para 4.1 & 4.2, it is submitted that 4.1 is a reproduction of the Applicants' Claim only. As far as 4.2 is concerned whatever bills available with the Layman Farmers are submitted as it is. Therefore, no further Bills can be submitted as Poor Farmer does not have knowledge of record keeping for this purpose & they never thought of such a situation to keep it with them. The Expert Committee has perused it & not raised any objection or suspicion about it. Therefore, there is no question of veracity or authenticity of it.

7.2) With regard to 4.3, it is submitted that the Talathi is not making changes every year. However, in the Inspection of MPCB dated 17-01-2023 in the presence of Karkhana-Representative, Krishi Expert Inspection dated 20-01-2023 & Joint Committee Visit dated 14-12-2023 & 15-12-2023 have already seen in person the crops in farms and confirmed it. They have visited the Farms and confirmed damage caused to the crops in the fields, taken photographs of crops & submitted their reports about damage caused to the crops. The farmers cannot be expected to keep in writing proof not knowing how to keep such records.

7.3) The District Agriculture Officer-Representative/Expert has already in both the Joint Committee and thereafter only specific report submitted on 20-01-2023 with the observations that fodder of Animals not proper, black ash spread over the Halad, Cotton, Wheat, Gram, Jwari, Vegetables etc.

7.4) It is not correct to say that the Applicants have served an incomplete copy of the Reply dated 25-07-2024 & not provided Annexures A, C & D. Because Annexure-A is the Form-II which was already served on the R.N.1 on 13th March 2024, which was further replied with the Composite Objection + Reply dated 20th April 2024 by the R.N.1 by Email. As far as Annexures C & D are concerned the Applicants could not find Certificates of Public Health Centre as those were not made available.

8) With reference to para-5 of the Objections of R.N.1, submissions are as under:

5.1 & 5.2) The losses are to be assessed always to the best available rate. It cannot be expected that the Poor-Applicants should sell their goods to the Licensed Dealers/Vendors/Traders/Registered with APMC. When the goods

are not sold to the Market Committee & there is no such restriction or provision to sale goods to the Market Committee. Bills in Local Markets are always handwritten or in their own form.

5.3) The Applicants have not claimed any damage for reduced rates, but only claimed reduction in yield.

9) Loss in quality of produce due to environmental factors- Concerning para-6 of the Objections of R.N.1, submissions are as under:

6.1) The Grants of Compensation mentioned have not been asked in the present assessment of personal damages. The damages that are awarded are for Short Term Kharif Crop which was Sobyantin only. Further, the compensation is awarded by the State Govt only for about 50 % & not for the entire land. Further, the Compensation is only exemplary & very meagre less than Rs. 5000/- per Acre. The Compensation is awarded to every landowner without any specific farmer and therefore it can not be taken into consideration. No other compensation is received from the Govt or any Other Authority.

6.2) It is incorrect to say that the Applicants' Claims are false & baseless. Applicants never used vindictive & arm-twisting tactics. Hence these wild allegations were denied. Applicants have already brought on record substantial evidence about personal damages.

10) No deterioration of quality from discharge from industry- About the contentions about Para-7 of the Letter dated 20-09-2024, the R.N.1 refers to the observations made in the order dated 01-09-2023 without taking into consideration the actual investigations done by another Joint Committee comprising one Member each of the District Collector, Nanded; and District Agricultural Officer, Nanded with a direction to the Committee to assess the correctness of the amount which is being claimed by the applicants by way of personal compensation.

7.1) Another Joint Committee has accordingly prepared the Report of a total of 31 Nos. of Farmers i.e. Applicant & their Family Members considering their land in hectares, name of crops, year, the average yield of circle per quintal per hectare, average yield expected for the given farm area, yield as per farmers documents, MSP (Minimum Support Price), local market/ Nanded Market rates

in actual received to farmers as per the record produced by them, estimated income as per MSP, estimated income as per farmers record & estimated income based on local market rates. Therefore, it is incorrect to say that there is no effect on the yield of the land & no compensation can be considered towards loss of yield as falsely claimed by the Applicants in their Form II. The Analytical Reports of JVS, Visit & Inspection Reports & Joint Committee, and Krishi Expert of Agricultural Office of Nanded pointed out the loss of yield and damage caused to the Applicants concerning the contentions raised in Para-7.1.

7.2) R.N.1 on the one hand says that no deterioration of quality from discharge from the industry and on the other hand states that only around 20 Acres of land is located surrounding the factory & emissions of Ash & Bagasse, if any, cannot travel to the lands of the Applicants at further distance. It is incorrect to say that only lands situated in crosswind & downwind directions can be affected by the Ash & Bagasse Particles from the factory. Both the Joint Committee Reports, MPCB- Analytical Reports, Visit & Inspection Reports & Panchnama observed black suit and emissions spread on crops of Applicants. Therefore, it has no meaning to say that it appears that the lands of several of the Applicants are situated outside the cross-wind & downwind direction of the factory. In fact, the First Joint Committee has personally caused visit & inspection of each & every Applicants/Farmers Agricultural Lands and Photographs are attached to the Joint Committee Report. (Pages 773 to 793).

11) The contents of para-8 of the Objections dated 20-09-2024 about the loss in yield not substantiated appears a surplus in several crops is incorrect because another Joint Committee already examined & assessed Personal Compensation recently.

12) Concerning the objection raised about the types & quantities of produced alleged to be contended as not disclosed- fresh varying prices as per APMC or Market Rates, it is submitted that the Expert has rightly compared it to the best available prices. The following are the submissions of the Applicants:

9.1) The Applicants have provided the true & correct information of the crops produced by them. It was duly verified in the Visit & Investigation of Complaints

by the MPCB-Officers (Annexures- 68 to 85), Panchnama carried out by the Committee/ Krishi Expert (113) & Joint Committees Reports. The personal loss is now assessed by the Joint Committee with the Agricultural Expert. Applicants already pointed out factual 7/12 Extracts Entries & relied upon the Visit & Investigation of Complaints by the MPCB-Officers, Panchnama carried out by the Committee/ Krishi Expert (106 to 112) & Joint Committees Reports. (768 to 916 & 1425 to 1689)

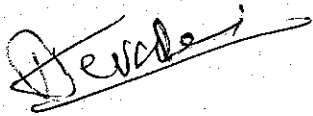
9.2) The R.N. 1's Legal Officer & Other Representatives were very much present @ the time visit of the Joint Committees and their objections were very well taken into consideration by the Committee. The report on the assessment of personal compensation has been prepared based on available documentary evidence as well as facts & circumstances. Hence it is denied that the amount in the Report appears to be based on the information provided by the Applicants only & the veracity of the said information is questionable as alleged by the R.N.1 in Para-9.2.

13) The R.N.1 has not specifically pointed out which of the calculations made in the Report dated 06-09-2024 are incorrect. Hence it is denied that the Report dated 06-09-2024 does not reveal the true & correct information as alleged by the R.N.1 in para-10 of their Written Objections submitted vide Letter dated 20-09-2024.

14) Given the voluminous exercise done in this matter by giving full opportunity to the R.N.1, it is a fit case to grant personal compensation to all 31 Applicants along with the cost of the Application as well as physical, mental, and other harassment, which has caused irreparable monetary loss which can not be compensated in terms of the exact amount of damage caused to them & their poor family members. It is a need of time for the CPCB to lay down a flexible formula for assessment of the personal compensation being caused to various affected persons. It is prayed that the name of the Applicant No. 6 though shown in the applicant, is not shown in the assessment of personal compensation with specific amount of personal compensation assess to him. His name is Shri. Shivraj Shesherao Bomnale which may kindly be directed the Joint Committee to assess separately and bring it into their report.

15) The R.N.1 has received a copy of the Report on the assessment of the Personal Compensation on 13-09-2024 itself & also filed its objections thereto on 20-09-2024 which is annexed to the Joint Committee in compliance with the 2nd Set of Operative Directions dated 22-04-2024 recently received by the Applicants by Email dated 27th September 2024. Hence no further time may kindly be granted again to file another objection to the R.N.1, which will be nothing but the delayed tactics on the part of the R.N.1.


Dated this 30th September 2024 at Pune.



(Dattatraya Devale)

Advocate for Applicants.

For Applicants,



(Kapil Baliram Bomnale)

टवेन्टिवन साखर कारखाना युनिट क्र.03 बाधित
शेतकरी कृती समिती

कार्यालय : मौजे जामगा शिवणी ता.लोहा जि.नांदेड मो.क्र.9657920205

दि. 24/09/2024

प्रति,
मा.उपप्रादेशिक अधिकारी,
प्रदुषण कार्यालय, नांदेड

| | | |
|---------------------|----|----|
| M. P. Board, Nanded | | |
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| 24 | 09 | 24 |
| FTS: 0233 | | |

मार्फत : मा.संयुक्त समिती नांदेड.

विषय : मा.जिल्हा अधिक्षक कृषी अधिकारी नांदेड यांनी शेतकऱ्यांच्या पिकांच्या नुकसानाच्या आवहाला बाबत.

संदर्भ : 1) मा. राष्ट्रीय हरित लवाद पश्चिम विभाग पुणे यांचे दि.22/04/2024 चे आदेश
2) दि.13/09/2024 रोजी मा.जिल्हाधिकारी यांच्या दालनात झालेली सुनावणी
3) दि.13/09/2024 रोजी आपणा मार्फत शेतकऱ्यांच्या नुकसानीचा अहवाल

महोदय,

वरील संदर्भीय विषयास अनुसरून आम्ही आपल्या निदर्शनास आणून इच्छितो की, आपण दिलेल्या शेतकऱ्यांच्या पिकांचा अहवाल अतिशय तुटपुंजी रक्कमेचा आहे. आपण दिलेल्या अहवालात मा.हरित लवाहामध्ये अर्जदार क्र. 06 श्री. शिवराज शेषराव बोमनाळे यांच नाव नाही. सदरील अर्जदार शेतकऱ्याचे सर्व कागदपत्रे आपणास व मा.हरित लवादास नुकसान भरपाईच्या अहवालासोबत तसेच सोबत जोडत आहोत. (परिशिष्ट क्र.1)

मा.जिल्हाधिकारी साहेब यांच्या दालनात प्रतिवादी क्र. 01 यांनी तोंडी काही बाबी मांडल्या असून सदरील बाबीवर आपले लक्ष वेधू इच्छितोत.

1. अर्जदारांपैकी काही शेतकऱ्यांची जमीन (शेती) कारखाना अंतरापासून लांब आहे, असे प्रतिवादीचे म्हणणे आहे, आम्ही आपणास सांगू इच्छितो की, दि.14/12/2023 व 15/12/2023 रोजी मा.हरित लवाद यांच्या आदेशानुसार संयुक्त समितीने

कारखान्यापासून झालेले प्रदूषण व त्या प्रदूषणाचे प्रादुर्भावाने शेतकऱ्यांच्या झालेल्या पिकांचे नुकसान याची प्रत्यक्ष येऊन केलेली पाहणी व गुगल मॅप कॅमेऱ्याने घेतलेल्या चित्रफितद्वारे मा. हरित लवादास दाखल केलेला अवहालात सर्व बाबी प्रदूषणाच्या पेज नं. 06 व 07 नुसार सदरील गटातील झालेले नुकसान पुराव्यांसहित दाखल केले आहे. (परिशिष्ट क्र.2 जोडत आहे.)

2. प्रतिवादी क्र. 01 ने शेतकऱ्यांच्या सातबारा वरील पिकपेरा नोंदी विषयी घेतलेल्या आक्षेप हा पण सदरील 7/12 वरील पिकपेरा हा तलाठी साहेबांनी प्रत्यक्ष घेतलेला नाही. मंडळातील नोंदणी प्रमाणे ज्या पिकांची नोंदणी आहे ती इतर शेतकऱ्यांप्रमाणे आहे व सोयाबिन पिकाची पेरणी व काढणी कारखाना हंगाम गाळप सुरू होण्या अगोदर होत असते व त्यामुळे पिकाचे नुकसान झालेले नाही. म्हणून आम्ही प्रामाणिकपणे सांगितले आहे. त्यामुळे सदरील पिकाची आम्ही नुकसान भरपाई मागितली नाही. त्यामुळे प्रतिवादी क्र. 01 ने शासकिय विम्या संदर्भात घेतलेला आक्षेप चुकीचा आहे. व सदर कारखाना ऊस पिकाचे गाळप करतो, ह्या ऊस पिकाचे सर्वप्रथम कारखान्याकडे नोंद घेताना 7/12 हा अनिवार्य आहे. परंतु शेतकऱ्यांच्या त्या 7/12 वर ऊस पिकाची नोंद नसते / नाही. आणि त्या शेतकऱ्यांना नोंद असलेल्या पिकांचा पिकविमा मिळतो. सदरील 7/12 वरील नोंदणीप्रमाणे ऊस बिल देतो का ? किंवा देणार नाही का ? जर ऊस बिल देत असतील तर शेत पिकपेरा विम्यावर आक्षेप घेण्याचा प्रतिवादी 01 ला अधिकार नाही.

(शेतकऱ्याने शेतामध्ये उसाचे पिक घेतले होते तेच प्रामाणिकपणे दाखविले आहे. व त्याचे बिल कारखान्याने दिले असून 7/12 नोंद इतर पिकांची होती तरी शेतकऱ्यांला ऊस बिल रक्कम मिळाली आहे.) सदर ऊसबिल कागदपत्रे सोबत जोडले आहेत. (परिशिष्ट क्र.03 सोबत जोडले आहे.)

3. कारखाना शासनाच्या नियमाप्रमाणेच चालतो विमा मिळालेल्या शेतकऱ्यांना कारखाना ऊस बिल रक्कम देणार नाही का ? त्यामुळे पिक पेऱ्यावरील प्रतिवादी क्र.1 चा आक्षेप चुकीचा आहे.

आम्ही सर्व शेतकऱ्यांनी जेव्हा संयुक्त समितीने प्रत्यक्ष भेट दिली असता जे पिक दाखवले होते तेच पिक आम्ही शेतकऱ्यांनी दाखवले आहे व त्याच पिकाची नुकसान भरपाई मागितलेली आहे.

4. प्रतिवादी क्र. 01 ने शेतकऱ्यांनी दिलेल्या बिल पावती यावर घेतलेल्या आक्षेपा बाबत. सदरील सर्व शेतकरी त्यांचा शेतपिक माल लोकल मार्केटमध्ये विकत असतो, तो शासन मान्य खरेदी केंद्रावर विकत नाही. त्यामुळे ज्या काही बिल पावत्या जोडल्या आहेत त्या लोकल मार्केट विक्रेत्यांच्या आहेत. तसेच शेत पिक माल विक्रेत्यांच्या कोणत्याच पावत्या जि.एस.टी. च्या नसतात कारण शेतकरी स्वतःचा माल हा रोख स्वरूपात मिळणाऱ्या रक्कमेत विकत असतो.

प्रतिवादी क्र. 01 ने घेतलेल आक्षेप हा चुकीचा आहे किंवा ग्राह्य धरू नये कारण संयुक्त समितीला शेतकऱ्यांच नुकसान किती झाले आहे. याचा अहवाल द्यायला सांगितला होता परंतु संयुक्त समितीने अहवाल दिला नसल्यामुळे मा.हरित लवादांनी यांचा अहवाल शेतकऱ्यांना सादर करण्यास सांगितला आहे. संयुक्त समितीने शेतकऱ्यांनाच तुमच नुकसान किती झाल आहे त्यामुळे शेतकऱ्यांना ज्या पद्धतीने प्रामाणिकपणे जे नुकसान झालं आहे त्याप्रमाणे ज्या ठिकाणी मुद्दे माल विकला त्यांच्या बिल पावत्या दिल्या आहेत.

5. उत्पन्नाची आनेवारी त्यांनी दिलेल्या नुसार तुटपुंजी आहे कारण ती पूर्ण मंडळातील काही ठराविक ठिकाणची पिक कापणी किंवा उत्पन्न घेत असते. त्यानुसार आनेवारी काढली जाते. ती प्रत्येक ठिकाणावरील शेत जमिनीला पिक उत्पन्न सारखं नसते कारण प्रत्येक शेत जमिनीमध्ये फरक असतो आम्हां शेतकऱ्यांच्या जमिनी ह्या चांगल्या प्रतिच्या आणि जास्त उत्पन्न निघणाऱ्या आहेत. त्यामुळे आम्हां शेतकऱ्यांना जास्तीच उत्पन्न होत परंतु कारखान्याच्या प्रदुषणामुळे, खराब पाण्यामुळे तसेच चिमणितून निघणाऱ्या काजळीमुळे आम्हां शेतकऱ्यांचे उत्पन्न घटले व तसेच शेतपिक मालाची प्रत खराब झाल्यामुळे शेतमालाला मार्केट किंमतीनुसार कमी प्रमाणात भाव मिळाला आहे. त्यामुळे शेतकऱ्यांचे मोठ्या प्रमाणात आर्थिक नुकसान झाले आहे.

सदरील सर्व शेतकऱ्यांच्या शेतजमिनी ह्या कारखाना परिसराच्या आजूबाजूला लागुन आहेत. मा.हरित लवाद यांच्या आदेशानुसार पिक कापणी पाहणी अहवाल देण्या संदर्भात शासन मान्य लोहा कृषी विभाग व तसेच महसूल विभागातील गाव पातळीवरील ग्रामसेवक, तलाठी, सरपंच व तालुका कृषी अधिकारी यांनी स्वतः आम्हां शेतकऱ्यांच्या शेतजमिनीमध्ये येऊन पिक पाहणी केली ती त्यांनी रँनुम पद्धतीने केली व त्यानुसार त्यांनी पिक पाहणी अहवाल तयार केला आहे. तो अहवाल त्यांनी शास्त्रशुद्ध पद्धतीने तयार केला आहे. सदरील अहवालात त्यांनी शेतकऱ्यांचे उत्पन्न घटले आहे याची नोंद केली आहे. पण तो पिक कापणी अहवाल जिल्हा कृषी विभागाने जोडला नाही किंवा लागू केला नाही. (परिशिष्ट क्र. 04)

जानेवारी 2023 मध्ये आपण नेमलेल्या महारष्ट्र प्रदूषण मंडळ, तहसीलदार व कृषीविभाग तसेच सगरुळी विद्यापीठ शास्त्रज्ञ व कारखाना प्रतिनिधी या सर्वांनी दिलेला अहवालात आम्हां शेतकऱ्यांचे उत्पन्न घटले आहे असे स्पष्ट सहिनिशी अहवालात लिहून दिले आहे या बाबी सोबत जोडत आहोत. (परिशिष्ट क्र.05 अ आणि ब) ग्रामपंचायत ठरावात कारखान्यामार्फत प्रदुषण होत आहे असा गावचा ठराव दिला आहे.

मा.हरित लवादाने कारखाना दोषी आहे. व त्यानुसार त्यांना दंडपण लावला आहे त्यामुळे कारखान्यामुळे प्रदुषण होत आहे हे सिद्ध झाले आहे. तालुका कृषी अधिकारी, तहसिलदार, ग्रामपंचायत, ठराव तसेच सगरुळी शास्त्रज्ञ यांचा अहवालात सुद्धा शेतकऱ्यांच्या पिक उत्पन्नात घटले आहे. व तसेच पिक मालाची प्रत खराब झाले आहे. असे अहवालात दाखवले असतांना सुद्धा तुम्ही आम्हा शेतकऱ्यांना तुटपुंजी मदत का देण्याचा विचार करत आहात ? आम्हा शेतकऱ्यांचे मोठ्या प्रमाणात आर्थिक नुकसान झाले आहे. त्यामुळ या सर्व अहवालाचा गांभीर्यपूर्वक विचार करून शेतकऱ्यांच्या प्रमाणिकपणे सांगितल्या प्रमाणे त्यांना आर्थिक नुकसान भरपाई दिली पाहजे. आम्ही शेतकरी प्रतिवादी क्र.01 विरुद्ध लढलो नाहीतर आम्हा शेतकऱ्यांना आत्महत्या करण्यापासून कोणताही पर्याय नव्हता.

मा.हरित लवाद यांच्या निर्णयानुसार कारखाना दोषी आहे, त्या साहजिकच कारखाना दोषी ठरल्याकारणाने आजूबाजूतील शेत पिकांचे नुकसान होणे हे, क्रमप्राप्त सिद्ध होत आहे. त्यामुळे संयुक्त समितीने या बाबींचा गांभीर्यपूर्वक विचार करून शेतकऱ्यांना तुटपुंजी आर्थिक

नुकसान देण्याऐवजी शेतकऱ्यांनी प्रमाणिकपणे झालेले नुकसान संयुक्त समितीसमोर मांडले आहे. त्यामुळे शेतकऱ्यांचे ज्या प्रमाणात नुकसान झाले आहे. त्या पद्धतीने आर्थिक नुकसान भरपाई द्यावी.


