



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

Original Application No. 50/2023 (WZ)

Shahu Shivaji Mokashi

...Appellant

Versus

M/s Appasaheb Nalwade Gadhinglaj
Taluka SSK Ltd. & Ors.

...Respondent(s)

**COMPLIANCE AFFIDAVIT ON BEHALF OF RESPONDENT NOS. 2
& 3 MAHARASHTRA POLLUTION CONTROL BOARD**

I, J. S. Hajare, age about 56 years, Occupation-service, the Regional Officer of the Maharashtra Pollution Control Board at Kolhapur having my office at Maharashtra Pollution Control Board, Udyog Bhavan Building, Near Collectorate Office, Kolhapur - 416 002, do hereby state on solemnly affirmation as under:-

I, am presently working as the Regional Officer, Kolhapur with the Maharashtra Pollution Control Board, I have gone through the Hon'ble National Green Tribunal (WZ) Pune order dated 22.09.2023 & 18.03.2024. I am submitting reply affidavit on behalf of Respondent No. 2 regarding Environmental Damage Cost from Respondent No. 1 M/s. Appasaheb Nalawade Gadhinglaj Taluka SSK Ltd. & to deposit of cost of Rs.5000/- (Rupees five thousand) with the NGT Bar Association (WZB), Pune.

1. I say and submit that the Committee have visited the premises of Respondent No.1 on 06.06.2022 and submitted report before this Hon'ble Tribunal as per directions on 23.06.2022.

Pursuant to this Hon'ble Tribunal order dated 22.9.2023, the Respondent Board has calculated EDC of Respondent No 1. The

details of Environmental Damage Cost of Respondent No. 1 M/s. Appasaheb Nalawade Gadhinglaj Taluka SSK Ltd. are as follows:



A) EDC calculation for Sugar unit

The formula taken as per para 6 of the Order of Hon'ble NGT in the O.A. No.593/2017 (Paryavaran Samiti & Anr. Vs. Union of India & ors.) dtd. 19/02/2019. The Environmental Compensation is calculated based on the Following Formula;

$$EC = (PI \times N \times R \times S \times LF)$$

Whereas,

EC is Environmental Compensation in Rs.

PI= Pollution index of industrial sector.

N = Number of days of violation took place

R = A factor in Rupees for EC

S = Factor for scale of operation

LF = location factor

Therefore EC = (80 x 127 x 250 x 1.5 x 1.0)

=Rs. 38,10,000/-

Therefore, the Environmental Compensation is Rs.

38,10,000/-

PI= Pollution index of industrial sector.

The average Pollution index of 80 was taken as Environmental compensation for the unit (as the consent granted to unit under RED category)

N = Number of days of violation took place:

The number of days are considered from the crushing season of 2021 – 2022 as the Joint committee was visited to the said unit 06.06.2022. Sugar unit operated for seasons as 2021-2022 – 55 days, 2022-2023 – 0 days and 2023-2024 – 72 days, i.e. total days of operation are 127 days.



R = A factor in Rupees for EC

Which is minimum of 100 to a maximum of 500. R is considered as Rs.250, as the Environmental compensation in case of violation.

S = Factor for scale of operation

For Small s=0.5, For medium S=1 & Large unit S=1.5

LF = location factor

It based on population of city/town and location of industrial unit. LF will be 1.0 in case unit is located > 10 km from municipal boundary.

B) EDC calculation for Distillery unit

the formula taken as per para 6 of the Order of Hon'ble NGT in the O.A. No.593/2017 (Paryavaran Samiti & Anr. Vs. Union of India & ors.) dtd. 19/02/2019. The Environmental Compensation is calculated based on the Following Formula;

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Whereas,

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PI= Pollution index of industrial sector.

N = Number of days of violation took place

R = A factor in Rupees for EC

S = Factor for scale of operation

LF = location factor

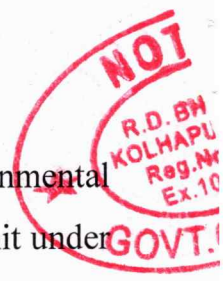
Therefore EC = (80 x 40 x 250 x 1.5 x 1.0)

=Rs. 12,00,000/-

Therefore, the Environmental Compensation is Rs.

12,00,000/-

PI= Pollution index of industrial sector.



The average Pollution index of 80 was taken as Environmental compensation for the unit (as the consent granted to unit under RED category)

N = Number of days of violation took place:

The number of days are considered from the crushing season of 2021 – 2022 as the Joint committee was visited to the said unit 06.06.2022. Distillery operated for seasons as 2021-2022 – 40 days, 2022-2023 – 0 days and 2023-2024 – 0 days, i.e. total days of operation are 40 days.

R = A factor in Rupees for EC

Which is minimum of 100 to a maximum of 500. R is considered as Rs.250, as the Environmental compensation in case of violation.

S = Factor for scale of operation

For Small s=0.5, For medium S=1 & Large unit S=1.5

LF = location factor

It based on population of city/town and location of industrial unit. LF will be 1.0 in case unit is located > 10 km from municipal boundary.