सर्व शेतकरी हे सर्वसाधारण कुटूंबातील आहेत त्यांचा उदरनिर्वाह पूर्णतः शेतवर अवलंबून आहे. प्रत्येक शेतकऱ्यांना जेमतेम जमीन आहे त्यात कारखान्या मार्फत होणाऱ्या प्रदुषणामुळे या सर्व शेतकऱ्यांच्या पिकांच्या उत्पन्नात घट झालेली आहे व त्यांच्या मालाची प्रतसुद्धा खराब झालेली आहे. यामुळे त्यांचे मोठ्याप्रमाणात आर्थिक नुकसान होत आहे. माय-बाप शासनाने या गोष्टीकडे लक्ष देवून योग्य तो निर्णय घ्यावा व शेतकऱ्यांनी प्रामाणिकपणे आर्थिक नुकसान झालेले दाखविलेले आहे त्यानुसार सर्व शेतकऱ्यांना जास्तीत जास्त आर्थिक नुकसान भरपाई द्यावी जेणे करून त्यांचे कुटूंब स्वतःचा उदरनिर्वाह करू शकतील नाहीतर अन्यथा त्यांना आत्महत्या करण्यापासून कोणताही पर्याय शिल्लक राहत नाही.

एवढ्या मोठ्या भांडवलदार प्रतिवादी क्र.01 कारखान्या विरोधात लढाई लढत असतांना आम्हा सर्व शेतकऱ्यांची शारिरीक मानसिक हानी झाली आहे, ही लढाई लढण्याकरीता लागणारी आर्थिक रसद शेतकऱ्यांची परिस्थिती नसतांना सुद्धा शेतकऱ्यांनी स्वतःचे गुरे दोरे विकून कर्ज काढून ह्या रसिदीची पूर्तता केलेली आहे. वकिलांची फिस, मा.हरिल लवादाची फिस शेतकऱ्यांचा मौल्यवान वेळ या सर्व बाबी खर्च झाल्या आहेत. याचा सुद्धा विचार संयुक्त समितीने करावा व या बाबींची सुद्धा आर्थिक नुकसान भरपाई देण्याचे प्रायोजन मा.संयुक्त समितीने करावे.

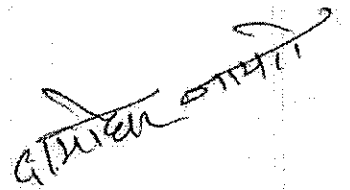
प्रतिवादी क्र.1 जाणुन बुजून आम्हा शेतकऱ्यांना नाहक आरोप त्रास देत आहेत. जेणे करून या सर्व बाबी खोटे आहेत. माय बाप शासन आम्ही खंडनीखोर नसून आम्ही सर्व शेतकरी आमच्या हक्काचे नुकसान भरपाई मागत आहोत.!

सोबत : सर्व पुरावे व जोडले आहेत.

आपले नम्र


कपील बळीराम बोमनाळे


गंगाधर शेषराव बोमनाळे


दामोदर लक्ष्मण जामगे

सोमनाथ
सोमनाथ बालाजी भालके

बळीराम
बळीराम शेषेराव बोमनाळे

शिवराज
शिवराज शेषेराव बोमनाळे

सुनिल दामोदर जामगे

बळीराम
बळीराम रावसाहेब भालके

मधुकर भिमराव भालके

माधव
माधवराव कोंडीबा बोमनाळे

परमेश्वर गंगाधर बोमनाळे

भरत श्रीरंग जामगे

गजानन
गजानन बालाजी भालके

व्यंकटी
व्यंकटी शिवप्पा भालके

संजय दामोदर जामगे

सिधेश्वर
सिधेश्वर व्यंकटी भालके

प्रल्हाद माधवराव बोमनाळे

बालाजी भिमराव भालके

नागेश शिवराज बोमनाळे

कोंडीबा गंगाधर बोमनाळे

ओमकार मधुकर भालके

सिधेश्वर गंगाधर बोमनाळे

छत्रपती श्रीरंग जामगे

उमाकांत माधवराव बोमनाळे

प्रत माहितीस्तव सादर

- 1) मा.जिल्हाधिकारी साहेब, जिल्हाधिकारी कार्यालय, नांदेड
- 2) श्री. निश्चल सी, वैज्ञानिक "डी", प्रादेशिक संचालक, केंद्रीय प्रदुषण नियंत्रण मंडळ, पुणे.
- 3) जिल्हा अधिक्षक कृषी अधिकारी, कृषी विभाग, नांदेड
- 4) श्री. गुणवंत पाटील, सक्षम समिती सदस्य, समिती नांदेड.

Office copy

Keerthi

**True Translation of Marathi Letter dated 24/09/2024 given by the Applicants to
the SRO MPCB Nanded**

TWENTY-ONE SUGAR FACTORY UNIT NO. 03 Affected

Farmers Action Committee

Office: At Jamga, Shiwni Tal. Loha Dist. Nanded, Mob.No. 9657920205

Date: 24/09/2024

To,
Hon. Sub Regional Officer,
Pollution Office, Nanded
Through: Hon. Joint Committee Nanded.

Subject: Hon. District Superintendent Agriculture Officer Nanded's Report regarding
the risk of loss of crops of farmers.

Reference:1) Order dated 22/04/2024, of Hon'ble National Green Tribunal (WZ), Pune.
2) Order dated 13/09/2024, the hearing held in the collector's Office.
3) Report of loss of farmers through your office dated 13/09/2024.

Sir,

With reference to the above subject, we would like to point out that the farmers' crop report given by you showing is very meagre amount. In the report given by Hon'ble NGT, the name of Applicant No. 06 Mr. Shivraj Shesherao Bomnale is not found. I am attaching all the documents of the applicant – farmers for your perusal and also for Hon'ble NGT along with the Personal Compensation Report as well. (Annexure No.1)

The Respondent No. 01 has presented some information orally and we would like to draw your attention to the said matter as under-

1. As per Respondent No. 1 some of the applicants' land (farm) is far away from the factory. We would like to inform you that as per on 14/12/2023 and 15/12/2023 the directions given by Hon'ble NGT, the Joint Committee Report has filed the Report in respect of the pollution around the Karkhana of Respondent No.1 and the damage caused in the said Gut Nos along with the evidence thereof based on monitoring through google map recording through page no. 6 and 7 (Annexure No.2.)

2. Talathi has not recorded crops (Pikpera) as per the objections taken by Respondent No.1 about the record on 7/12 Extracts. The MPC Board has recorded Pikpera as per actual crops in the field. Since crops of Soybean perani (Pera) and removal are being done before crushing season and no damage has been caused to Soybean crops, no compensation was asked for the same. Therefore, the objection taken by Respondent No. 1 as per Government Insurance taken by the applicants is wrong. Respondent No.1 takes a record on the 7/12 extract at the time of sugarcane crushing when sugarcane is delivered at the Karkhana of Respondent No. 1. However, no entry is made on the 7/12 extracts of the farmers. But the farmers are getting crop insurance of a nominal amount and ensure their crops. Therefore, Respondent No.1 has no authority to ask about whether the sugarcane bill is received as per the entry or not and objections on agricultural Pikpera.

(The farmers have shown sugarcane crops honestly as per whatever crops they have taken and Karkhana has paid the sugarcane bills as per 7/12 extracts). The documents in respect of sugarcane bills are enclosed (Annexure-3)

3. Karkhana is working as per Government rules. Therefore, the objections regarding the payment of sugarcane bills to the farmers received or not and about pikpera are not correct. Whatever, crops were shown to the Joint Committee during their actual visit, the same are shown by the farmers for compensation and compensation has been demanded for the same only.
4. Objection of Respondent No.1 about the receipts produced by the farmers – All the farmers selling their crops/goods in the local market and not selling on the Government Purchase Centre. Therefore, the receipts enclosed by the farmer are from the local market only. There is no GST etc. on the receipts given by the local purchaser. Because the farmers are selling their goods in cash only.

The objection taken by the Respondent No.1 is wrong and should not be taken into consideration. Since the earlier Joint Committee has not submitted a report on personal compensation, the Hon'ble Tribunal has directed the applicants (farmers) to submit it. The farmers have submitted receipts honestly as per whatever loss caused to them as per the receipts received by them where they have sold their goods.

5. The income (Anewari) is meagre. Because the Revenue Board taking Anewari takes the income from some of the farms only and therefore from every farm same income is not received having the different kinds of lands. However, the lands of farmers/applicants are of good quality and therefore, earlier good income was there from the agricultural lands. However, due to the pollution of water, and black smoke emitted from chimneys the income of farmers/applicants was reduced and also the quality of the goods deteriorated and therefore less rate received by the farmers and a lot of financial losses.

All the farmer's lands are adjoining the Karkhana the Government approved agricultural department at Loha, Revenue Gramsevak, Talathi, Sarpanch and Taluka Krishi Adhikari visited personally agricultural lands of the farmers to see the crops on a random basis and prepared the report scientifically. It clearly shows that the income has been reduced and they have taken note thereof. However, the Krishi Department has not enclosed the said report and also has not made it applicable (Annexure- 4)

As per the reports submitted by the MPCB, Tahsildar and Krishi Department as well as Sagruli University scientists with Karkhana representatives, the income of the farmers has been reduced, which is signed by them (Annexure-5). Grampachayat resolution specifically observed that Karkhana is causing pollution.

As per the Hon'ble NGT matter, Karkhana has been observed to be responsible for losses and EDC has been imposed on them. It is duly proved by MPCB, Tahsildar and Krishi Department as well as Sagruli University scientists with Karkhana representatives, that the income of the farmers has been reduced, which is signed by them. Similarly, crops have been damaged as per the report and therefore meagre compensation has been imposed and a lot of financial damage caused to the farmers. Hence it is requested to consider seriously to grant financial losses for damages. There is no alternative to us than suicide.

As per the decision of Hon'ble NGT Karkhana is guilty of causing damage to the crops, which is proved. Hence, the Joint Committee should consider seriously about review of imposition of meagre personal compensation and impose compensation as per losses caused to the farmers.

All farmers are from ordinary families and all of them are dependent for their livelihood on agricultural income having smallholders. Because of Karkhana pollution crop production not only decreased but also its quality has been deteriorated. Thereby lot of financial loss was caused to the farmers. The government should take into consideration the loss caused to the farmers and should approve maximum financial reimbursement to protect their livelihood and prevent suicide.

The farmers have suffered not only financial losses but also physical and mental losses. They are not in a position to fight this battle and therefore by taking loans on their animals and other sources they have approached this Hon'ble Tribunal. The expenditure is incurred on Advocate fees, NGT matters and a lot of time has been spent on follow-up. Hence it is requested that the Joint Committee take into consideration all these things and impose personal compensation accordingly.

Respondent No.1 deliberately troubled the farmers by making unnecessary allegations to allege that all these things were false. We are not Extorters who use the information or threaten violence to get compensation. We are asking for our right to real compensation.

Enclosed: As Above.

Accompanying: All proofs are attached.

| | | |
|--------------------------------------|-------------------------------------|-----------------------------------|
| xxx Kapil Baliram Bomnale | xxx Gangadhar Shesharao Bomnale | xxx Damodhar Laxman Jamge |
| xxx Somnath Balaji Bhalke | xxx Sunil Damodhar Jamge | xxx Baliram Sesherao Bomnale |
| xxx Shivraj Sesherao Bomanale | xxx Baliram Raosaheb Bhalke | xxx Madhukar Bhimrao Bhalke |
| xxx Madhavrao Kondiba Bomanale | xxx Parmeshwar Gangadhar Bomnale | xxx Bharat Srirang Jamge |
| xxx Gajanan Balaji Bhalke | xxx Vyankti Shivappa Bhalke | xxx Sanjay Damodhar Jamge |
| xxx Siddeshwar Vyankati Bhalke | xxx Pralhad Madhavrao Bomnale | xxx Balaji Bhimrao Bhalke |
| Xxx Nagesh Shivraj Bomnale | xxxx Kondiba Gangadhar Bomnale | xxx Omkar Madhukar Bhalke |
| xxx Siddheshwar Gangadhar Bomnale | xxx Chhatrapati Srirang Jamge | xxx Umakant Madhavrao Bmanaleo |

Copy to-

- 1) Hon. Collector, Collector's Office, Nanded
- 2) Shri. Nischal C, Scientist "D", Regional Director, Central Pollution Control Board, Pune.
- 3) District Superintendent Agriculture Officer, Department of Agriculture, Nanded
- 4) Shri. Gunwant Patil, Competent Committee Member, Committee Nanded.

True translation of Representation given to the Joint
Committee Dated 24-09-2024 Marathi to English

Zapu

for Applicant

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~~INDEX~~ परिशिष्ट क्र. 1
I

BEFORE THE NATIONAL GREEN TRIBUNAL WESTERN ZONE BENCH, PUNE, AT-
PUNE

Original Application No.113 of 2023WZ.

Kapil Baliram Bomnale & 23 Others

.....} Applicants.

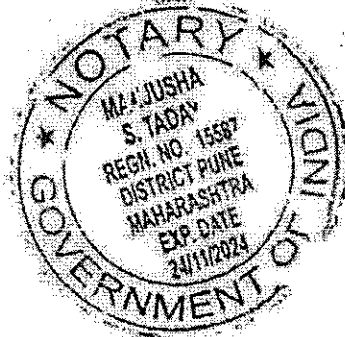
VERSUS

Director, M/s Twenty-One Sakhar Karkhana Unit No.3 & Others.

.....} Respondents.

INDEX

| S.N | Annexure | Particulars of Documents | Pages From - To |
|-----|-----------------------------|--|-------------------|
| 1 | Form-II | Application for Relief & Compensation | 320-333 |
| 2 | Annexure-A | Statement prepared on the basis of actual yield and income with rate received in respect of damage caused to the Applicants & their Family-Members | 338 - 397 |
| 3 | Annexure-A-1 | D.D. drawn on the State Bank of India, Branch bearing No along with Forwarding Letter dated 11 th March, 2024 submitted to Registrar, NGT, WZ, Bench at Pune | 398 - 399 |
| 4 | Annexure-B & C respectively | Certificates of the Applicants below Poverty-Line | 1000- 1001 |
| 5 | Annexure-D | True Translated Copy of Marathi into English duly typed in respect of Random Assessment of Crops of 2 Applicants (Nos-6 & 12 respectively) along with the available copy in Marathi-Panchnama by the Agricultural Assistant from Krishi Adhikashak Office in the presence of other Govt - Officers | 1002 - 1004 |
| 6 | Annexure-E | An Affidavit in the support of this Form-II | 1005- 1006 |



Kapil
For the Applicants.

920

BEFORE THE NATIONAL GREEN TRIBUNAL WESTERN ZONE BENCH, PUNE, AT-
PUNE

Original Application No.113 of 2023WZ.

Kapil Baliram Bomnale & 23 Others

.....} Applicants.

VERSUS

Director, M/s Twenty-One Sakhar Karkhana Unit No.3 & Others.

.....} Respondents.

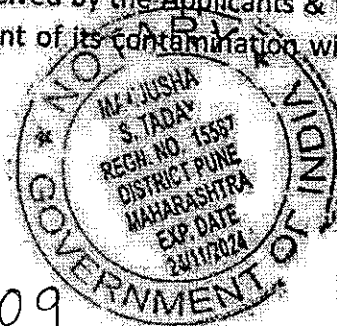
APPLICATION ON BEHALF OF THE APPLICANTS FOR SANCTION OF ENVIRONMENTAL COMPENSATION/DAMAGE CAUSED TO THE AGRICULTURAL LAND & CROPS & YIELDS AS WELL AS ENVIRONMENT (AIR, WATER & PUBLIC HEALTH)

MAY IT PLEASE YOUR HONOUR:

The Applicants have gone carefully through the Reply-Affidavit filed on behalf of the Respondent No.1 and the Respondent No. 2 & 3 respectively as well as the Joint Committee Report served by the Respondent-Board vide Email dated 04th February, 2024 one day before last date of hearing. The Applicant has decided to file this Application for Sanction of Environmental Compensation/Damages with reference to the Joint Committee-Report so as to bring on record them as under:

- 1) At the outset the Applicants would like to submit that they would like to file the Application in the prescribed Form II of Application for Relief & Compensation under the Rule-8 (1) in compliance of the Order passed by this Hon'ble Tribunal dated 05th February, 2024 as below:

The Applicants have tried at their best level to prepare a Statement in respect of damage caused by them due to discharge of pollutants (Black Smoke & Black Ash, Air Pollutants, Highly Polluted Effluent etc.) to their agricultural lands, crops and yield as well as public health and environment. The information is compiled from the actual damage caused after various crops taken by them during last 5 years and expected yield with regard to earlier crops taken by them, actual yield received, market price & reduced price received by the Applicants & their Family-Members with low rate on account of its contamination with the black



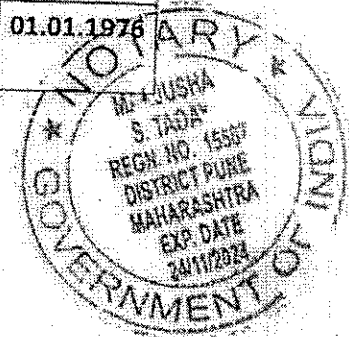
1709

smoke & ash as well as polluted discharge of effluent which also affected fertility of their agricultural lands. A Statement prepared on the basis of actual yield and income with rate received in respect of damage caused to the Applicants & their Family-Members is enclosed herewith and marked as an Annexure-A collectively. Total Rs. 2,12,85,078/- Two Crores Twelve Lakhs Eighty Five Thousands & Seventy-Eight Rupees Compensation has been calculated by the Applicants & their Family- Members towards damage caused to them, for which necessary Fees amounting to Rs. 1,93,956/- excluding the Compensation being claimed for 2 Applicants (Applicant Nos.8 & 13 respectively) is being deposited by DD No. 938007 Drawn on State Bank of India, Bhosari Branch at PCMC. A true copy of the Forwarding Letter by which DD is deposited at the Office of Hon'ble Registrar, NGT, WZ Bench at Pune with copy of DD is enclosed herewith and marked as an Annexure-A-1

2) The Applicants would like to submit their information in the Prescribed Form II as under:

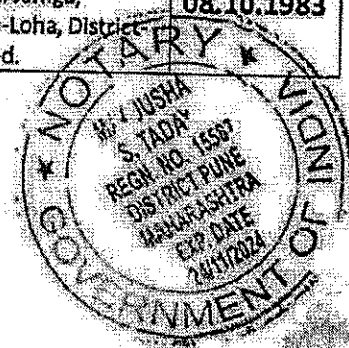
2.1) The names of the Applicants & their Family Members who have suffered heavy damages with their addresses with the Sex & Date of Birth are reproduced as under:

| S.N. | Full Name of Applicant & Sex | Age | Occupation | Address of Applicant | Date of Birth |
|------|--|-----|------------|--|---------------|
| 1 | Shri Kapil Balliram Bomnale-Male | 25 | Farmer | Shivani Jamga, Taluka-Loha, District-Nanded. | 05.06.1998 |
| 2 | Shri Gangadhar Shesherao Bomnale- Male | 54 | Farmer | Shivani Jamga, Taluka-Loha, District-Nanded. | 01.01.1969 |
| 3 | Shri Somnath Balaji Bhalake- Male | 31 | Farmer | Shivani Jamga, Taluka-Loha, District-Nanded. | 04.07.1991 |
| 4 | Shri Balliram Shesherao Bomnale - Male | 44 | Farmer | Shivani Jamga, Taluka-Loha, District-Nanded. | 01.01.1980 |
| 5 | Shri Damodar Laxman Rao Jamge- Male | 58 | Farmer | Shivani Jamga, Taluka-Loha, District-Nanded. | 01.01.1959 |
| 6 | Shivraj Sheshrao Bomnale-Male | 44 | Farmer | Shivani Jamga, Taluka-Loha, District-Nanded. | 01.01.1976 |



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| | | | | | |
|----|---|----|--------|---|------------|
| 7 | Shri Sunil Damodhar Jamge-Male | 34 | Farmer | Shivani Jamga, Taluka-Loha, District- Nanded. | 17.05.1989 |
| 8 | Shri Baliram RaoSaheb Bhalake-Male | 46 | Farmer | Shivani Jamga, Taluka-Loha, District- Nanded. | 01.01.1978 |
| 9 | Shri Madhukar Bhimrao Bhalake-Male | 59 | Farmer | Shivani Jamga, Taluka-Loha, District- Nanded. | 01.01.1964 |
| 10 | Shri Madhavrao Kondiba Bomnale-Male. | 64 | Farmer | Shivani Jamga, Taluka-Loha, District- Nanded. | 01.01.1959 |
| 11 | Shri Parmeshwar Gangadharrao Bomnale- Male. | 36 | Farmer | Shivani Jamga, Taluka-Loha, District- Nanded. | 13.07.1987 |
| 12 | Shri Bharat Shrirang Jamge-Male. | 34 | Farmer | Shivani Jamga, Taluka-Loha, District- Nanded. | 01.01.1990 |
| 13 | Shri Gajanan Balaji Bhalake-Male. | 44 | Farmer | Shivani Jamga, Taluka-Loha, District- Nanded. | 01.01.1980 |
| 14 | Shri Vyankati Shivappa Bhalake-Male. | 61 | Farmer | Shivani Jamga, Taluka-Loha, District- Nanded. | 01.01.1963 |
| 15 | Shri Sanjay Damodar Jamge-Male. | 41 | Farmer | Shivani Jamga, Taluka-Loha, District- Nanded. | 14.12.1982 |
| 16 | Shri Sidheshwar Vyankati Bhalake-Male. | 34 | Farmer | Shivani Jamga, Taluka-Loha, District- Nanded. | 01.01.1989 |
| 17 | Shri Pralhad Madhavrao Bomnale-Male. | 35 | Farmer | Shivani Jamga, Taluka-Loha, District- Nanded. | 01.01.1988 |
| 18 | Shri Balaji Bhimrao Bhalake-Male. | 65 | Farmer | Shivani Jamga, Taluka-Loha, District- Nanded. | 01.01.1959 |
| 19 | Shri Nagesh Shivraj Bomnale-Male. | 26 | Farmer | Shivani Jamga, Taluka-Loha, District- Nanded. | 09.06.1997 |
| 20 | Shri Kondiba Gangadhar Bomnale- Male. | 31 | Farmer | Shivani Jamga, Taluka-Loha, District- Nanded. | 01.01.1993 |
| 21 | Shri Onkar Madhukar Bhalake- Male. | 41 | Farmer | Shivani Jamga, Taluka-Loha, District- Nanded. | 08.10.1983 |

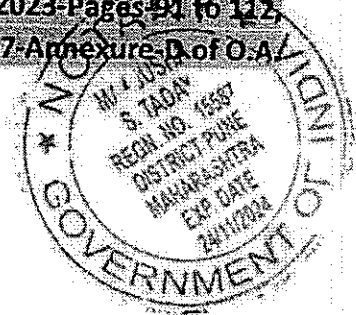


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| | | | | | |
|----|--|----|--------|---|------------|
| 22 | Shri Sidheshwar Gangadhar Bomnale- Male. | 34 | Farmer | Shivani Jamga, Taluka-Loha, District- Nanded. | 01.01.1990 |
| 23 | Shri Chhatrapati Shrirang Jamge- Male. | 30 | Farmer | Shivani Jamga, Taluka-Loha, District- Nanded. | 09.01.1994 |
| 24 | Shri Umakant Madhavrao Bomnale- Male. | 38 | Farmer | Shivani Jamga, Taluka-Loha, District- Nanded. | 10.03.1985 |

2.2) Nature of Injuries suffered- The Applicants are Farmers and dependent for their Livelihood and Bread & Butter mainly on the agricultural income. The Applicants Total Agricultural Land besides 20.06 Acres Land acquired by the Unit No.3 is about 103 Acres of Agricultural Land being owned by the Applicants' Family - Members, which is adjoining and surrounding the Unit No.3-Sugar Factory of the R.N.1, on which the Livelihood of the Applicants' as well as their Family - Members dependent, which are being damaged and affected due to discharge of effluent from the factory of the R.N.1's Unit No.3 & its black smoke as well as black ash on the Applicants' Agricultural Land and their residential areas. The Statement of 7/12 & 8A Extracts of the Applicants' Family - Members with 7/12 Extracts are already enclosed with the Counter-Affidavit to the Respondent-No.1 at an Annexure-I collectively. The Applicant would like to refer to & rely up on the said 7/12 Extracts.

The Applicants have shown actual crops being taken by them in the above period, however, Talathi is showing earlier crop/s years together without making year to year changes. Therefore, after this fact has come to know to the notice of the Applicants at the time of making application for compensation in the prescribed format, it has been immediately informed to the Talathi to correct the names of crops. In fact, the Joint Committee has already verified which crops are being taken. The Applicants would also like to rely up on earlier Reports of Krishi Adhikari and Other Officers in which the regular crops taken by the Applicants have been specifically verified & noted by the concerned officers and enclosed to our Application & Rejoinder-Reply also. (Annexure-K-Pge141 & 142 respectively & Visit Reports of MPCB at Annexure-H-1 to H-3 of the Original Application dated 20th August, 2023-Pages 91 to 112, Annexure-E-page-68, Photographs at Pges-64 to 67-Annexure-D of O.A.)



924

No.113 of 2023WZ) The Joint Inspection Report dated 17-01-2023 while examining & investigation of Complaint of Gangadhar Sheshrao Bomnale (Applicant No.- 2) specifically observed percolation in agricultural crops in adjoining lands of 22 Acres of Shri Gangadhar Bomnale at a distance of 20 feet towards east of Karkhana where sugarcane, wheat, jawar, tomato, cotton, gram etc. crops were observed to be damaged with ash contents spread on it. Similarly, at Southside adjoining Karkhana backside land of Sidheshwar Venkati Bhalake, Applicant – No.16 of 10 acres land in which gram, onion, chilli, grass, sugarcane crops observed to be damaged due to spread over it & effluent of Karkhana as well as agricultural pond. The land of Madhukar Bhimrao Bhalake-Applicant No.9's 12 Acres of Agricultural Land with Turmeric, Cotton, Jawar, Wheat, Gram crops observed to be damaged. (Annexure-B-Pages-474 to 480 of Rejoinder-Reply to R.N.1-Reply.)

2.3) Besides, the damage to the Crops & Agricultural Land, the Water of Wells of nearby farmers & artificial lake farm (Shet-Tale) have been polluted. The R.N. 1 has not been permitted to discharge any treated/undertreated/untreated effluent outside factory-premises and to achieve standards prescribed for disposal on land for irrigation purposes. The results of Joint Vigilance Samples collected by the MPCB are highly exceeding, which are enclosed at Annexure-I (113 to 138) The Joint Inspection Report dated 17th January, 2023 clearly observed discharge of effluent outside premises of Karkhana and percolation thereof in the Agricultural Crops and in adjoining agricultural land & further flowing to the west side and mixed up at a distance of 1.5 km Village-Nalla and further meeting to Godavari-River at about 2 km. In fact, Samples are collected by Joint Committee of Shet Tale and nearby wells, which results are to be made available by Joint Committee itself. The nearby wells & Shet- Tale (Artificial Farm-Lake provided for Irrigation purpose by Shri Sidheshwar Bhalake, Applicant No.16.) are polluted & hence damages are to be assessed for its Restoration & whatever damage is already caused to be assessed by Expert-Agency & needs to be directed to be paid.

2.4) The Place of Agricultural Lands of the Applicants are adjoining the R.N.1- Industry from 10-20 Feet minimum & maximum 1000 Feet. The



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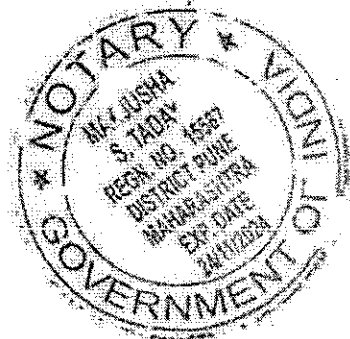
damage has been caused between the period 2019-20 to 2023-24 as shown in the Tabular Form of Applicants/Their Family-Members who have suffered Losses or Damages due to Reduced Price-Consideration received by them on account of Black Smoke with Black Ash contents mixed in the crops and causing pollution of yield, Reduction of Price & Total Income also.

A Table showing Form of Applicants/Their Family-Members who have suffered Losses or Damages due to Reduced Price-Consideration received by them on account of Black Smoke with Black Ash contents mixed in the crops and causing pollution of yield, Reduction of Price & Total Income is already enclosed as an Annexure-A above. The nature of injury is heavy pecuniary-losses caused as shown in the Table & Other Annexures referred in this Affidavit, which are enclosed to the Original Application & Rejoinder-Reply to the R.N. 1's Affidavit.

2.4) The Main-Complaints are made to Taluka Krishi- Adhikari, Loha, District-Nanded, District-Collector, Nanded, Tahsildar-Loha, Sub Regional Officer, MPCB, & State Government from time to time. The pollution of R.N. 1 comes under the jurisdiction of MPCB as far as initiating appropriate action/s to stop pollution, imposition of EDC & taking stringent legal actions including issuance of directions, filing of prosecution etc. The Police Station under whose jurisdiction the R.N.1 is situated is Loha Police Station in Loha, District-Nanded.

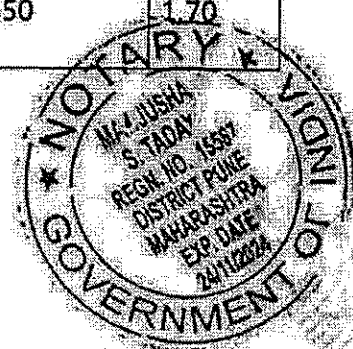
2.5) The Agricultural Land bearing 7/12 Extract No.327 of 0.40 Ha owned by Shri Damodar Laxman Jamge, the Applicant No. 4 was being unauthorizedly occupied by the R.N.1 (M/s Venkateshwara Sugar P. Ltd) , which has come into the possession of the Applicant No.4 in the Month of August,2022. However, the R.N. 1 has damaged it to such an extent due to improper use thereof and become infertile, which needs to be certified by the Agricultural Expert.

2.6) The following Applicants & their Family-Members have suffered heavy damages due to discharge of black smoke with black ash contents and discharge of polluted effluent & air pollutants to their agricultural lands and crops as well as yield and therefore Claimants and their relationship with the Applicants is as under:



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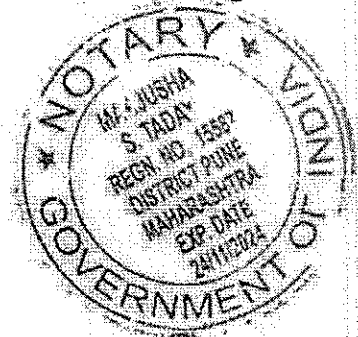
| Sr. No. | Name of the Applicant/ Family Members of Applicant | Relation with the Applicant | 7/12 Extract Land Survey No/s | Area in Hector |
|---------|---|---|---|--------------------------|
| 1 | Shri Kapil Baliram Bomnale (Land in the Name of Shri Baliram Shesherao Bomnale, Father of Applicant) | Father of Applicant No-1 and Applicant No-4 | 365 and 554 | 1.54 0.60 |
| 2 | Shri Gangadhar Shesherao Bomnale | Applicant No-2 | 556 | 0.59 |
| 3 | Shri Somnath Balaji Bhalake (Land in the Name of Shri Balaji Bhimrao Bhalake, Father of Applicant) | Father of Applicant No-3 and Applicant No-18 | 336 338 and 355 | 1.05 0.26 0.23 |
| 4 | Shri Damodhar Laxman Jamge | Applicant No-5 | 327 | 0.40 |
| 5 | Shri Shivraj Shesherao Bomnale | Applicant No-6 | 365 And 556 | 0.62 0.60 |
| 6 | Shri Sunil Damodhar Jamge | Applicant No-7 | 304 | 1.90 |
| 7 | Shri Baliram Rao Saheb Bhalake | Applicant No-8 | 442 | 2.0 |
| 8 | Shri Madhukar Bhimrao Bhalake | Applicant No-9 | 338 355 And 356 | 0.25 0.22 0.50 |
| 9 | Shri Madhavrao Kondiba Bomnale | Applicant No-10 | 555 | 1.69 |
| 10 | Shri Parmeshwar Gangadhar Bomnale | Applicant No-11 | 365 | 0.52 |
| 11 | Shri Bharat Shrirang Jamge | Applicant No-12 | 311 And 326 | 1.36 0.10 |
| 12 | Shri Gajanan Balaji Bhalake | Applicant No-13 | 349 | 2.21 |
| 13 | Shri Vyankati Shivappa Bhalake | Applicant No-14 | 350 | 1.70 |
| 14 | Shri Sanjay Damodhar Jamge | Applicant No-15 | 304 | 1.90 |
| 15 | Shri Sidheshwar Vyankati Bhalake | Applicant No-16 | 350 | 1.70 |



| | | | | |
|----|-------------------------------------|------------------------------|-------------------|------------------|
| 16 | Shri Pralhad Madhavrao Bomnale | Applicant No-17 | 365 | 1.70 |
| 17 | Shri Nagesh Shivraj Bomnale | Applicant No-19 | 365 | 0.46 |
| 18 | Shri Kondiba Gangadhar Bomnale | Applicant No-20 | 365 | 0.51 |
| 19 | Shri Omkar Madhukar Bhalake | Applicant No-21 | 340 | 1.02 |
| 20 | Shri Kondiba Gangadhar Bomnale | Applicant No-22 | 365 | 0.52 |
| 21 | Shri Chhatrapati Shrirang Jamge | Applicant No-23 | 327 And 330 | 0.69 1.12 |
| 22 | Shri Umakant Madhavrao Bomnale | Applicant No-24 | 365 & 355 | 0.97 0.80 |
| 23 | Srimati Sarjabai Shesherao Bomnale | Mother Of Applicant No- 4 | 554 And 556 | 0.55 0.46 |
| 24 | Mrs. Shantabai Shivraj Bomnale | Wife of Applicant No-6 | 365 | 0.80 |
| 25 | Mrs. Sarasvatibai Madhavrao Bomnale | Wife of Applicant No-10 | 552 | 1.02 |
| 26 | Shri Shesherao Shivraj Bomnale | Son of Applicant No-6 | 365 | 0.47 |
| 27 | Mrs. Laxmibai Vyankati Bhalake | Wife of Applicant No-14 | 449 | 0.40 |
| 28 | Mrs. Swati Bharat Jamge | Wife of Applicant No-12 | 327 and 330 | 0.68 1.12 |
| 29 | Mrs. Dwarkabai Shrirang Jamge | Mother of Applicant No-23 | 311 | 1.36 |
| 30 | Mrs. Gangabai Damodhar Jamge | Wife of Applicant No-5 | 304 | 3.57 |

3) Facts of the Case – The facts of the case are summarized in a chronological order as under:

The Applicants are Farmers having their Agricultural Lands adjoining and nearby areas of case as under



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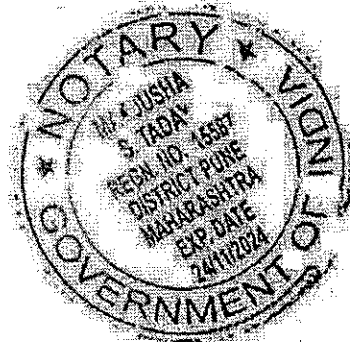
A) The present original application pertains to the serious environmental pollution being caused continuously by the Respondent No.1 in collusion with the other Respondents in violation of various environmental norms.

B) The Respondent No.1 has caused highly polluted discharge of its effluent and pollutants in violation of consent conditions without providing adequate and suitable treatment & disposal arrangement and without operating it to achieve standards prescribed in the consent and under the provisions of the Environment (Protection) Act, 1986, thereby causing serious pollution in the nearby agricultural land, environment & streams. Their pollution is harmful to the health & safety of the surrounding people, farmers and seriously affecting nearby farmers & causing nuisance.

C) The Respondent-Authorities instead of initiating stringent actions including filing of prosecution, imposing environmental compensation

and issuing prohibiting the continuous degradation and pollution of environment, agricultural lands and environment at large as well as health of the nearby affected farmers & residents protecting the respondent no.1 by not taking any steps to stop it.

D) Inadequate Information given to prevent Applicants from initiating any further substantial action and to delay any proceedings against the Respondent No.1.



1717

| Sr. No. | Date of Events | Event or Chronology of Actions initiated |
|---------|----------------|---|
| 1 | 28-02-2023 | Application made under the RTI to obtain certain information about project of the Respondent No.1 |
| 2 | 17-03-2023 | Inadequate information received under RTI from Public Information Officer, MPCB, Nanded |
| 3 | 06-04-2023 | 15 Days' Notice given by the Twenty-One Sakhar Karkhana Dharashiv (Unit No.3) Badhit Shetkari Kruti Samiti, Nanded. |
| 4 | 19-04-2023 | Sham Public Hearing conducted for Expansion of Sugar- Production capacity ensuring that the Applicant will not even knowing its date & venue as well keeping villagers in dark & not making available any of the documents including Executive Summary, EIA Report etc. |
| 5 | 12-06-2023 | True Translation of the Marathi Letter given by the Applicants to the MPCB to make available information & documents of Public Hearing. |

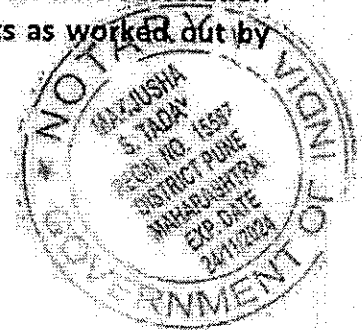
After not initiating any substantial actions by the Respondents, the Applicants had no alternative than to file the present Application before this Hon'ble Tribunal bearing No.113 of 2024. This Hon'ble Tribunal pleased to admit the Application and allowed to file an Application for grant of relief and compensation.

4) Grounds for Relief with Legal Provisions: The grounds for relief with the legal provisions are summarized as under:

4.1) The Applicants & their Family-Members are dependent for their bread and butter as well as livelihood on their agricultural income being the main source of earnings. They have fundamental right to cultivate agriculture activity under Article 19 (1) (g) read with the Article 21 of the Constitution of India for their livelihood and clean environment.

4.2) The Respondent No.1 has violated the conditions of consent granted to it by not complying with the prescribed standards for effluent & emission, thereby causing pollution of nearby agricultural lands of the Applicants & their Family-Members as well as to their public health and cattle, crops. This has caused damage to their livelihood.

4.3) Since, the Agricultural Land and Water Resources have been polluted, it is necessary that the R.N. 1 is liable to take restoration measures and pay compensation to the Applicants as worked out by them on the basis of losses shown by them.



930

4.4) The Applicants have been unable to assess damage caused to the Agricultural Land & Water Pollution of their Water-Resources as well as Restoration Cost including damage caused to the public health on account of their limited knowledge and poor economical conditions. Hence, it is prayed that this may kindly be assigned to an Expert Agency.

5) The Applicants has filed Applications before District Collector for grant relief under Public Liability Insurance Act, 1991 but no relief/s are granted till date. The Original Application No.113 of 2023WZ is pending before this Hon'ble Tribunal. The Certificates of 2 Applicants who are below poverty line are enclosed herewith & marked as an Annexure-B & C respectively.

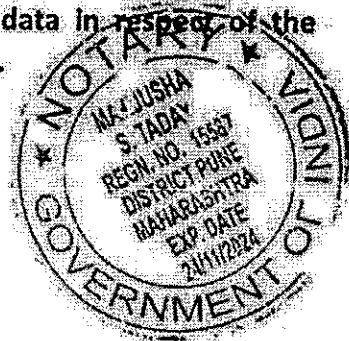
6) Suggestions about the observations in the Final Joint Committee Report prepared on the basis of joint inspection cum monitoring of the industry carried out on 14-12-2023 & 15-12-2023 and Analytical Reports as below:

6.1) It is submitted that the results and reports of the MPCB referred in original application duly supported by earlier visit & inspection reports referred in the application, rejoinder-reply to the R.N.1's Affidavit & this present Application may kindly be taken into consideration, which are highly exceeding and caused damage to the Applicants, their Agricultural Lands, their Crops & Public Health as well as their cattle etc. for the period for which it was exceeding the standards prescribed in the consent.