C) Total EDC calculation is as follows

1. EDC for Sugar unit is Rs. 38,10,000/-
2. EDC for Distillery unit is Rs. 12,00,000/-

Total	Rs. 50,10,000/-

Total EDC is Rs. 50,10,000/-

The detailed report of Environmental Damage Cost Calculation for Sugar and Distillery units are collectively enclosed & marked as **Annexure- "A"**



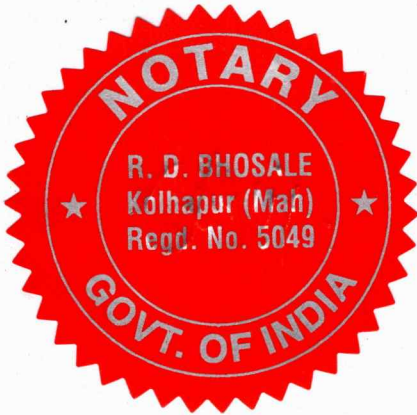
2. I say and submit that, as per the direction dated 18/3/2024 deposited the cost of Rs.5000/- (Rupees five thousand) to the NGT Bar Association (WZB), Pune. The copy of the same is enclosed & marked as Annexure- "B".

Solemnly affirmed on this 13 day of September 2024 at Kolhapur

For & on behalf respondent No. 2 Maharashtra Pollution Control Board

[Handwritten Signature]
(J. S. Hajare)

Regional Officer- MPCB, Kolhapur



Notary Sr.No. 4056/202
BEFORE ME

[Handwritten Signature]

R. D. BHOSALE
Notary (Govt. Of. India)
Dist Court, Kolhapur (MA)
Kolhapur - 416 001

16 SEP 2024



**Environmental Compensation with respect to M/s. Appasaheb
Nalawade Gadhingalaj Taluka SSK Ltd as per NGT order**

As per the Hon'ble NGT order dtd. 22.09.2023 Environmental Damage Compensation is calculated considering the from season 2021-2022, details of the calculations are given as follows.

A) EDC calculation for Sugar unit

The formula taken as per para 6 of the Order of Hon'ble NGT in the O.A. No.593/2017 (Paryavaran Samiti & Anr. Vs. Union of India & ors.) dtd. 19/02/2019. The Environmental Compensation is calculated based on the Following Formula;

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Whereas,

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S = Factor for scale of operation

LF = location factor

Therefore EC = (80 x 127 x 250 x 1.5 x 1.0)

=Rs. 38,10,000/-

Therefore the Environmental Compensation is Rs. 38,10,000/-

PI= Pollution index of industrial sector.

The average Pollution index of 80 was taken as Environmental compensation for the unit (as the consent granted to unit under RED category)

N = Number of days of violation took place:

The number of days are considered from the crushing season of 2021 – 2022 as the Joint committee was visited to the said unit 06.06.2022. Sugar unit operated for seasons as 2021-2022 – 55 days, 2022-2023 – 0 days and 2023-2024 – 72 days, i.e. total days of operation are 127 days.

R = A factor in Rupees for EC

Which is minimum of 100 to a maximum of 500. R is considered as Rs.250, as the Environmental compensation in case of violation.

S = Factor for scale of operation

For Small s=0.5, For medium S=1 & Large unit S=1.5

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It based on population of city/town and location of industrial unit. LF will be 1.0 in case unit is located > 10 km from municipal boundary.

B) EDC calculation for Distillery unit

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Whereas,

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R = A factor in Rupees for EC

S = Factor for scale of operation

LF = location factor

Therefore EC = $(80 \times 40 \times 250 \times 1.5 \times 1.0)$

=Rs. 12,00,000/-

Therefore the Environmental Compensation is Rs. 12,00,000/-

PI= Pollution index of industrial sector.

The average Pollution index of 80 was taken as Environmental compensation for the unit (as the consent granted to unit under RED category)

N = Number of days of violation took place:

The number of days are considered from the crushing season of 2021 – 2022 as the Joint committee was visited to the said unit 06.06.2022. Distillery operated for seasons as 2021-2022 – 40 days, 2022-2023 – 0 days and 2023-2024 – 0 days, i.e. total days of operation are 40 days.

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C) Total EDC calculation is as follows

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2. EDC for Distillery unit is Rs. 12,00,000/-

Total Rs. 50,10,000/-

Total EDC is Rs. 50,10,000/-

Appasaheb Nalawade Gadhinglaj Taluka Sahakari Sakhar Karakhana Ltd., Harali
Yearwise Crushing, Bagging, Recovery & Working results etc.