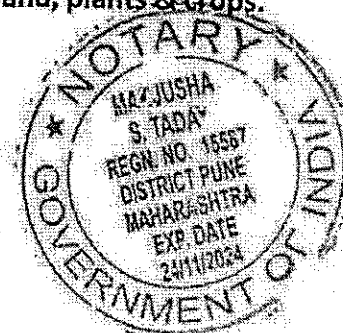
6.2) As per the daily manufacturing report submitted by the R.N.1, on few occasions, the maximum cane crushed per day varied from 2,743 to 3,350 TCD, which was observed to be more than the per day consented capacity of 2,500 TCD.

6.3) As per observation of the Joint Committee, out of the available 57 aggregated entries of per day data, the industry was found non-complied for 7 times for COD parameter.

6.4) 48-56 times on the basis of data analysis, the J. Committee observed that OCEMS (Effluent) sensors were neither working nor transmitting the real time data into MPCB & CPCB Servers, which may be due to very poor O & M of installed OCEMS (Effluent) sensors & ancillary IT-Infrastructure. Thus, it did not represent the representative & factual monitored data in respect of the aforesaid monitored parameters at final outlet of ETP.



- 6.5) Joint Committee also specifically observed that the industry was found non-complied w.r.to discharge standards i e SS:140,1668 & 128 against 100mg/l, BOD:330,525 & 262 against 100 mg/l and COD:800,1416 & 800 against 250mg/l respectively. It was also observed that nalla concentration was also exceeding. Similarly, the PM:163 against 150 mg/Nm³ observed. In fact, all other exceeding reports of MPCB were made available to the Joint Committee are not referred by the J.C.
- 6.6) The Joint Committee also observed a no of other non-compliances, which are contributing factors for damage caused to the Applicants.
- 6.7) J.C. specifically observed that concentration of BOD & COD from the open Dug Well of Sidheshwar V. Bhalake, Applicant No.16 reveals contamination of ground water, which may be due to percolation of spray pond effluent. This was also observed by the MPCB earlier.
- 6.8) J.C. also observed that the agricultural produce/crops have been deposited with the bagasse soot particles i.e. emission from bagasse field boilers. Thereby deteriorating the product quality & apparently less market price for particular agricultural produce.
- 6.9) The J.C. also summarized other non-compliances reported by the MPCB in Table-8.
- 6.10) Though, the J.C. visited the agricultural land of the Applicant No.1 & 4,5, 9 & 11 respectively did not mention in its report about its observations in respect of their Gats.
- 6.11) Hon'ble Joint Committee has specifically recommended that a detailed study be conducted through reputed institute like Mahatma Phule Krishi Vidyapith/Parbhani /Major Govt Engineering Colleges to prepare Detailed Project Report (DPR) for remediation of the contaminated ground water.
- 7) The Applicants prays for the following reliefs:
- 7.1) The Applicants may kindly be allowed deposit Application Fees on behalf of all the Applicants except 2 Applicants who are below poverty line.
- 7.2) The Applicants may kindly be granted interim compensation to overcome with the present situation for taking some measures to improve its existing deteriorated conditions of land, water pollution by taking clean-up measures to remove black smoke and ash contents on their land, plants & crops.



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7.3) The Applicants may kindly be allowed to deposit in the form of a crossed demand draft drawn on a nationalized bank in favour of the Registrar payable at the main branch of that bank at station where the place of sitting of the Hon'ble Tribunal is situated with the Registrar, Hon'ble National Green Tribunal, Western Zone Bench, Pune as they are unable to transfer such amount collected proportionately from the eligible Applicants who are required to deposit 1% fee of equivalent to one per cent of the amount of compensation claimed, subject to a minimum of one thousand rupees compensation equivalent to one per cent of the total amount of compensation claimed by 22 Applicants excluding 2 Applicants who are below the poverty line determined in accordance with the guidelines issued by the Central Government from time to time in this regard or indigent person determined in accordance with the CPC.

7.4) The Applicants may kindly be allowed to deposit the Fee under Rule-12 (1) of the National Green Tribunal (Practices & Procedure) Rules, 2011 in respect of 1% fee of equivalent to one per cent of the amount of compensation claimed, subject to a minimum of one thousand rupees compensation equivalent to one per cent of the total amount of compensation claimed by 22 Applicants within reasonable time approved by this Hon'ble Tribunal in 2 installments.

The List of Documents relied upon by the Applicants are as under:

- a) Original Application with Annexures thereto.
- b) Rejoinder Reply to the R.N.1 Affidavit in Reply to the Main Application.
- c) A Statement prepared on the basis of actual yield and income with rate received in respect of damage caused to the Applicants & their Family-Members. (Annexure-A to this Application for Relief & Compensation).
- d) Certificates of 2 Applicants who are below poverty line are enclosed herewith & marked as an Annexure-B & C respectively.
- e) Random Assessment of Crops of 2 Applicants (Nos-6 & 12 respectively) by Agricultural Assistant from Krishi Adhikashak Office in the presence of other Govt - Officers of Crops Cutting Samiti and Farmers- Which shows that the Crops -Yield has been considerably decreased.

The Actual Documents enclosed to this Application are as below:



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a) A Statement prepared on the basis of actual yield and income with rate received in respect of damage caused to the Applicants & their Family-Members. (Annexure-A to this Application for Relief & Compensation.

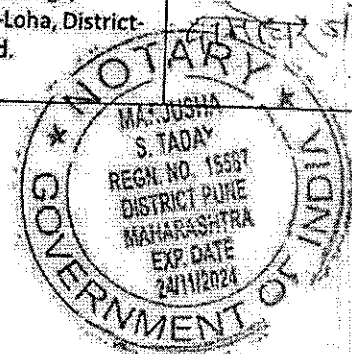
b & c) Certificates of 2 Applicants who are below poverty line are enclosed herewith & marked as an Annexure-B & C respectively.

d) Random Assessment of Crops of 2 Applicants (Nos-6 & 12 respectively) by Agricultural Assistant from Krishi Adhikashak Office in the presence of other Govt - Officers of Crops Cutting Samiti and Farmers- Which shows that the Crops -Yield has been considerably decreased. A Statement in respect of Random Assessment of Crops of 2 Farmers selected by the Assistant from the Krishi Adhikashak is enclosed & marked as an Annexure- D with True Translation in English.

e) D.D. drawn on S.B.I. Bhosari No - 938007 dated 11-3-2024 of Rs. 193,9561 - (Annexure - A-1) An Affidavit in the support of this Form-II is enclosed herewith & marked as an Annexure- E

Dated this 7th day of March, 2024

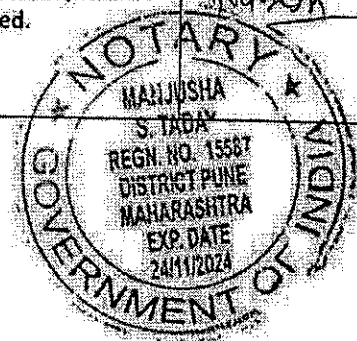
| S.N. | Full Name of Applicant | Age | Occupation | Address of Applicant | Signature |
|------|---------------------------------------|-----|------------|--|-----------|
| 1 | Shri Kapil Baliram Bomnale-Male | 25 | Farmer | Shivani Jamga, Taluka-Loha, District-Nanded. | |
| 2 | Shri Gangadhar Shesherao Bomnale-Male | 54 | Farmer | Shivani Jamga, Taluka-Loha, District-Nanded. | |
| 3 | Shri Somnath Balaji Bhalake-Male | 31 | Farmer | Shivani Jamga, Taluka-Loha, District-Nanded. | |
| 4 | Shri Baliram Shesherao Bomnale - Male | 44 | Farmer | Shivani Jamga, Taluka-Loha, District-Nanded. | |
| 5 | Shri Damodar Laxman Rao Jamge- Male | 58 | Farmer | Shivani Jamga, Taluka-Loha, District-Nanded. | |



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|----|--|----|--------|---|-------------------------|
| 6 | Shivraj Sheshrao Bomnale-Male | 44 | Farmer | Shivani Jamga, Taluka-Loha, District- Nanded. | शिवराज |
| 7 | Shri Sunil Damodhar Jamge-Male | 33 | Farmer | Shivani Jamga, Taluka-Loha, District- Nanded. | |
| 8 | Shri Baliram Rao Saheb Bhalake-Male | 43 | Farmer | Shivani Jamga, Taluka-Loha, District- Nanded. | श्री बलिराम साहेब |
| 9 | Shri Madhukar Bhimrao Bhalake-Male | 58 | Farmer | Shivani Jamga, Taluka-Loha, District- Nanded. | श्री माधुकार बिभिराम |
| 10 | Shri Madhavrao Kondiba Bomnale- Male. | 64 | Farmer | Shivani Jamga, Taluka-Loha, District- Nanded. | माधवराज |
| 11 | Shri Parmeshwar Gangadharrao Bomnale-Male. | 34 | Farmer | Shivani Jamga, Taluka-Loha, District- Nanded. | परमेश्वर |
| 12 | Shri Bharat Shrirang Jamge-Male. | 33 | Farmer | Shivani Jamga, Taluka-Loha, District- Nanded. | भारत |
| 13 | Shri Gajanan Balaji Bhalake-Male. | 43 | Farmer | Shivani Jamga, Taluka-Loha, District- Nanded. | गजानन |
| 14 | Shri Vyankati Shivappa Bhalake-Male. | 60 | Farmer | Shivani Jamga, Taluka-Loha, District- Nanded. | व्यांकट |
| 15 | Shri Sanjay Damodar Jamge-Male. | 38 | Farmer | Shivani Jamga, Taluka-Loha, District- Nanded. | संजय |
| 16 | Shri Sidheshwar Vyankati Bhalake | 34 | Farmer | Shivani Jamga, Taluka-Loha, District- Nanded. | सिधेश्वर |
| 17 | Shri Pralhad Madhavrao Bomnale- Male. | 35 | Farmer | Shivani Jamga, Taluka-Loha, District- Nanded. | प्रल्हाद |
| 18 | Shri Balaji Bhimrao Bhalake-Male. | 65 | Farmer | Shivani Jamga, Taluka-Loha, District- Nanded. | बलिराम |
| 19 | Shri Nagesh Shivraj Bomnale-Male. | 25 | Farmer | Shivani Jamga, Taluka-Loha, District- Nanded. | नागेश |



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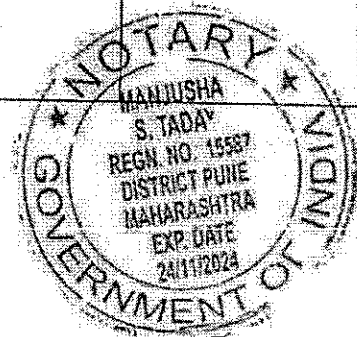
| | | | | | |
|----|--|----|--------|---|-------------------|
| 20 | Shri Kondiba Gangadhar Bomnale- Male. | 30 | Farmer | Shivani Jamga, Taluka-Loha, District- Nanded. | <i>KB Bomnale</i> |
| 21 | Shri Onkar Madhukar Bhalake- Male. | 40 | Farmer | Shivani Jamga, Taluka-Loha, District- Nanded. | <i>Bomnale</i> |
| 22 | Shri Sidheshwar Gangadhar Bomnale- Male. | 32 | Farmer | Shivani Jamga, Taluka-Loha, District- Nanded. | <i>सिद्धेश्वर</i> |
| 23 | Shri Chhatrapati Shrirang Jamge- Male. | 29 | Farmer | Shivani Jamga, Taluka-Loha, District- Nanded. | <i>Jamge</i> |
| 24 | Shri Umakant Madhavrao Bomnale- Male. | 38 | Farmer | Shivani Jamga, Taluka-Loha, District- Nanded. | <i>Bomnale</i> |

VERIFICATION

We, the Applicants hereby verify that the contents of para-1 to 6 of this Application filed by the Original Application in Form-II under Rule-8 (1) read with the Rule-12 of the National Green Tribunal (Practices & Procedure) Rules, 2011 are true & correct to the best of our knowledge & belief as well as on the basis of office-record and our personal knowledge. All Annexures thereto are true office copies of documents available with us and filing it on behalf of all the Applicants.

Dated this day of, 2024 at Nanded.

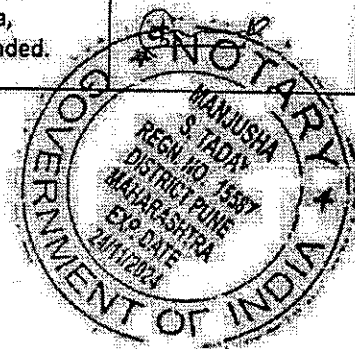
| S.N. | Full Name of Applicant & Sex | Age | Occupation | Address of Applicant | Signature of Applicant/s |
|------|--|-----|------------|--|--------------------------|
| 1 | Shri Kapil Ballram Bomnale-Male | 25 | Farmer | Shivani Jamga, Taluka-Loha, District-Nanded. | <i>Kapil</i> |
| 2 | Shri Gangadhar Shesherao Bomnale- Male | 54 | Farmer | Shivani Jamga, Taluka-Loha, District-Nanded. | <i>गंगधर शेशराव</i> |



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| | | | | | |
|----|--|----|--------|--|--------------|
| 3 | Shri Somnath Balaji Bhalake-Male | 31 | Farmer | Shivani Jamga, Taluka-Loha, District-Nanded. | श्री सोमनाथ |
| 4 | Shri Baliram Shesherao Bomnale - Male | 44 | Farmer | Shivani Jamga, Taluka-Loha, District-Nanded. | |
| 5 | Shri Damodar Laxman Rao Jamge-Male | 58 | Farmer | Shivani Jamga, Taluka-Loha, District-Nanded. | दामोदर नामगे |
| 6 | Shivraj Sheshrao Bomnale-Male | 44 | Farmer | Shivani Jamga, Taluka-Loha, District-Nanded. | शिवराज |
| 7 | Shri Sunil Damodhar Jamge-Male | 33 | Farmer | Shivani Jamga, Taluka-Loha, District-Nanded. | |
| 8 | Shri Baliram Rao Saheb Bhalake-Male | 43 | Farmer | Shivani Jamga, Taluka-Loha, District-Nanded. | बळीराम भाळके |
| 9 | Shri Madhukar Bhimrao Bhalake-Male | 58 | Farmer | Shivani Jamga, Taluka-Loha, District-Nanded. | |
| 10 | Shri Madhavrao Kondiba Bomnale-Male. | 64 | Farmer | Shivani Jamga, Taluka-Loha, District-Nanded. | मधवराज |
| 11 | Shri Parmeshwar Gangadharrao Bomnale-Male. | 34 | Farmer | Shivani Jamga, Taluka-Loha, District-Nanded. | |
| 12 | Shri Bharat Shrirang Jamge-Male. | 33 | Farmer | Shivani Jamga, Taluka-Loha, District-Nanded. | |
| 13 | Shri Gajanan Balaji Bhalake-Male. | 43 | Farmer | Shivani Jamga, Taluka-Loha, District-Nanded. | गजानन |
| 14 | Shri Vyankati Shivappa Bhalake-Male. | 60 | Farmer | Shivani Jamga, Taluka-Loha, District-Nanded. | व्यांकटी |
| 15 | Shri Sanjay Damodar Jamge-Male. | 38 | Farmer | Shivani Jamga, Taluka-Loha, District-Nanded. | |



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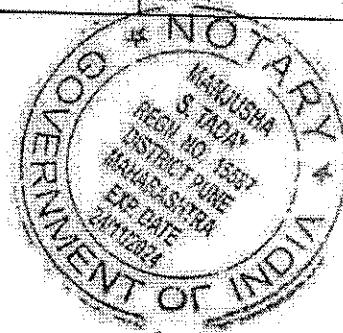
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|----|--|----|--------|--|--------------------|
| 16 | Shri Sidheshwar Vyankati Bhalake | 34 | Farmer | Shivani Jamga, Taluka-Loha, District-Nanded. | <i>सिद्धेश्वर</i> |
| 17 | Shri Pralhad Madhavrao Bomnale-Male. | 35 | Farmer | Shivani Jamga, Taluka-Loha, District-Nanded. | <i>प्राध</i> |
| 18 | Shri Balaji Bhimrao Bhalake-Male. | 65 | Farmer | Shivani Jamga, Taluka-Loha, District-Nanded. | <i>बालाजी</i> |
| 19 | Shri Nagesh Shivraj Bomnale-Male. | 25 | Farmer | Shivani Jamga, Taluka-Loha, District-Nanded. | <i>नागेश</i> |
| 20 | Shri Kondiba Gangadhar Bomnale- Male. | 30 | Farmer | Shivani Jamga, Taluka-Loha, District-Nanded. | <i>R Bomnale</i> |
| 21 | Shri Onkar Madhukar Bhalake-Male. | 40 | Farmer | Shivani Jamga, Taluka-Loha, District-Nanded. | <i>Onkar</i> |
| 22 | Shri Sidheshwar Gangadhar Bomnale- Male. | 32 | Farmer | Shivani Jamga, Taluka-Loha, District-Nanded. | <i>सिद्धेश्वर</i> |
| 23 | Shri Chhatrapati Shrirang Jamge-Male. | 29 | Farmer | Shivani Jamga, Taluka-Loha, District-Nanded. | <i>Chhatrapati</i> |
| 24 | Shri Umakant Madhavrao Bomnale- Male. | 38 | Farmer | Shivani Jamga, Taluka-Loha, District-Nanded. | <i>Umakant</i> |

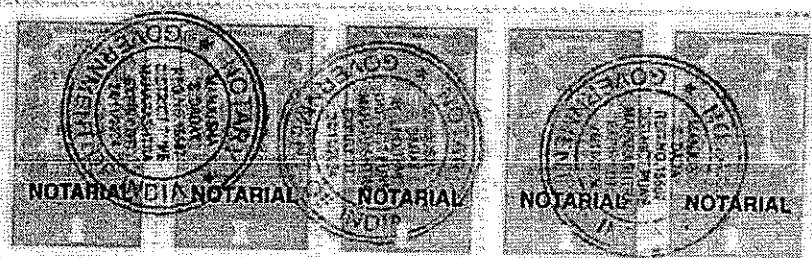
BEFORE ME

M. S. Taday

MANJUSHA S. TADAY
ADVOCATE & NOTARY
GOVT. OF INDIA



NOTED AND REGISTERED AT
SERIAL NO. 116/2024
DATE 12 MAR 2024



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REPORT OF THE JOINT COMMITTEE IN COMPLIANCE WITH ORDER DATED 01/09/2023 OF THE HON'BLE NATIONAL GREEN TRIBUNAL (NGT) IN THE MATTER OF OA NO. 113/2023 (WZ), SHRI KAPIL BALIRAM BOMNALE & ORS VS DIRECTOR, M/S TWENTY-ONE SAKAHAR KARKHANA UNIT NO. 3 & ORS

1.0 Background

Grievance in the Original Application No. 113 of 2023 (WZ), titled Shri Kapil Baliram Bomnale & Ors Vs Director, M/s Twenty-One Sakahar Karkhana Unit No. 3 & Ors. as per order dated 01/09/2023 of the Hon'ble NGT is about the respondent industry i.e. M/s Twenty-One Sakahar Karkhana Unit No. 3, Survey nos. 313, 317, 321, 322, 325, 326, 327, 329 and 353, Shivani (Jamga), Taluka: Loha, District: Nanded (hereinafter referred as the industry) is discharging highly polluted effluent and wastewater outside the industry premises, which meets village nalah & ultimately meets the Godavari River. Further allegations as per the aforesaid Hon'ble NGT order are about that the industry is emitting blackish smoke, which is spreading over the crops grown on the agricultural fields of the applicants and causing damage to the crops.

Hon'ble NGT directed vide order dated 01/09/2023 (copy of Hon'ble NGT order, dated 01/09/2023 is given at Annexure-1) and relevant order is reproduced as below:

"...12. We deem it just and proper to constitute a Joint Committee comprising one Member each of:-

- (i). The Central Pollution Control Board (CPCB);*
- (ii). The Maharashtra Pollution Control Board (MPCB);*
- (iii). The District Collector; and*
- (iv). The District Agricultural Officer.*

13. The MPCB shall be the nodal agency for coordination and logistic support.

14. The Joint Committee is directed to visit the site after informing the applicants and submit a report with respect to the allegations made in the present application, action taken at their end so far, its remedial measures and also the environmental compensation, which could be directed to be levied from the concerned respondent, within a period of four weeks.

15. Applicants are directed to supply the required documents and copy of the application to MPCB for circulation of the same to the members of the Committee within a period of one week.

16. The report in the matter be submitted by the MPCB through e-filing by using portal of NGT in the form of searchable PDF/OCR Support PDF and not in the form of Image PDF..."

2.0 Approach and methodology

In order to comply with the aforesaid Hon'ble NGT order, dated 01/09/2023; the Maharashtra Pollution Control Board (MPCB) vide email dated 25/09/2023 issued the joint committee constitution order dated 21/09/2023. Also, MPCB provided the background information and other relevant information to the joint committee for reference & deliberation in the aforesaid matter. Upon receipt of background information and nominee details from the nodal agency i.e. MPCB, the joint committee initially convened a virtual meeting on 26/10/2023 to discuss the way forward for compliance of the aforesaid Hon'ble NGT order. Upon deliberation, the joint committee decided to carry-out inspection cum monitoring of effluent, source emission & soil quality after resumption of cane crushing activities. Copy of the minutes of meeting of the joint committee dated 26/10/2023 is given at Annexure-2. Subsequently, upon receipt of information about the resumption of cane crushing activities and based on the mutual availability of the joint committee members, joint inspection cum monitoring of the industry was carried-out during 14/12/2023 & 15/12/2023.

The following joint committee members were present during the inspection:

- i. Shri Nishchal C., Scientist 'D', CPCB, Regional Directorate, Pune
- ii. Shri Shankar Kendule, Sub-Regional Officer, MPCB, Nanded
- iii. Shri Abhijeet Raut, District Collector, Nanded
- iv. Shri Bhausahab Barhate, District Superintendent Agriculture Officer, Nanded

Also, Shri Ravinfra Kshisagar, Field Officer-MPCB, Sub-Regional Office, Nanded was present during the joint committee inspection.

Shri Yutik Patni, industry representative was present during the joint committee inspection and provided the visit coordination and information about environment management system.

As directed by the Hon'ble NGT vide order dated 01/09/2023, the joint committee through the nodal agency i.e. MPCB had informed the applicants vide letter/email dated 06/12/2023 about the scheduled inspection of the industry. The joint committee heard the representation as submitted by the applicants and briefed about the present issues and area under reference. The applicants accompanied the joint committee during the inspection cum monitoring and showed the alleged locations under reference. Subsequently, the joint committee carried-out inspection cum monitoring of the effluent treatment plant (ETP) and collected 8 hourly time-weighted composite effluent samples from inlet & final outlet of ETP; visited the alleged agricultural land(s) of the applicants, as showed by the applicants and collected representative soil samples. Also, the joint committee collected surface water & ground water samples from the locations, as showed by the applicants.

3.0 About the industry

As per MPCB records, erstwhile the industry was owned & operated in the name of M/s Venkateshwara Agro Sugar Products Pvt. Ltd., and obtained Consent to Operate (CTO) on 19.03.2020, which was valid up to 31/07/2020. Thereafter, the said industry has been taken over (purchased) by M/s DVP Group in the month of June, 2019 & applied for CTO in the name of M/s Dharashiv Sakhar Karkhana Unit-III & obtained CTO in 12/11/2021. M/s. Dharashiv Sakhar Karkhana Unit-III had operated the industry for three cane crushing season i.e. 2019-2020, 2020-2021 & 2021-2022 with the cane crushing capacity of 3,500 TCD and renewed their CTO from time to time, the last CTO was obtained on 28/11/2022 which was valid up to 31/07/2023. Subsequently, the said industry was purchased by M/s TSL group in the year December, 2022 and operated in the name of M/s Twenty-One Sugars Pvt. Ltd., (Unit-III). It is gathered that the IEM application for name change is in process which was submitted to The Department for Promotion of Industry and Internal Trade, which is a Central Government Department under the Ministry of Commerce and Industry (vide Application Number: IEM/A/AMD/ACK/275676/2023). Hence, the

current CTO (Renewal) is granted by MPCB in the name of M/s Dharashiv Sakhar Karkhana Unit-III.

M/s Twentyone Sugars Ltd., (Unit-III) erstwhile name: M/s Dharashiv Sakhar Karkhana, Unit-III is situated at Survey no. 313, 317, 321, 322, 325, 326, 327, 329, 353, Shivani (Jamga), Tal. Loha, Dist. Nanded. The industry is having consent to operate (CTO) issued by Maharashtra Pollution Control Board (MPCB) vide no. Format1.0/CAC/UAN No. MPCB-CONSENT-0000177210/CR/2312001037, dated 09/12/2023, which was valid up to 31/07/2024 (Copy of CTO dated 09/12/2023 is given at Annexure-3), for manufacturing of following products:

| S. no. | Product | Quantity, MT/month |
|--------|-----------|--------------------|
| 1. | Sugar | 12,600 |
| 2. | Molasses | 4,725 |
| 3. | Press mud | 4,200 |
| 4. | Bagasse | 31,500 |

3.1 Water and effluent management

Main source of water for the sugar industry is Godavari River i.e. Vishnupuri Project on Godavari River and the industry has obtained permission from Executive Engineer, Nanded Irrigation Division (North), Nanded. The industry has provided separate flow meter and energy meter to the intake pipeline of river water. As per the records, the average daily consumption of fresh water during last cane crushing season is 235 m³/day and mainly used for process & utilities and domestic purpose.

The main sources of effluent generation from process are; mill house section, boiling house section (multiple effect evaporators), vacuum pans, centrifugal section, process condensate contaminated with concentrated juice, ancillary activities (rotary vacuum filter cleaning & gland leakages from pumps, pipelines etc.) and boiler blowdown streams. The management of process effluent & condensate and blowdown streams from utilities are briefed as follows:

- **Process effluent management:** Effluent generating from mill house section, centrifugal section & boiling house section is collected separately and channelized into ETP for treatment. The industry has provided ETP of reported designed capacity of 400 m³/day and the reported effluent

generation from the process is about 250 – 300 m³/day (at full cane crushing capacity). During last crushing season, the industry has utilized average 235 m³/day of fresh water and as per flow meter records, the industry has discharged average 300 m³/day of treated effluent from ETP to irrigation on 29 acre land (as per bi-lateral agreement with farmers) as per CTO conditions dated 09/12/2023. The various unit operations & processes of ETP are: Process effluent → Collection pit → DSM Screen → Oil & grease skimmer → Equalization tank → Neutralization tank (lime addition) → Primary clarifier → Activated sludge process → Secondary clarifier → Treated effluent collection tank → Pressure sand filter → Activated carbon filter → Treated effluent storage lagoon (15 days storage capacity) → Treated effluent discharged for irrigation on 29 acre land (as per bi-lateral agreement with farmers), as per CTO conditions, dated 09/12/2023.

- **Process condensate management:** As informed, excess process condensate from multiple effect evaporators, pan evaporators are collected and cooled in cooling towers. After cooling, the cooled condensate is partially recycled @ 700 m³/day to fulfil the cold-water requirement and the remaining excess condensate @ 480 – 500 m³/day is discharged for irrigation. Whereas, vapour condensate from pan evaporators is handled in spray pond and reused in the process.
- As informed, domestic wastewater generation from the industry is about 20 m³/day and managed through septic tank followed by soak pit and reused for gardening as per CTO conditions dated 09/12/2023.

4.0 Monitoring by the joint committee

The joint committee carried-out reconnaissance survey of the area under reference where the alleged incidences of deposition of fly ash on the crops grown on the agricultural fields of the applicants, alleged discharge of effluent into nalah/overflow of spray pond effluent into nalah and locations as shown by the applicants, where alleged discharge of effluent into natural ponds. During the joint inspection cum monitoring, the joint committee collected representative soil samples from the agricultural fields of the applicants; source emission sample from the captive co-gen

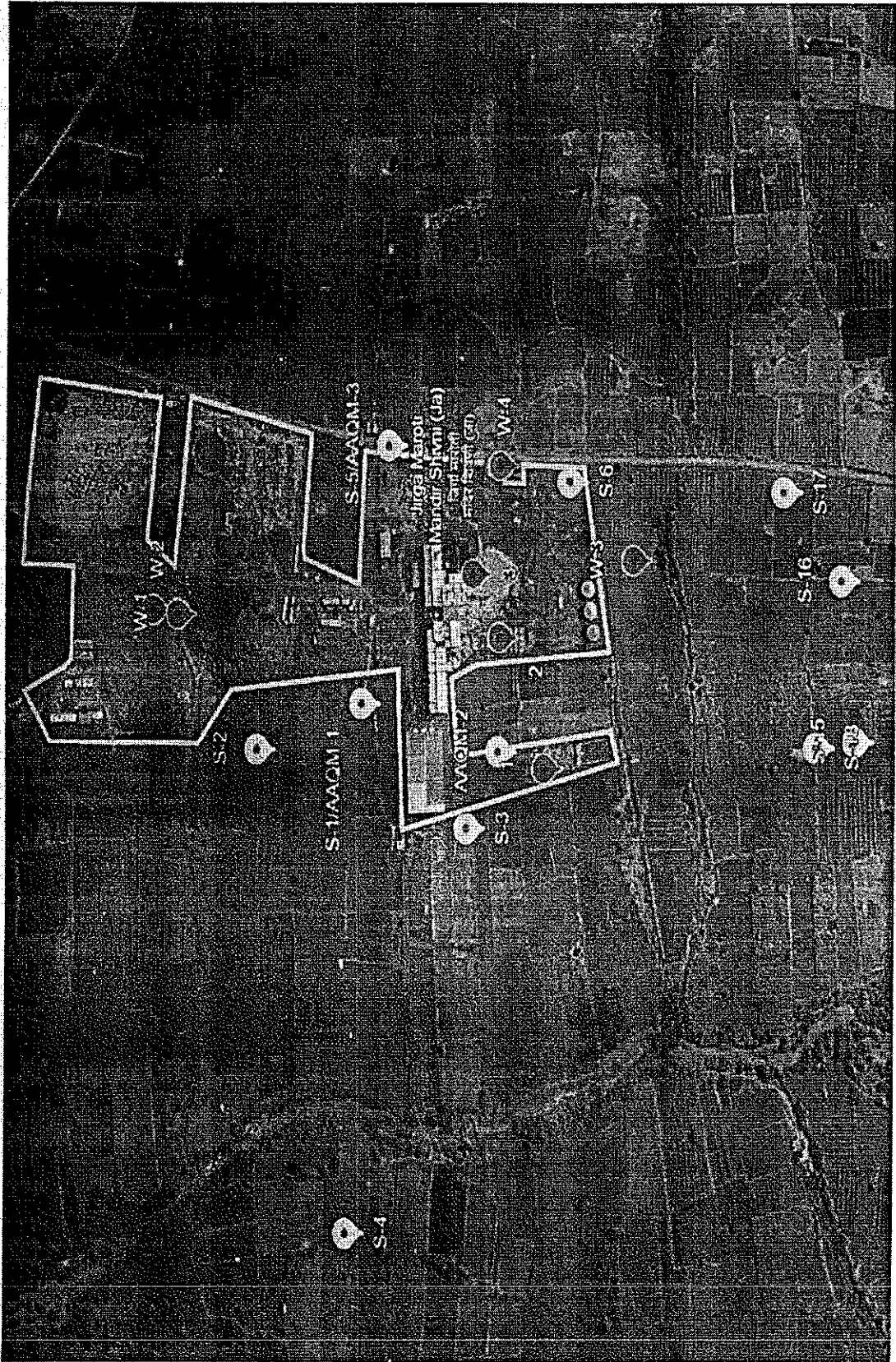
boiler; ambient air quality monitoring at three locations i.e. two at down wind direction & one at up wind direction, based on the pre-dominant wind direction and accessibility & availability of infrastructure facility to place the machines; 8 hourly time-weighted composite effluent samples from the ETP i.e. inlet of ETP, outlet of secondary clarifier & final outlet of ETP (treated effluent meant for discharge into irrigation, as per bi-lateral agreement with farmers i.e. as per CTO conditions dated 09/12/2023); and surface water & ground water samples from the nearby locations (natural ponds, dug wells & bore well) of the industry, as shown by the applicants where the alleged discharge of effluent was done by the industry in past.

All the aforesaid samples of soil, source emission, effluent, ambient air and surface & ground water were collected in presence of applicants and respondent industry. The effluent & water samples collected during the inspection were sent to MPCB Regional Laboratory at Aurangabad for analysis of various physicochemical parameters viz. pH, SS, TDS, Chloride, Sulphate, BOD, COD and O&G. Also, the source emission sample and ambient air quality samples were sent to MPCB Regional Laboratory at Aurangabad for analysis of PM (source emission) and PM₁₀ (ambient air). Whereas the soil samples collected during the inspection were sent to the District Agricultural Laboratory, Nanded for analysis of some of the feasible parameters viz. pH, Electrical conductivity, Organic carbon, NPK etc. Google image depicting locations of sampling of soil, ambient air, surface & ground water samples are given below.

| | |
|------------|--|
| S-1/AAQM-1 | : Agricultural land of Swati Bharat Jamge & Chatrapati Shrirang Jamge, Gat no. 327 and AAQM location-1 |
| AAQM-2 | : AAQM location-2, near boundary of ETP of the industry and agricultural land of Shri Gopinath Datta Jamge |
| S-2 | : Agricultural land of Dwarkabai Shrirang Jamge, Gat no. 311 |
| S-3 | : Agricultural land of Swati Bharat Jamge, Gat no. 330 |
| S-4 | : Agricultural land of Gangabai Damodhar Jamge, Sanjay Damodhar Jamge & Sunil Damodhar Jamge, Gat no. 304 |
| S-5/AAQM-3 | : Agricultural land of Umakant Madhavrao Bomnale, Pralhad Madhavrao Bomnale, Parmeshwar Gangadhar Bomnale, Shidheshwar Gangadhar Bomnale, Kondiba Gangadhar Bomnale, Nagesh Shivraj Bomnale & Shesherao Shivraj Bomnale, Gat no. 365 and AAQM location-3 |
| S-6 | : Agricultural land of Shri, Sidheshwar Venkati Bhalke, Gat no. 350 |
| S-7 | : Agricultural land of Shri, Venkati Shivappa Bhalke, Gat no. 447 |
| S-8 | : Agricultural land of Shri, Balliram Raosaheb Bhalke, Gat no. 442 |
| S-9 | : Agricultural land of Sau, Laxmibai Venkati Bhalke, Gat no. 449 |

1657

| | | |
|------|---|--|
| S-10 | : | Agricultural land of Sau Sarjabai Shsherao Bomnale, Gat no. 554 |
| S-11 | : | Agricultural land of Shri Umakant Madhavrao Bomnale, Gat no. 555 |
| S-12 | : | Agricultural land of Sau Saraswatibai Madhavrao Momnale, Gat no. 552 |
| S-13 | : | Agricultural land of Sau Sarjabai Shsherao Bomnale, Shri. Gangadhar Shsherao Bomnale & Shri, Shivraj Shsherao Bomnale, Gat no. 556 |
| S-14 | : | Agricultural land of Shri. Sarjabai Shsherao Bomnale, Gat no. 554 |
| S-15 | : | Agricultural land of Shri. Onkar Madhkar Bhalke, Gat no. 340 |
| S-16 | : | Agricultural land of Shri Balaji Bhimrao Bhalke & Madhukar Bhimrao Bhalke, Gat no. 338 |
| S-17 | : | Agricultural land of Shri. Madhukar Bhimrao Bhalke, Gat no. 356 |
| S-18 | : | Agricultural land of Shri Balaji Bhimrao Bhalke, Gat no. 355 |
| 1 | : | ETP of the industry |
| 2 | : | Spray pond of the industry |
| 3 | : | Bagasse storage area of the industry |
| W-1 | : | Natural pond-1 located within the industry premises, near entrance gate of industry |
| W-2 | : | Natural pond-2 located within the industry premises, near entrance gate of industry |
| W-3 | : | Dug well of Shri Siddeshwar Venkatesh Bhalke, Gat no. 350 |
| W-4 | : | Bore well near Jirga Maruti mandir |



4.1 Effluent monitoring

The joint committee collected grab effluent sample from inlet of ETP, outlet of secondary clarifier & treated effluent from final out let of ETP and also collected 8 hourly time-weighted composite sample from inlet of ETP, outlet of secondary clarifier & treated effluent from final outlet of ETP, meant for discharge into irrigation (as per bi-lateral agreement with farmers i.e. as per CTO conditions dated 09/12/2023). The effluent samples were sent to MPCB Regional Laboratory at Aurangabad for analysis of various physicochemical parameters viz. pH, SS, TDS, Chloride, Sulphate, BOD, COD and O&G. Analysis results of the effluent samples collected from the ETP is depicted in the below Table-1 & 2 and copy of the analysis results of the same as submitted by MPCB vide email dated 09/01/2024 is given at Annexure-4.

Table-1: Analysis results of effluent from ETP – Grab sampling

| Sampling location | Parameters | | | | | | | |
|----------------------------------|------------------|------------|-------------|------------|-------------|------------|------------|-----------|
| | pH | SS | TDS | Chloride | Sulphate | BOD | COD | O&G |
| Inlet to ETP | 5.6 | 510 | 2484 | 69.98 | 160.7 | 1350 | 4440 | 14.2 |
| Final outlet of ETP | 8.1 | 21 | 1084 | 80.97 | 192.25 | 42 | 124 | BDL |
| MPCB prescribed standards | 6.5 – 9.0 | 100 | 2100 | 600 | 1000 | 100 | 250 | 10 |

Note: Concentration of all parameters are expressed in mg/l, except pH; BDL: Below detectable limit.

Table-2: Analysis results of effluent from ETP – Composite sampling

| Sampling location | Parameters | | | | | | |
|----------------------------------|------------------|------------|-------------|------------|-------------|------------|------------|
| | pH | SS | TDS | Chloride | Sulphate | BOD | COD |
| Inlet to ETP | 5.7 | 570 | 2432 | 639.8 | 157.5 | 1550 | 4960 |
| Final outlet of ETP | 8.2 | 25 | 1144 | 76.98 | 198.05 | 46 | 128 |
| MPCB prescribed standards | 6.5 – 9.0 | 100 | 2100 | 600 | 1000 | 100 | 250 |

Note: Concentration of all parameters are expressed in mg/l, except pH.

4.1.1 Surface and ground water quality monitoring

The joint committee also collected grab surface water & ground water samples from the nearby locations (natural ponds, dug wells & bore well) of the industry, as shown by the applicants where the alleged discharge of effluent was done by the industry in past. The water samples were sent to MPCB Regional Laboratory at Aurangabad for analysis of various physicochemical parameters viz. pH, SS, TDS, Chloride,

Sulphate, BOD, and COD. Analysis results of the surface water samples and ground water samples is depicted in the below Table-3 and copy of the analysis results of the same as submitted by MPCB vide email dated 09/01/2024 is given at Annexure-4.

Table-3: Analysis results of surface water samples and ground water samples

| Sampling location | Parameters | | | | | | |
|---|------------|-----|------|----------|----------|-----|-----|
| | pH | SS | TDS | Chloride | Sulphate | BOD | COD |
| Natural pond-1 located within the industry premises, near entrance gate of industry | 7.6 | 40 | 1912 | 73.98 | 75.6 | 115 | 352 |
| Natural pond-2 located within the industry premises, near entrance gate of industry | 7.8 | 105 | 1824 | 129.96 | 37.08 | 105 | 300 |
| Dug well of Shri Siddeshwar Venkatesh Bhalke, Gat no. 350, Shivani Jamga | 8.2 | 11 | 922 | 179.94 | 121.7 | 21 | 84 |
| Bore well near Jirga Maruti mandir, Shivani Jamga | 8.1 | 14 | 938 | 217.93 | 70.55 | 8 | 36 |
| Dug well of Shri Yede, Shivani Jamga (distribution well for irrigation) | | | | | | | |
| Odha nalah, Shivani Jamga | 8.3 | 10 | 614 | 134.96 | 70.5 | 8 | 40 |

Note: Concentration of all parameters is expressed in mg/l, except pH.

4.1.2 Source emission monitoring

The industry has installed 02 nos. of bagasse fired boilers (natural circulation water tube type) of 32 TPH capacity each for steam generation and provided common wet scrubber as air pollution control device (APCD) and common stack. The scrubbed water is collected in a collection cum settling tank and supernatant water from settling is collected in collection tank & reused for scrubbing, after make-up with fresh water. Settled particles (APCD residue) from the collection cum settling tank is removed on regular basis and sold to brick manufacturers along with boiler ash. During inspection, the joint committee carried-out source emission monitoring at the common stack attached to 32 TPH bagasse fired boilers. Analysis result of the source emission sample collected from the common stack attached to 32 TPH

bagasse fired boilers is depicted in the below Table-4 and copy of the analysis results of the same as submitted by MPCB vide email dated 09/01/2024 is given at Annexure-4.