Season	2016-17	2017-18	2018-19	2019-20	2020-21	2021-22	2022-23	2023-24
1 Date of Start	06/11/2016	01/11/2017	12/11/2018	22/11/2019	03/11/2020	30/12/2021		22/12/2023
2 Date of Finish	16/01/2017	17/02/2018	20/02/2019	28/02/2020	09/03/2021	22/02/2022		02/03/2024
3 Gross Season days	72	108	101	100	127	55	Season not Started	72
4 Cane Crushed (MT)	189568	287637	287597	285269	339427	69237		138407
5 Sugar Bagged (Qtls)	217055	333730	345107	332980	407620	77000		171780
6 Recovery % Cane	11.45	11.60	12.00	11.67	12.01	11.13		12.41
7 Pol % Cane	13.43	13.72	14.05	13.75	13.89	13.27		14.59

APPASAHEB NALAWAWE GADHINGLAJ TALUKA SAHAKARI SAKHAR KARAKHANA LTD., HARALI
STATEMENT OF SPIRIT PRODUCTION FROM SEASON 1986-1987

Season	Date of Starting	Date of Closer	Total Working Days	Total Alcohol Produced	Total Molasses Consumed	Recovery
1986-1987	23-04-1987	30-04-1987	8	51,464.00	190.891	265.206
1987-1988	18-11-1987	14-04-1988	148	2,49,495.00	3890.930	244.052
1988-1989	28-11-1988	29-03-1989	124	14,70,447.00	5303.860	277.241
1989-1990	18-11-1989	19-04-1990	153	16,72,099.00	6372.850	261.178
1990-1991	16-12-1990	05-05-1991	140	17,10,921.00	7141.200	239.580
1991-1992	19-11-1991	07-09-1992	171	28,12,215.00	11208.420	250.990
1992-1993	05-12-1992	20-04-1993	137	25,09,626.00	10249.920	244.640
1993-1994	06-12-1993	21-03-1994	106	20,02,456.00	7952.640	251.800
1994-1995	20-11-1994	30-04-1995	161	27,53,357.00	11074.560	248.620
1995-1996	15-12-1995	05-06-1996	174	27,04,878.00	10943.400	247.180
1996-1997	21-12-1996	23-03-1997	93	17,03,554.00	6608.640	257.780
1997-1998	02-12-1997	11-03-1998	100	18,41,454.00	7257.050	253.750
1998-1999	28-11-1998	01-05-1999	155	33,05,937.00	13118.000	252.020
1999-2000	23-11-1999	23-04-2000	153	31,71,717.00	12599.040	251.740
2000-2001	17-11-2000	25-04-2001	160	45,45,169.00	17550.490	258.980
2001-2002	13-11-2001	20-04-2002	136	37,45,985.00	14262.720	262.640
2002-2003	01-11-2002	27-05-2003	196	51,61,732.00	19257.600	268.040
2003-2004	03-11-2003	24-05-2004	174	47,44,155.00	17399.040	272.660
2004-2005	21-11-2004	25-02-2005	94	22,62,246.00	8354.880	270.770
2005-2006	07-12-2005	07-04-2006	121	30,79,576.00	11481.008	268.230
2006-2007	25-11-2006	29-05-2007	186	45,71,009.00	17026.560	268.460
2007-2008	24-11-2007	07-05-2008	166	40,15,376.00	14497.920	276.960
2008-2009	17-11-2008	21-02-2009	97	23,34,326.00	8489.286	274.970
2009-2010	17-11-2009	09-04-2010	144	38,91,155.00	14041.810	277.110
2010-2011	26-11-2010	09-05-2011	165	46,73,318.00	16996.800	274.950
2011-2012	01-12-2011	29-03-2012	120	30,13,707.00	10901.760	276.44
2012-2013	11-12-2012	23-02-2013	75	15,09,581.00	5484.460	275.240
2013-2014	13-12-2013	05-04-2014	114	28,51,093.00	10209.720	279.250
2014-2015	23-11-2014	23-03-2015	121	29,77,993.00	10679.130	278.850
2015-2016	29-11-2015	02-05-2016	156	36,69,332.00	13057.690	281.000
2016-2017	22-11-2016	18-01-2017	58	15,00,678.00	5372.130	279.34
2017-2018	12-11-2017	23-02-2018	104	27,25,508.00	9692.190	281.21
2018-2019	24-11-2018	05-03-2019	101	26,22,021.00	9424.250	278.22
2019-2020	27-11-2019	09-03-2020	104	26,23,098.00	9364.800	280.10
2020-2021	11-11-2020	26-03-2021	139	31,17,051.00	11649.600	267.56
2021-2022	16-01-2022	23-02-2022	40	3,48,647.00	1307.700	266.61
2022-2023	--	--	--	--	--	--
2023-2024						

NEFT Transaction

neftinfo.itps@alerts.sbi.co.in <neftinfo.itps@alerts.sbi.co.in>

Mon 7/22/2024 10:15 PM

To: RO Kolhapur <rokolhapur@mpcb.gov.in>

📎 1 attachments (31 KB)

SBI_MAIL_Header.png;

Dear Customer,

Thank you for banking with State Bank of India.

The details of the NEFT transaction originated by you are given below.

A/c Debited: XX7080
Date: 22/07/2024
UTR No.: SBIN524204580365
Beneficiary Name: NGT BAR ASSOCIATION WESTERN ZONE
Beneficiary A/c No.: XX0705
Bank IFSC: BKID0000518
Amount Remitted: INR 5,000.00

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For any query, please contact our toll-free numbers 1800-1234, 1800-2100 & 1800 112211.

Do not disclose any confidential information such as Username, Password, OTP etc. to anyone.

Sincerely,
SBI NEFT Team