Table-4: Analysis result of source emission monitoring

| Sampling location | Parameter |
|--|------------------------|
| | PM, mg/Nm ³ |
| Common stack attached to 32 TPH bagasse fired boilers, 02 nos. | 158 |
| MPCB prescribed standards | 150 |

4.1.3 Ambient air quality monitoring

The joint committee carried-out ambient air quality monitoring at three locations i.e. two at down wind direction & one at up wind direction, based on the pre-dominant wind direction, accessibility & availability of infrastructure facility to place the machines and also as per the suggestions made by the applicants. As the present alleged issue as per the grievance made by the applicants in the aforesaid OA is about emission of blackish smoke/soot particles from the industry, which is spreading over the crops grown on the agricultural fields of the applicants; the joint committee considering the nature of alleged issue has decided to carry-out ambient air quality monitoring in respect of PM₁₀ parameter only. Details of ambient air quality monitoring locations are depicted below.

- i. AAQM-1: At agricultural field of Shri Kondiba Gangadhar Bomnale, Gat No. 365 at Shivani Jamga Tal. Loha Dist. Nanded (North North-West direction of the industry's stack);
- ii. AAQM-2: Near boundary of ETP of the industry and agricultural land of Shri Gopinath Datta Jamge, Shivani Jamga Tal. Loha Dist. Nanded (South-West direction of the industry's stack); and
- iii. AAQM-3: At agricultural field of Ms. Swati Jamge, Gat No. 327 at Shivani Jamga Tal. Loha Dist. Nanded (East North-East direction of the industry's stack)

Analysis result of the ambient air quality monitoring is depicted in the below Table-5 and copy of the analysis results of the same as submitted by MPCB vide email dated 09/01/2024 is given at Annexure-4.

Table-5: Analysis results of ambient air quality monitoring

| Monitoring location | Parameter |
|--|--------------------------------------|
| | PM ₁₀ , µg/m ³ |
| AAQM-1: At agricultural field of Shri Kondiba Gangadhar Bomnale, Gat No. 365 at Shivani Jamga Tal. Loha Dist. Nanded (North North-West direction of the industry's stack) | 203.67 |
| AAQM-2: Near boundary of ETP of the industry and agricultural land of Shri Gopinath Datta Jamge, Shivani Jamga Tal. Loha Dist. Nanded (South-West direction of the industry's stack) | 80.34 |
| AAQM-3: At agricultural field of Ms. Swati Jamge, Gat No. 327 at Shivani Jamga Tal. Loha Dist. Nanded (East North-East direction of the industry's stack) | 105.67 |
| National Ambient Air Quality Standards vide Notification dated 18/11/2009 | 100 |

4.1.4 Soil quality monitoring

The joint committee visited the alleged agricultural fields, as shown by the applicants and also collected representative soil samples from the agricultural fields of the applicants. Collected soil samples were sent to the District Agricultural Laboratory, Nanded for analysis of some of the feasible parameters viz. pH, Electrical conductivity, Organic carbon, NPK, Calcium carbonate, Calcium, Magnesium, Sodium, % Sand, Clay, Silt, Fine sand, Moisture, Water holding capacity, Virtual density, Special density, Plain strain, Visual Evoked Potential, Texture and micro elemental analysis viz. Copper, Iron, Zinc and Magnesium respectively. Analysis results of soil samples are depicted in the below Table-6 & 7 and copy of the analysis results of the same as submitted by District Agricultural Office, Nanded through MPCB vide email dated 25/01/2024 is given at Annexure-5.

Table-6: Analysis results of soil samples.

| S. No. | Properties | Unit | Qualified Level | Soil sampling locations and analysis results | | | | | | | | | | | |
|--------|--|---------|-----------------|--|------------------|--------|--|--------|-------------------|---|-------------------|--------|---|--------|----------|
| | | | | Swati Bihar Jamage, Gat no. 327 | | | Chhatrapati Shirang Jange, Gat no. 327 | | | Sidheshwar Vyankati Bhalke, Gat no. 350 | | | Sidheshwar Gangadhar Bomnale, Gat no. 365 | | |
| 1 | Acid (pH) | Acid | 6.5-7.5 | Result | Analysis | Result | Analysis | Result | Analysis | Result | Analysis | Result | Analysis | Result | Analysis |
| 2 | Base (EC) | ms/cm | 0-1 | 6.89 | Neutral | 6.84 | Neutral | 7.25 | slightly alkaline | 7.41 | slightly alkaline | 7.55 | Medium alkaline | | |
| 3 | Organic Carbon (OC) | % | 0.40-0.60 | 0.12 | Normal | 0.19 | Normal | 0.12 | Normal | 0.15 | Normal | 0.19 | More | | |
| 4 | Nitrogen (N) | Kg/Hec. | 280-420 | 0.48 | Less | 0.38 | Less | 0.53 | Medium | 0.3 | Less | 0.62 | Medium | | |
| 5 | Phosphorous (P) | Kg/Hec. | 14-21 | 288.51 | Less | 170.6 | Less | 282.24 | Medium | 176.87 | Less | 301.06 | Medium | | |
| 6 | Potassium (K) | Kg/Hec. | 15-200 | 30.7 | Medium | 17.76 | Medium | 14.12 | Medium | 10.34 | Less | 4.56 | Very less | | |
| 7 | Calcium carbonate (CaCO ₃) | % | 2.5-5.0 | 496.4 | More | 549.2 | More | 686.5 | More | 390.78 | More | 591.45 | More | | |
| 8 | Calcium (Ca) | Mil. % | 4-9.9 | 3.75 | Many more | 3.13 | Medium Limestone | 7.5 | More Limestone | 7.5 | More Limestone | 5 | Limestone | | |
| 9 | Magnesium (Mg) | Mil. % | 0.50-3.99 | 26.76 | Medium Limestone | 23.53 | More | 36.76 | More | 32.94 | More | 48.24 | More Limestone | | |
| 10 | Sodium (Na) | Mil. % | May-15 | 16.08 | More | 13.52 | More | 18.27 | More | 19.01 | More | 2.19 | More | | |
| 11 | Sand (coarse Sand) | % | | 3.1 | More | 11.38 | Medium | 4.47 | Less | 4.52 | Less | 11.86 | Medium | | |
| 12 | Clay | % | | 43.85 | Less | 43.85 | - | 43.85 | - | 43.85 | - | 43.85 | Medium | | |
| 13 | Silt | % | | 29.33 | - | 29.33 | - | 29.33 | - | 29.33 | - | 29.33 | - | | |
| 14 | Fine sand | % | | 26.83 | - | 26.83 | - | 26.83 | - | 26.83 | - | 26.83 | - | | |
| 15 | moisture | % | | 56.15 | - | 56.15 | - | 56.15 | - | 56.15 | - | 56.15 | - | | |
| 16 | Water holding capacity (WHC) | % | | 6.89 | - | 6.89 | - | 5.71 | - | 7.12 | - | 6.61 | - | | |
| 17 | Virtual | gm./cc | | 43.22 | - | 43.22 | - | 49.85 | - | 44.16 | - | 45.41 | - | | |
| | | | | 0.42 | - | 0.42 | - | 0.51 | - | 0.6 | - | 1 | - | | |

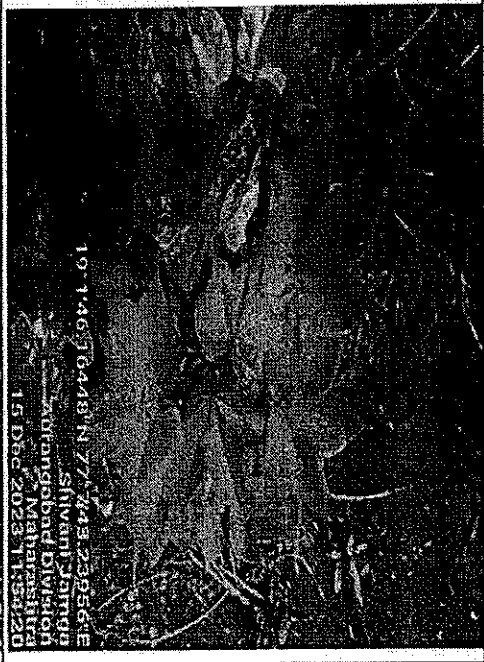

| | | | | | | | | | | | | |
|----|--------------------------------------|---------|-------|------------|-------|------------|-------|------------|-------|------------|-------|------------|
| 18 | Density (AD) Special Density (SD) | gm./cc | 0.42 | - | 0.42 | - | 0.7 | - | 0.42 | - | 1.71 | - |
| 19 | Plain strain (PS) | % | 16.46 | - | 16.46 | - | 32.18 | - | 22.39 | - | 17.25 | - |
| 20 | Visual Evoked Potential (VEP) | % | 40.8 | - | 40.8 | - | 26.68 | - | 46.02 | - | 20.31 | - |
| 21 | Texture | Texture | 6 | Silty Clay | 6 | Silty Clay | 6 | Silty Clay | 6 | Silty Clay | 6 | Silty Clay |

Table-7: Analysis results of soil samples – micro elemental analysis.

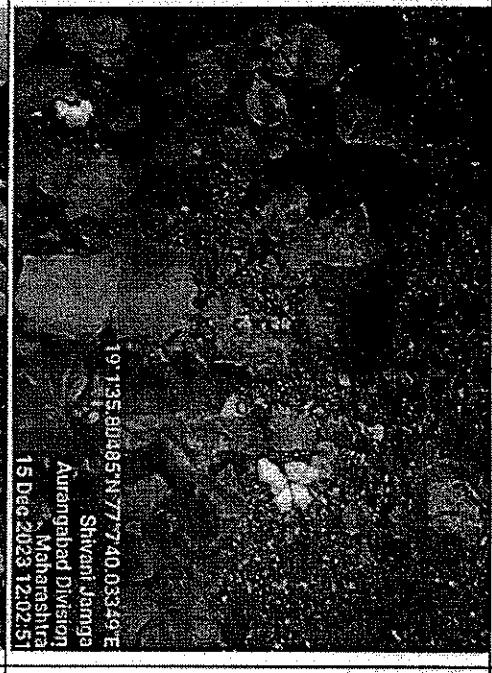
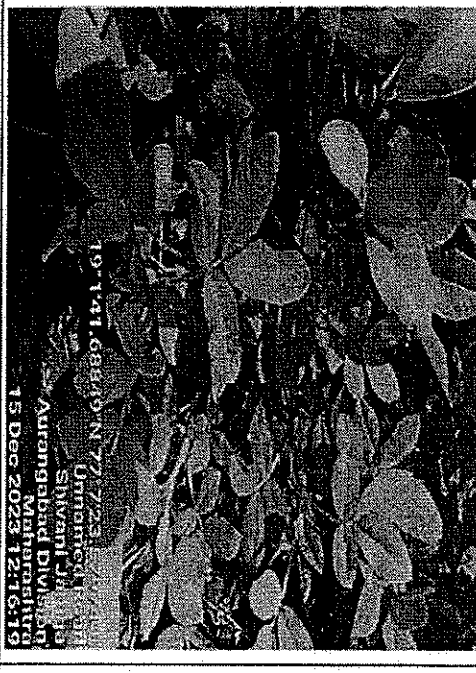
| S. No. | Properties | Swati | | Bharat | | Chhatrapati | | Shrirang | | Sidheshwar | | Vyankati | | Sidheshwar | | Gangadhar | | Shivraj | | Shesherao | | |
|--------|------------|-------|------------|--------|---------|-------------|---------|----------|------------|------------|---------|------------|---------|------------|------------|-----------|---------|------------|---------|-----------|------------|-------|
| | | Resul | Qualifi | Resul | Qualifi | Resul | Qualifi | Resul | Qualifi | Resul | Qualifi | Resul | Qualifi | Resul | Qualifi | Resul | Qualifi | Resul | Qualifi | Resul | Qualifi | Resul |
| 1 | Cu | 2.1 | 0.20-99.99 | Enou | 0.4 | 0.20-99.99 | Enou | 1.16 | 0.20-99.99 | Enou | 2.50 | 0.20-99.99 | Enou | 0.3 | 0.20-99.99 | Enou | 0.3 | 0.20-99.99 | Enou | 0.3 | 0.20-99.99 | Enou |
| 2 | Fe | 9.2 | 4.5-99.99 | Enou | 6.1 | 4.5-99.99 | Enou | 3.28 | 4.5-99.99 | Enou | 2.66 | 4.5-99.99 | Enou | 3.3 | 4.5-99.99 | Enou | 3.3 | 4.5-99.99 | Enou | 3.3 | 4.5-99.99 | Enou |
| 3 | Zn | 0.7 | 0.61-99.99 | Enou | 1.2 | 0.61-99.99 | Enou | 0.72 | 0.61-99.99 | Enou | 0.86 | 0.61-99.99 | Enou | 0.6 | 0.61-99.99 | Enou | 0.6 | 0.61-99.99 | Enou | 0.6 | 0.61-99.99 | Enou |
| 4 | Mn | 16.70 | 2.0-99.99 | Enou | 15.60 | 2.0-99.99 | Enou | 3.60 | 2.0-99.99 | Enou | 3.30 | 2.0-99.99 | Enou | 2.7 | 2.0-99.99 | Enou | 2.7 | 2.0-99.99 | Enou | 2.7 | 2.0-99.99 | Enou |

1740

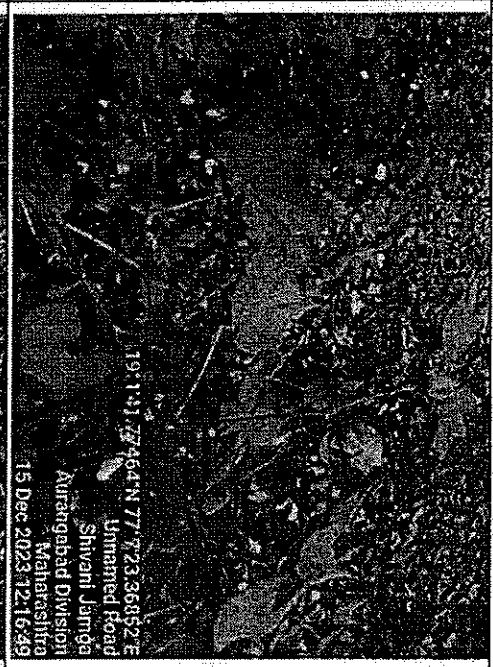

| Field location | Photograph | Details of location | Total area, ha | Type of crop |
|----------------|------------|--|----------------|--------------|
| S-1 | | Agricultural land of Swati Bharat Jamge & Chaitrapati Shirrang Jamge, Gat no. 327, Village Shivani Jamga, Tq. Loha, Dist. Nanded | 1.12 | Cotton |
| S-1 | | | | |



| Field location | Photograph | Details of location | Total area, ha | Type of crop |
|----------------|--|--|----------------|--------------|
| S-2 |  <p>19 1465 6448 N 77 743 2886 E SHIVANI JAMGA Agricultural Division 15 Dec 2023 11:55:04</p> | <p>Agricultural land of Dwaitkabei Shirang Jamga, Gat no. 314, Village Shivani Jamga, Tq. Loha, Dist. Nanded</p> | 1.46 | Cotton |
| S-2 |  <p>19 1441 0282 N 77 743 2886 E SHIVANI JAMGA Agricultural Division 15 Dec 2023 11:55:04</p> | | | |



1742

| Field location | Photograph | Details of location | Total area, ha | Type of crop |
|----------------|---|--|----------------|--------------|
| S-3 |  | Agricultural land of Swati Bharat Jamge, Gat no. 330, Village Shivani Jamga, Tq. Loha, Dist. Nanded | 1.12 | Cotton |
| S-4 |  | Agricultural land of Gangabai Damodhar Jamge, Sanjay Damodhar Jamge & Sunil Damodhar Jamge, Gat no. 304, Village Shivani Jamga, Tq. Loha, Dist. Nanded | 0.4 | Groundnut |

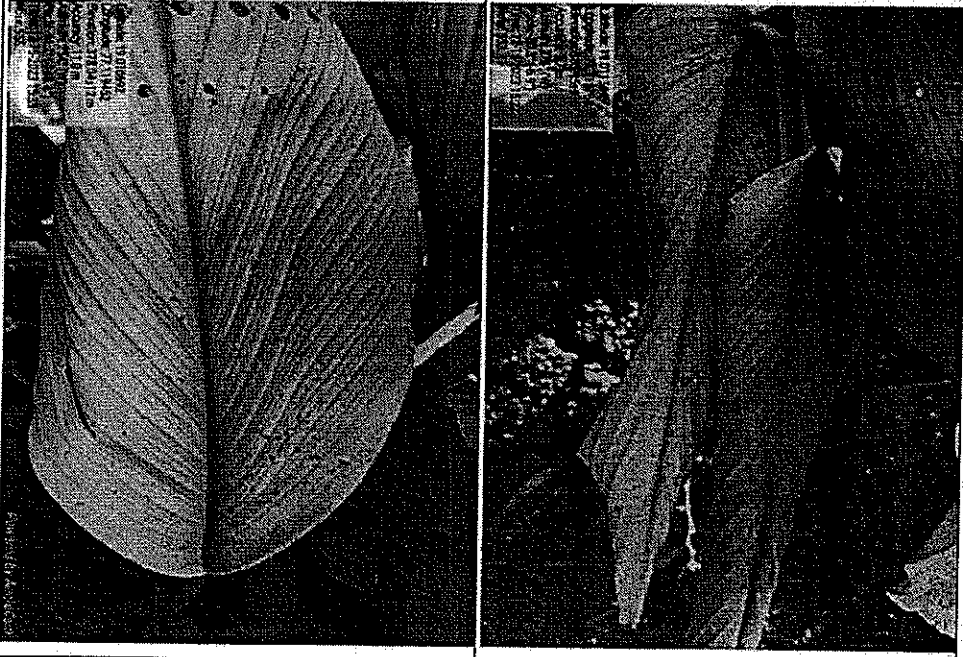
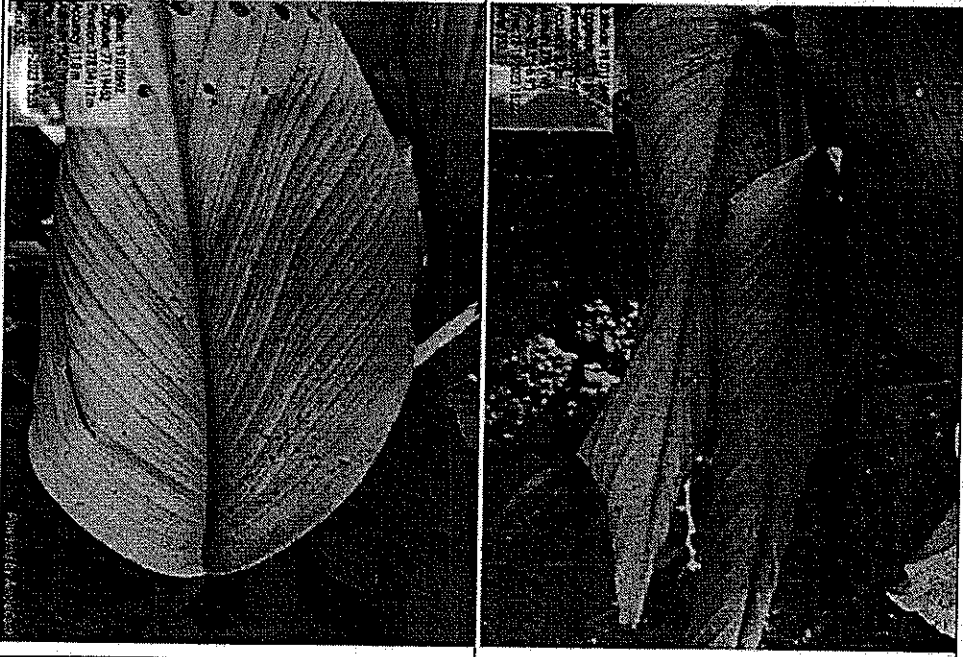
1743

| Field location | Photograph | Details of location | Total area, ha | Type of crop |
|----------------|---|---|----------------|--------------|
| S-4 |  | <p>Agricultural land of Gangabai Damodhar Jangge, Sanjay Damodhar Jangge & Sunil Damodhar Jangge, Gat no. 304, Village Shivani Jangga, Tq. Loha, Dist. Nanded</p> | 1.0 | Cotton |
| S-5 |  | <p>Agricultural land of Umakant Madhavrao Bommale, Pralhad Madhavrao Bommale, Parmeshwar Gangadhar Bommale, Shidheshwar Gangadhar Bommale, Kondiba Gangadhar Bommale, Nagesh Shivraj Bommale & Shesherao Shivraj Bommale, Gat no. 365, Village Shivaji Jangga, Tq. Loha, Dist. Nanded</p> | 1.7 | Cotton |



| Field location | Photograph | Details of location | Total area, ha | Type of crop |
|----------------|---|--|----------------|--------------|
| S-6 |  | Agricultural land of Shri. Sidheshwar Venkati Bhalke, Gat no. 350, Village Shivani Jamga, Tq. Loha, Dist. Nanded | 1.78 | Cotton |
| S-7 |  | Agricultural land of Shri. Venkati Shivappa Bhalke, Gat no. 447, Village Shivani Jamga, Tq. Loha, Dist. Nanded | 0.40 | Cotton |



| Field location | Photograph | Details of location | Total area, ha | Type of crop |
|----------------|---|---|----------------|--------------|
| S-8 |  | <p>Agricultural land of Shri. Baliram Raosahab Bhalke, Gat no. 442, Village Shivani Jamga, Tq. Loha, Dist. Nanded</p> | 0.40 | Sorghum |
| S-9 |  | <p>Agricultural land of Sau. Laxmibai Venkaji Bhalke, Gat no. 449, Village Shivani Jamga, Tq. Loha, Dist. Nanded</p> | 0.40 | Cotton |



1671

| Field location | Photograph | Details of location | Total area, ha | Type of crop |
|----------------|---|--|----------------|--------------|
| S-10 |  | <p>Agricultural land of Sau Sarjabai Shsherao Bomnale, Gat no. 554, Village Shivani Jamga, Tq. Loha, Dist. Nanded</p> | 0.55 | Turmeric |
| S-11 |  | <p>Agricultural land of Shri Umakant Madhavrao Bomnale, Gat no. 555, Village Shivani Jamga, Tq. Loha, Dist. Nanded</p> | 0.80 | Turmeric |


1747

| Field location | Photograph | Details of location | Total area, ha | Type of crop |
|----------------|---|---|----------------|--------------|
| S-12 |  | <p>Agricultural land of Sau Saraswati Bai Madhav Rao Mornnale, Gat no. 552, Village Shivani Jamga, Tq. Loha, Dist. Nanded</p> | 1.02 | Cotton |
| S-13 |  | <p>Agricultural land of Sau Sarjibai Shesherao Bormnale, Shri. Gangadhar Shesherao Bormnale & Shri, Shivraj Shesherao Bormnale, Gat no. 556, Village Shivani Jamga, Tq. Loha, Dist. Nanded.</p> | 0.60 | Turmeric |

| Field location | Photograph | Details of location | Total area, ha | Type of crop |
|----------------|---|---|----------------|--------------|
| S-14 |  | Agricultural land of Shri. Saijabai Shesherao Bomnale, Gat no. 554, Village Shivani Jamga, Tq. Loha, Dist. Nanded | 0.60 | Turmeric |
| S-15 |  | Agricultural land of Shri. Onkar Madhkar Bhalke, Gat no. 340, Village Shivani Jamga, Tq. Loha, Dist. Nanded | 0.40 | Turmeric |

| Field location | Photograph | Details of location | Total area, ha | Type of crop |
|----------------|---|---|----------------|--------------|
| S-16 |  | <p>Agricultural land of Shri. Madhukar Bhimrao Bhalke & Madhukar Bhimrao Bhalke, Gat no. 338, Village Shivani Janga, Tq. Loha, Dist. Nanded</p> | 0.40 | Cotton |
| S-17 |  | <p>Agricultural land of Shri. Madhukar Bhimrao Bhalke, Gat no. 356, Village Shivani Janga, Tq. Loha, Dist. Nanded</p> | 0.67 | Sorghum |

1675

| Field location | Photograph | Details of location | Total area, ha | Type of crop |
|----------------|---|---|----------------|--------------|
| S-18 |  | Agricultural land of Shri Balaji Bhimrao Bhalke, Gat no. 355, Village Shivani Jamga, Tq. Loha, Dist. Nanded | 0.30 ha | Turmeric |

1751

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1676

धाराशिव साखर कारखाना लि., युनिट-३

(अकाउंटन्स) जिरगा मारुती नगर, शिवणी (जा.), ता. लोहा, जि. नांदेड - ४३१ ७०८

| | | | | | |
|---------------|---------------------------------|---------------|-------------|-----------------|------------|
| हंगाम | २०२१-२०२२ | ऊस खरेदी वील | वील नं | : ०००११ | |
| कालावधी | : १६-११-२०२१ ते ३०-११-२०२१ | | दिनांक | : ३०-११-२०२१ | |
| नाव | : B2097 बागनाळे कपील बळीराम | | गांव | : शिवणी (जामगा) | |
| गट | : कारखाना | तालुका : लोहा | शिवा | : शिवणी (जामगा) | |
| क्र | कपात विवरण | कपात रक्कम | क्र | कपात विवरण | कपात रक्कम |
| | | | | | |
| ऊस वजन | : ३५,३४४ | एकुण रक्कम | : ६४,१५९.०० | एकुण कपात | : ० |
| दर प्रतिटन रु | : १८०० | रिलप संख्या | : १९ | निव्वळ देय | : ६४,१५९ |
| अक्षरी | : चौसाठ हजार एकशे एकोणसाठ रुपये | | | | |
| बैंक | : | | | | |
| खाते क्र | : | | | | |
| तयार करणार | केन अकाउंटंट | | | चिफ अकाउंटंट | |

चुक भूल देणे घणे, शुकी अतित्यास आठ दिवसात फळवावे

धाराशिव साखर कारखाना लि., युनिट-३

(अकाउंटन्स) जिरगा मारुती नगर, शिवणी (जा.), ता. लोहा, जि. नांदेड - ४३१ ७०८

| | | | | | |
|---------------|-----------------------------------|---------------|-------------|-----------------|------------|
| हंगाम | २०२१-२०२२ | ऊस खरेदी वील | वील नं | : ०००१२ | |
| कालावधी | : ०१-१२-२०२१ ते १५-१२-२०२१ | | दिनांक | : १५-१२-२०२१ | |
| नाव | : B2097 बागनाळे कपील बळीराम | | गांव | : शिवणी (जामगा) | |
| गट | : कारखाना | तालुका : लोहा | शिवा | : शिवणी (जामगा) | |
| क्र | कपात विवरण | कपात रक्कम | क्र | कपात विवरण | कपात रक्कम |
| १) | इतर कपात | २४,६७६ | | | |
| ऊस वजन | : ४०,७६८ | एकुण रक्कम | : ७३,३८२.०० | एकुण कपात | : २४,६७६ |
| दर प्रतिटन रु | : १८०० | रिलप संख्या | : २३ | निव्वळ देय | : ४८,७०६ |
| अक्षरी | : अठ्ठेचाळीस हजार सातशे सहा रुपये | | | | |
| बैंक | : | | | | |
| खाते क्र | : | | | | |
| तयार करणार | केन अकाउंटंट | | | चिफ अकाउंटंट | |

चुक भूल देणे घणे, शुकी अतित्यास आठ दिवसात फळवावे

1752

1679
ट्वेन्टीवन शुगर्स लि.

गळीतार आलेल्या ऊरु व गळीती

2223YG005907

| गळीत हंगाम : २०२२-२०२३ | | कालावधी दि. १६-०२-२०२३ ते दि. २८-०२-२०२३ | | | |
|---|-------|--|-------|------------------|---------|
| विभाग : कारखाना साईट गाव : शिवणी (ज) | | ऊस वजन मे. टन | | १,०१५ | |
| विभाग | | दर प्रती मे. टन रुपये | | २२००.०० | |
| नाव : 10696 बामनाळे बळीराम शेषेराव | | एकुण रक्कम रुपये | | २२३३.०० | |
| वजावट | रक्कम | वजावट | रक्कम | वजावट | रक्कम |
| | | | | | |
| | | | | एकुण वजावट रुपये | ०.०० |
| | | | | निव्वळ अदा रुपये | २२३३.०० |
| अक्षरी रक्कम रुपये : दोन हजार दोनशे तेहतीस फक्त | | | | | |
| बँक व शाखा : 28 महाराष्ट्र ग्रामीण बँक शाखा लोहा खाते नं. : 80001671948 | | | | | |

1755

'D' 1003

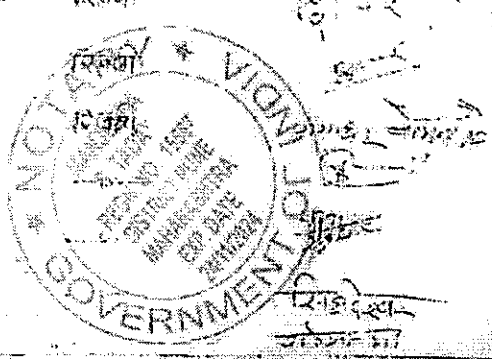
दिनांक 15-01-2023

मा. जिला 'आधुनिक' ग्राम 'आधिकारी' लॉड वोट पत्र
 नि.प्र.प्र.अ.तां/स्टेनो/शिल्ल/6225/2023 दि.दि.दि-12-2023
 मधील मुद्दा नं-4 नुसार अद्य 12-12-2023 व दि.12-01-2023
 रोजी मोठे-खिचणी व मोठे-पत्राची उत्पादकता घेवासाठी वोट
 पत्रांमधील पर्यायीने कोणते वोटकर्त्याने निवड केले यावर घेतलेल्या वोट
 प्रमाणे आहेत.



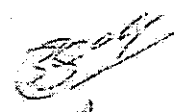



| अ.नं. | नाम | उत्प. | वोट | शालिभ उपाय (उ.) |
|-------|------------------------|-------|------|-----------------|
| 1 | शिवराज शैवेराव बोधगाळे | 265 | 0.52 | 265.63 किलो |
| 2 | भरत श्रीरंग जागरे | 311 | 1.32 | 105.45 किलो |

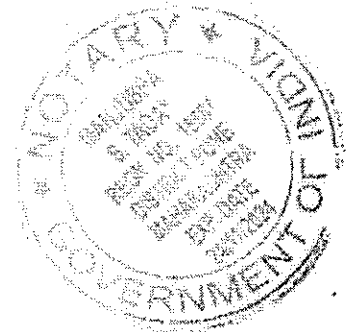
वरील प्रमाणे निवड झालेल्या वोटकर्त्याच्या प्रत्यक्ष वोट
 जाऊन पत्र कापणी मालकी वसुध अक्षरत पत्राची उत्पादकता घेऊन
 आली तेव्हा वगळील प्रमाणे वोटकर्त्या व वोटपत्राची उत्पादकता घेऊन

| अ.नं. | वसुध/वोटकर्ता | गाव | वोटपत्राची उत्पादकता |
|-------|---------------------------------------|-------|---------------------------|
| 1 | अश्विनी-विश्वनाथ वसुध | खिचणी | कोणतेही वोट घेतले नाही |
| 2 | श्रीमती. आर. एम. गोपाळ- वसुध सहायक | - | कोणतेही वोट घेतले नाही |
| 3 | श्री. इशोटे, ललाडी | - | कोणतेही वोट घेतले नाही |
| 4 | श्री. वडजे, ग्रामसेवक | - | कोणतेही वोट घेतले नाही |
| 5 | श्री. आर. के. कोटे, क.ग. | - | कोणतेही वोट घेतले नाही |
| 6 | श्री शिवराज शैवेराव बोधगाळे वसुध | खिचणी | 265.63 किलो |
| 7 | भरत श्रीरंग जागरे | - | 105.45 किलो |
| 8 | ठांगधर शैवेराव बोधगाळे | - | कोणतेही वोट घेतले नाही |
| 9 | वसुध दामोदर जागरे | - | कोणतेही वोट घेतले नाही |
| 10 | गणेश शिवराव शालिभ | - | कोणतेही वोट घेतले नाही |
| 11 | निशेधर वसुधरी जागरे | - | कोणतेही वोट घेतले नाही |
| 12 | शोभाबाई ललाडी जागरे | - | कोणतेही वोट घेतले नाही |



'D' 1004

- | | | | |
|---|----------------------------|--------|---|
| ⑬ | पद्मेश्वर गंगाधर बोरगावडे | बिबिका |  |
| ⑭ | कोडिका गंगाधर बोरगावडे | — |  |
| ⑮ | वर्षेकराव बोरगावडे | — |  |
| ⑯ | सुनिल दामोदर जामणे | — |  |
| ⑰ | प्रकाश मधुकराव बोरगावडे | — | प्रकाश |
| ⑱ | धनपती श्रीचंग जामणे | — |  |
| ⑲ | सिद्धेश्वर गंगाधर बोरगावडे | — |  |



परिष्कार १५. 4
Annex 1680

1002

TRUE TRANSLATION OF COTTON PRODUCTION REPORT OF CROPS-CUTTING COMMITTEE (Peek Kapanee Samiti) (Harvest Inspection) dated 19-01-2024.

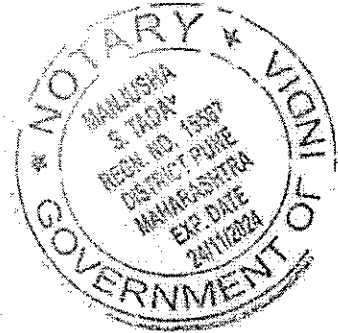
As per the Point No.4 of the Hon'ble District Adhikashak Krishi Adhikari, Nanded's Letter No.J.A. Kru.A./Ta. Steno/Shekrus/62652023 dated 21-12-2023 on 18-01-2024 & 19-01-2024 remained present at Mauje- Shivani to inspect Harvest-Productivity of Cotton on random basis of two farmers selected as under:

| S. N. | Name of the Selected Farmer | Gat No. | Area | Productivity per Ha |
|-------|-----------------------------|---------|------|---------------------|
| 1 | Shivraj Sheshrao Bomnale | 365 | 0.62 | 96.65 kg |
| 2 | Bharat Shrirang Jamge | 311 | 1.38 | 105.45kg |

As above the Productivity of the Cotton Crop was taken by direct visit of the Selected Farmers. The following Members of Committee and Farmers were present.

| S.N. | Name of Farmer (F)/ Committee Member (C.M.) | Village | Sign |
|------|---|---------|------|
| 1 | Ashwini Veer Bhadra Swami, (F) | Shivani | Sd/- |
| 2 | Smt. R.S. Kopnar Krishi Assistant Committee Member (C.M.) | Shivani | " |
| 3 | Shri Dhadate, Talathi (C.M.) | Shivani | " |
| 4 | Shri Wadaje, Gramsevak (C.M.) | Shivani | " |
| 5 | Shri R.K. Kapate, Kru P (C.M.) | Shivani | " |
| 6 | Shri Shivraj Sheshrao Bomnale, Farmer (F.) | Shivani | " |
| 7 | Shri Bharat Shrirang Jamge, Farmer (F.) | Shivani | " |
| 8 | Shri Gangadhar Sheshrao Bomnale. (F.) | Shivani | " |
| 9 | Shri Sanjay Damodar Jamge. (F.) | Shivani | " |
| 10 | Shri Madhukar Bhimrao Bhalake. (F.) | Shivani | " |
| 11 | Shri Sidheshwar Venkati Bhalake (F.) | Shivani | " |
| 12 | Shri. Somnath Balaji Bhalake. (F.) | Shivani | " |
| 13 | Shri. Parmeshwar Gangadhar Bomnale. (F.) | Shivani | " |
| 14 | Shri Kondiba Gangadhar Bomnale. (F.) | Shivani | " |
| 15 | Shri Baliram Sheshrao Bomnale. (F.) | Shivani | " |
| 16 | Shri Sunil Damodar Jamge. (F.) | Shivani | " |
| 17 | Shri Pralhad Madhavrao Bomnale. (F.) | Shivani | " |
| 18 | Shri Chhatrapati Shrirang Jamge. (F.) | Shivani | " |
| 19 | Shri Sidheshwar Gangadhar Bomnale. (F.) | Shivani | " |

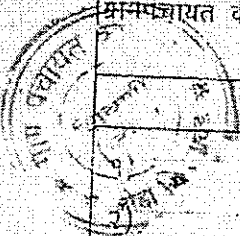
Normal Productivity of the Cotton Crop per Hector is =kg



1758

सकल उत्तरा दिनांक **वधव पत्रक** ठराव क्रमांक :

ग्रामपंचायत कार्यालय शिवणी आ पंचायत समिती कोठे चे सभा अहवाल (प्रोसेडिंग) बुकमरुन



सपस्थित पंचाची नांवे

| |
|-----|
| १०) |
| ११) |
| १२) |
| १३) |
| १४) |
| १५) |
| १६) |
| १७) |
| १८) |

कामकाजाचा तपशील

दिनांक 26 | 12 | 2022

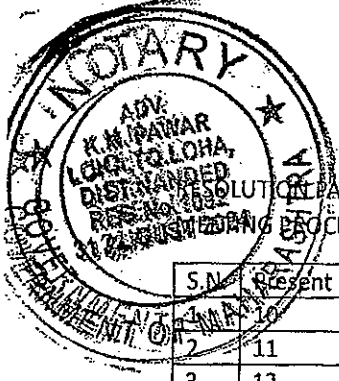
ग्रामपंचायत कार्यालय शिवणी आ
 ठिकाण ग्रामपंचायत वेळ 11 वाजव
 श्री. सरपंच अश्विनी विरमर स्वामी
 यांचे अध्यक्षतेखाली ग्रामपंचायतेची सर्व साधारण / खास सभा
 घेण्यात आली. कोरम पूर्ण असल्यामुळे सभेस सुरवात करण्यात आली.
 सचक श्री. ए. वि. बाई तुकाराम जाधव
 अनुमोदक श्री. विशाखा राम लडके

ठराव

विषय क्र 2 कारखात्यामुळे प्रदूषण होत आहे.
 ठराव क्र 2 वरील विषयाचा चा ठराव सुचकामे
 अवा मांडला की मध्ये शिवणी आ.
 अतिरिक्त असलेले रेव्हीन वन क्षेत्र साखर
 करवना आहे जवळपास करवनामुळे हाईव 3
 माळेने झाले आहे. परंतु कारखात्याच्या शिवणी आ.
 काळी घूर रूप प्रमाणात निघत आहे त्यामुळे
 जवळपास चा सर्व क्षेत्रात बुकवणीचा
 प्रमाण आस्त आहे व मळीतून होणारी नुकवान
 होत आहे काढून बावातला लोकाना हाकणक
 नाव होत आहे त्यामुळे कारखात्यावर दुरावना
 जाहीर उपरोजना करणे असे पत्र करवना का
 नोटीस करे त्यात माझे असे संकेताने
 बरविले आहे.

A.V.6

सरपंच
 कार्यालय शिवणी आ.
 सरपंच / सार्वजनिक अधिकारी कार्यालय
 ग्रामपंचायत शिवणी आ. पंचायत समिती कार्यालय



112

Annexure - 51

RESOLUTION PATRAK GRAMPANCHAYAT OFFICE SHIVANI JAMGA PANCHAYAT SAMITI LOHA FROM PROCEEDING BOOK:

| S.No. | Present Panch | DETAILS OF WORK PERFORMED |
|-------|----------------|---|
| | | Date 26-12-2022 |
| 2 | 11 | Grampanchayat Office: Shivani Jamga |
| 3 | 12 | Place Grampanchayat Office |
| 4 | 13 QUORUM FULL | Sarpanch Ashwini Virbhadra Swami's Chairmanship |
| 5 | 14 | Gram panchayat's Sabha (General/Special) taken Quorum |
| 6 | 15 | Full, hence Meeting started. |
| 7 | 16 | Indicator Padaminibai Tukaram Jamge |
| 8 | 17 | Seconded by Vishakha Ram Yedake |
| 9 | 18 | |
| | | |

Resolution No.2 for the Subject:

Regarding the Pollution caused by Karkhana following Resolution passed:

21 Sakhar Karkhana started prior to 3 months. However, Black Smoke is emitted at huge quantity from the Chimney. Therefore, thereby a lot of damage caused in the nearby agricultural lands and also by molasses. Unnecessary nuisance caused to the villagers. Hence, notice be given for no arrangement made for black smoke and to provide it as decided in the Meeting.

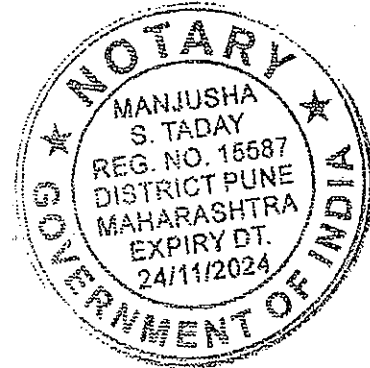
Sd/-

Sarpanch, -Grampanchayat Office, Shivani Jamge.


Sd/-

Grampanchayat. Grampanchayat Office.

True Translation Marathi into English



TRUE COPY


Adv. K.M. PAWAR
Notary
Govt. of Maharashtra
Tq. Loha, Dist. Pune

1760

परिधील क्र. 5-ब

दि 20/03/2023

प्रति,
तालुका कृषी अधिकारी,
लोहा.

विषय - श्री. गंगाधर ब्रामनाळे रा. शिवणी जामगा ता. लोहा यांचा पिक पाहणी अहवाल.
संदर्भ - तालुका कृषी अधिकारी लोहा, यांचे पत्र क्र. ३९ दि. १८/०१/२०२३

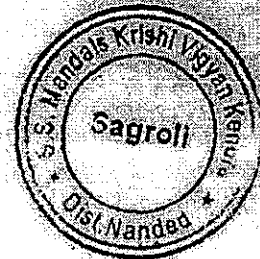
महोदय,

उपरोक्त संदर्भात विषयास अनुसरून, श्री. गंगाधर शेखेराव ब्रामनाळे रा. शिवणी जामगा ता. लोहा यांच्या तक्रार अर्जांनुसार दि. १९/०१/२०२३ रोजी तक्रारदार यांच्या शेतावर श्री. रामरूपे डी.व्ही. (कृषी पर्यवेक्षक) व श्रीमती. कोपतर आर.एस. (कृषी सहाय्यक) यांच्या उपस्थितीत पाहणी करण्यात आली. कारखान्याच्या भोवताली सर्व बाजूच्या शेतकऱ्यांच्या शेतामध्ये पाहणी केली. सदरील शेतावरील पिके जसे ज्वारी, गहू, चारा पिके, हळद आणि भाजीपाला पिकांमधील ठोमेटो, भेंडी व टरबूज ई. पिकांची पाहणी केली असता सदरील पिकावर राख आढळून आली व त्यामुळे भाजीपाला पिकांमधील फळांची गुणवत्ता अंशतः खराब झाल्याचे आढळून आले. चारा पिकांवर राखेचे प्रमाण असल्यामुळे सदरील पिके जनावरांस खाण्यास अयोग्य असल्याचे निदर्शनास आले. कापूस पिक काढणीच्या अवस्थेत असल्यामुळे कापसावर काळी राख जमा होऊन कापसाची गुणवत्ता खराब झाल्याचे आढळून आले.

आपल्या माहितीस्तव सादर.



डॉ. सतीश चव्हाण
विषय विशेषज्ञ (उद्यानविद्या)
कृषी विज्ञान केंद्र, सगरोली

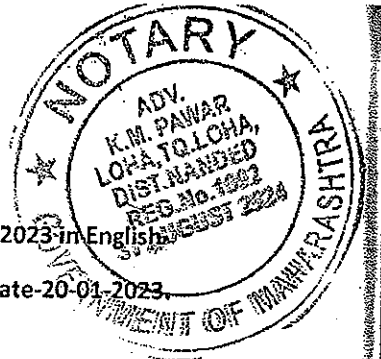


1761

113
Annexure 'k'

True Translation of Subject-Expert Krishi Vigyan Kendra Report dated 20th January, 2023 in English

Date-20-01-2023



To,

Taluka Krishi Adhikari, Loha.

Subject- Shri Gangadhar Bomnale. Resident of Shivani-Jamga, Taluka-Loha's Crops Observation Report

Reference- Taluka Krishi Adhikari, Loha's Letter No.39 dated 18-01-2023.

Sir,

With reference to the subject-matter, visit has been caused to the complainant-Gangadhar Sheshrao Bomnale's Agricultural Land as per his complaint on 19-01-2023 in the presence of Shri Ramrupe D. V. (Krishi Superintendent) & Smt. Kepner R.S. (Krishi Assistant) and inspected it. All Farmers' nearby Karkhana have been visited the crops on such agricultural farms like jawar, wheat, feed crops, turmeric and vegetables crops with tomato, bhindi, and watermelon were spread over with the ash and therefore the quality of fruits become partially spoiled. Fodder Crops become unfit for animal feed due to spread over of ash content thereon. Cotton Crops at the stage of ready for removal due to ash content spread over it its quality has been spoiled.

Submitted for information.

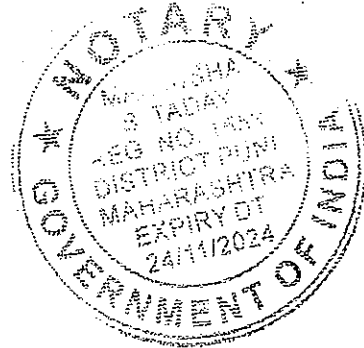
Sd/-

Dr. Santosh Chavan,


Subject-Expert (Udyan Vidya)

Krishi Vigyan Kendra, Sagroli.

Stamp.



TRUE COPY


ADV. K.M. PAWAR
Notary
Govt. of Maharashtra
Tal. Loha

1762

परिशील ५-५ क. संयुक्त 1685 अहवाल दि: 17/01/2023

उद्योगाचे नाव :- मे. धाराशिव सागर काळाना
(मे. 21 शुगर लिमिटेड)
शिवणी (जामगा) ता - लोहा
जिल्हा :- नांदेड

~~पेलेची~~
लक्षांकर्त :- जी. गंगाधर शेषराव बोमनाळे व इतर

संदर्भ : ① जिल्हाधिकारी कार्यालय नांदेड मार्फत प्राप्त
अर्ज दि 17/01/2023 व या कार्यालय प्राप्त

② अर्ज दिनांक 16/01/2023
विषय :- जामगा शिवणी येथील 21 शुगर लि. सागर
काळानाच्या चिमनीतून निघणाऱ्या राखेमुळे
दुषित पाण्यामुळे व कमालमुळे मास्य शेतालीन
पिकांचे प्रचंड नुकसान झाले आहे व मास्य
परिवाराच्या आरोग्याचा प्रश्न निर्माण झाला
आहे तरी काळाना प्रशासनावर कार्यवाही
कळो बाबत.

उपरोक्त विषया संदर्भातील प्राप्त लक्षांकर्त्या
अनुषंगाने आज दिनांक 17/01/2023 रोजी लक्षांकर्त
जी. गंगाधर शेषराव बोमनाळे व इतर कामल्य
यांच्या समवेत व काळानाच्या प्रतिनिधी जी. अलुन
दिनांक स्वामी, चीफ कमिष्ट यांच्या समवेत लक्षांकर्ती
शहानिशा केळी असता खाताील खरी आढळणान्या

① सहलीत काळाना) ल म. उ. नि. मंडळाद्वारे मदी व
शर्ती मुक्त Sugar, Molasses, Bagasse &
Press mud चे उत्पादन द्याकरीत) संमतीपत्र
प्रदान केले अलुन याची मुदत 31/07/2027 पर्यंत
वैध आहे.

② सहलीत काळाना) मे. 21 शुगर लिमिटेड या नावाने
(अर्ज-III)

सुद्ध अस्तुन सदरील 1686 काळखानाचे उत्पादन 16/11/2022
 पाळुन सुद्ध आहे. मापुवी सदरील काळखाना मे.
 धावाशिन साकर काळखाना (युनिट-3) या नावागे सुद्ध
 होला. सदरील काळखाना मे. 21 शुगर मिनिट्स युनिट
 उला 22/08/2022 ला हस्तावलेल आले. केला आहे.

③ सदरील काळखाव्याने हवेचे व पाण्याचे प्रदूषण नियंत्रण
 करण्याकरिता उपाययोजना बसविले आहे. आले
 जले हवेचे प्रदूषणाच्या नियंत्रणाकरिता चिमणीच्या
 बुलाण्याची उंची 65 मीटर अस्तुन ~~के~~ MDC व
 wet scrubber बसविले अस्तुन चांगु क्षितील
 आहळुन आले. तसेच औदोगिक सांडपाणी प्रक्रिया
 संयंत्रा करिता प्राथमिक, द्वितीय व तृतीय
 स्वल्पाची संयंत्रा बसविलेली व सुद्ध असलेली
 आहळुन आली.


④ काळखाव्याने बसविलेली हवा प्रदूषण नियंत्रणाकरिता
 उपाययोजना अदावल कळो गालेचे (सुधारण)
 कळो गरजेचे वारले जेणेकरुन चिमणीच्या सुरक्षित
 निधणाच्या राखेचे प्रमाण संमतीफल नमुद केलेले
 मर्यादित ठेवणे शक्य होईल व त्यामुळे आजुबाजुच
 परिसराल उडुन शेलपिकावर / जामिनीवर / पाण्यावर
 पडुन प्रदूषण होण्याची शक्यता नाकारला गेल
 नाही. तसेच काळखाव्याच्या उत्पादन प्रक्रियेमुळे
 मिथेनारे औदोगिक सांडपाणी अंदाजे 315 घनमीटर
 प्रालेदिन वरती प्रक्रिया करण्याकरिता बसविल्यात
 आलेल्या सांडपाणी प्रक्रिया संयंत्रा (EAP) प्रक्रिया
 करुन सामलीपत्रातील मरी व शयीनुसार विकेवार
 कळो बंधनकारक असताना काळखाव्यातील औदोगिक
 सांडपाणी प्रक्रिया / प्रक्रिया न केलेले काळखाना
 परिसराच्या बाहेर सोडुन असल्याचे आहळुन आले


तलेच सदरील 1687^{वा} कारकाण्याच्या शेजादीम शेतजमिनीतून पालकून शेत पिकातून जात असल्याचे आढळून आले व पुढे ते ~~शेजादीम~~ प्रादेशिक ~~वाहत जाऊन~~ (अंदाजे 1.5 कि.मी) अंतराव असलेल्या गावनाल्यातून मिसळून ते गोदावरी नदीत अंदाजे 2 कि.मी उल्लेख जाऊन मिसळून असल्याचे आढळून आले.

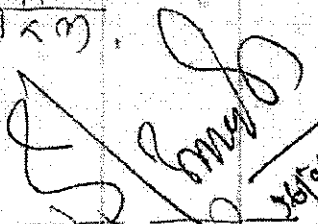
- ⑤ कारकाण्याच्या पुर्व दिशेत जो. गंगाधर (शेखराव बोमनाळे) अंदाजे 20 फूट अंतरावर 22 एकर शेतजमीन असून शेतात उल, गहू, ज्वारी, दमोटे कापूस, हरभरा, हे पिक घेतले असून व्यापिकावर राखेचे कण आढळून आले.
- ⑥ कारकाण्याच्या दक्षिण बाजूला पाठीमागील बाजूस गावात सिद्धेश्वर व्यंकटेश्वर मालाळे यांची अंदाजे 10 एकर शेतजमीन असून त्यामध्ये हरभरा, कांदा, कापूस, मेलची व गजरा, गवज, उल यांचे पिक आढळून आले व व्यापिकावर राखेचे कण आढळून आले, व त्याच्या शेतातल्यामध्ये कारकाण्याचे सांडपाणी आढळून आले.
- ⑦ तलेच त्याच्या मागील बाजूला जो. मधूकर भिमाव मालाळे यांची अंदाजे 12 एकर शेतजमीन असून त्यामध्ये हरभरा, कापूस, ज्वारी, गहू, हरभरा हे पिक आढळून आले व व्यापिकावर राखेचे व धुळीचे कण आढळून आले. तलेच ~~प~~ पश्चिम-दक्षिण बाजूला जो. माधव माणिकराव जांभगे यांची अंदाजे 22 एकर जमीन कारकाण्या पालकून 10 फूट अंतरावर आहे व सदरील शेतामध्ये कापूस, टटपूज, उल व भाजीपाला हे पिक असून व्यापिकावर राखेचे कण व धुळ आढळून आली व औद्योगिक सांडपाणी जमिनीतून

- ① काळाव्याच्या ~~हे~~ Spavy Pond (स्प्रेपोड) व
ETP च्या सहाये अंदाजे 6 एक (जमिन असुन
सदरील जमिन जी. दुला लुकातु जामगे यांची)
असुन सदरील शेतामध्ये कापूस व ज्वारी व लु (हे
पिक आदरुण आले असुन मा पिकावर मोठ्या
प्रमाणात राखा व हुळ आदरुण आले .
- ② काळाव्याच्या प्राश्चित बाजूल जी. अल जी (जामगे
यांची अंदाजे 15 एक (जमिन असुन त्यामध्ये अल,
कापूस, हुळ, ज्वारी व गहू हे पिक असुन सदरील
पिकावर राखा व हुळ आदरुण आले. लसेच
जी. दिशंबर लक्ष्मण जामगे यांची अंदाजे 30 एक (जा
असुन त्यामध्ये कापूस, ज्वारी, हुळ, लु हे पिक
होवले असुन त्यावर राखेचे व हुळीचे) कण आदरुण
आले. लसेच जी. संजय रामोच (जामगे यांची 18 एक
जमिन असुन त्यामध्ये ज्वारी, गहू, कुडीतु, हुळ,
कापूस व हे पिक असुन सदरील पिकावर राखा
आदरुण आले .

③ उपरोक्त जाबीवळी अले निदर्शनात येवे की
काळाव्याने वरील हवेचे व पाण्याचे होत असलेले
पद्रपण थांबवावे व केलेल्या काळवरीच्या व उपाय
मोजनेच्या अहवाल या कार्याच्यात 15 दिवशाच्या आत
सादर कराव. जेणेकरुन सदरील व परिसरात व वातावरण
हवेचे व पाण्याचे पद्रपण टाळता येईल.


(असुन दि. स्वामी)


(प. मि. बावणे)
जोबा आचार्यारी नंदे


(राजेन्द्र पाटील)
उ.पा. अ. म. प्र. नि. म. नंदे

जोगाधर बोमनाके

(जोगाधर श. बोमनाके)
ग्रामस्थ

पिल्ल

(प.मेश्वर श. बोमनाके)
ग्रामस्थ

खरु

(कमल वकीलम बोमनाके)
ग्रामस्थ

दलजय

(दलजय दानोद (जामगे))
ग्रामस्थ

शिष्टेश्वर

(शिष्टेश्वर (वकरी) भालके)
ग्रामस्थ

जळबा

(जळबा) सुभाय जामगे
ग्रामस्थ

मधुकर

(मधुकर भाळीक) जामगे,
ग्रामस्थ

भल्ल

(भल्ल भाळीक) जामगे
ग्रामस्थ

मधुकर

(मधुकर भिनाय भालके)
ग्रामस्थ

Annexure - 'A-3'

JOINT INSPECTION REPORT DATED 17-01-2023.

TRUE TRANSLATION OF MARATHI TO ENGLISH OF JOINT VISIT REPORT OF DHARASHIV SAKHAR KARKHANA [M/S 21 SAKHAR KARKHANA LTD], TALUKA-LOHA, DISTRICT-NANDED, SHIVANI (JAMGA), DISTRICT- NANDED DATED 17-01-2023.

COMPLAINANT-SHRI GANGADHAR SHESHRAO BOMNALE AND OTHERS.

REFERENCE-Application received from the District Collector-Office dated 17-01-2023 and Application received by this Office dated 16-01-2023.

SUBJECT- Regarding Huge Damage caused due to emission of ash from Chimney, discharge of polluted water & Bagasse to my Agricultural Land from M/s Twenty-One Sakhar Karkhana Ltd. Jamga-Shivani & resulted into health-problems of family, hence action to be initiated against Karkhana Administration.

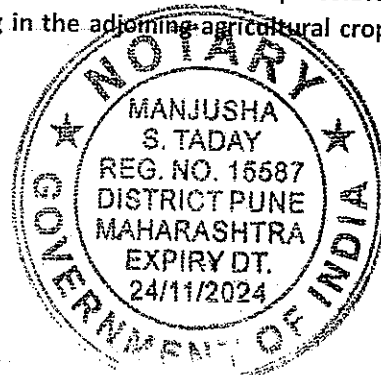
The following things are observed with regard to the complaint under reference on the captioned subject verified on today on this 17-01-2023 with the Complainant Shri Gangadhar Sheshrao Bomnale & Other Villagers and Shri Atul Dinkar Swami, Chief Chemist, Representative of Karkhana

- 1) The Consent has been granted to the said Karkhana for production of sugar, molasses, bagasse, and press mud valid up to 31-07-2023. Factory is in operation from 16-11-2022. Earlier, said Karkhana was in operation by name M/s Dharashiv Sakhar Karkhana (Unit-III). The said Karkhana has been transferred to 21 Sugar Limited Unit-3 on 22-08-2022.
- 2) The said Karkhana has installed arrangements for air & water pollution like Stack/ Chimney height is 65 meters and the Minimum Detectable Change (MDC) in pollutant concentration (or load) and Wet Scrubber and observed to be in working conditions. Primary, Secondary, Tertiary Treatment arrangements provided for industrial effluent & was in operation.
- 3) It is necessary to upgrade/improve air pollution control arrangements to bring emission of ash from the chimney/stack to the consented standards. The possibility of its falling on crops and damaging it/land /water and causing pollution cannot be ruled out.
- 4) Similarly, despite 315 CMD Industrial Effluent every day was required to be treated in the ETP installed by it, Industrial Effluent was observed to be discharged outside premises of karkhana. Similarly, said effluent was observed to be percolated in the agricultural crops in adjoining agricultural land & further flowing to the west side and mixed up at a 1.5 km village-nalla and further meeting to Godavari-river at about 2km.
- 5) The 22 Acres agricultural land of Shri Gangadhar Sheshrao Bomnale is at about 20 feet distance towards east and in his agricultural land sugarcane, wheat, jawar, tomato, cotton, gram etc. crops being observed with ash contents spread on it.
- 6) At the Southside adjoining Karkhana backside of its agricultural land of Sidheshwar Vyankati Bhalake about 10 acres land wherein gram, onion, cotton, chili, grass, sugarcane crops observed and ash observed to be spread over it and effluent of karkhana as well as agricultural pond. Similarly, behind them 12 acres of agricultural land of Madhukar Bhimrao Bhalake is there in which Turmeric, cotton, jawar, wheat, gram crops observed. Similarly, behind that about 22 acres agricultural land of Madhav Manikrao Jamge at about 10 feet from the Karkhana having crops of cotton, watermelon sugarcane & vegetables & on it also ash contents and dust thereof observed & industrial effluent was observed to be percolated & mixing into agricultural pond. It was also percolating in the adjoining agricultural crops land was observed.

Yaru

Kapil Bomnale

1768



- 7) Between the spray pond of Karkhana & ETP, about 6 acres agricultural land of Shri Datta Tukaram Jamge is there and the crops of cotton, jawar & beam (tur) were observed with spread of ash & dust thereof.
- 8) Towards west side agricultural land of Bharat Shrirang Jamge of 15 acres with the sugarcane, cotton, turmeric, jawar & wheat crops with ash & dust thereof observed. Similarly agricultural land of Digambar Laxman Jamge of 30 acres with cotton, jawar, beam, gram with spread of ash & dust thereon observed. Similarly agricultural land of Sanjay Damodhar Jamge with Jawar, wheat, groundnut, beam, cotton with ash spread thereon observed. From the above, it is noticed that the Karkhana should immediately stopped air and water pollution and should submit an action taken report to this office within 15 days' time, whereby in that area water & air pollution can be avoided.

Sd/-
(Atul D. Swami)

Sd/-
(P.B. Bawane)

Sd/-
(Rajendra Patil)

Sd/-
(Gangadhar S. Bomnale) (Parmeshwar B. Bomnale)

Sd/-
(Kapil Baliram Bomnale)

Sd/-
(Sanjay Damodar Jamge) (Sidheshwar Vyankati Bhalake)

Sd/-
(Jalaba Tukaram Jamge)

Sd/-
(Madhav Manik Jamge) (Bharat Shrirang Jamge)

Sd/-
(Madhukar Bhimrao Bhalake)

Under RTI True Copy
Sd/-
Information Officer, MPCB

Devade

copy
(Kapil Bomnale)

True Translation

