

BEFORE THE NATIONAL GREEN TRIBUNAL
WESTERN ZONE BENCH, PUNE

ORIGINAL APPLICATION NO 32/2023 WZ

RAJU ALIAS DEVAVAPPA ANNA SHETTY & ORS

....} APPLICANTS

VERSUS

M/S SHRI DUTT INDIA PVT LTD & ORS

....} RESPONDENTS

INDEX -1

Sr No	Particulars	Page
1	INDEX-1	
2	OBJECTIONS AND AFFDAVAIT IN REPLY TO THE MAIN APPLICATION	
3	ANNEXURE A-D	
4	Vakaltnama	

The index is filed on the Day _____ of the Month _____ year of 2024 before
Hon'ble National Green Tribunal , Pune.

Place : Pune

Date :



Divyansh Gore
Advocate for Respondent No 4

For M/s Swapnapurti Sugar Ltd
(Ashok S Mali)
Director

ORIGINAL APPLICATION NO 32/2023 WZ

RAJU ALIAS DEVAVAPPA ANNA SHETTY & ORS

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....} RESPONDENTS

OBJECTIONS AND AFFDAVAIT IN REPLY TO THE MAIN APPLICATION

I, Ashok S Mali , Director and Authorized Signatory of M/s Swapnapurti Sugar Ltd , Sangli, i.e the Respondent No 4 do hereby state on solemn affirmation and filling this affidavit in reply to the main application with objections to the joint committee report as under –

- 1) M/s Swapnapurti Sugar Ltd is operator of M/s Vasantdada Shetkari SSK LTS (Distillery Division) for a period of 10 years with effect from 27/08/2020 date. It is engaged in the manufacturing of rectified spirit, country liquor and ethanol. The Respondent – Board has granted consent to operate dated 5/11/2020 and amended on 15/07/2021 having the prescribed capacity as mentioned in the consent to operate granted and renewed from time to time. The copies of consent to operate and renewal are enclosed here with and marked as an Annexure – A & B respectively.
- 2) The Respondent No 4 (Distillery) has provided lined bio-compost yard of 7.5 acre for utilization of raw spent wash , as per conditions stipulated in the consent to operate dated 5/11/2020. MPCB has prescribed treatment of spent wash through re-boiler followed by bio-composting, which is already provided by the Respondent No 4 (Distillery). Therefore the observation of Joint Committee that re-boiler is and integral part of the distillation column but not a separate treatment process for treatment / volume reduction of spent wash cannot be taken into consideration unless the MPCB specifically imposes such conditions in the consent to operate. The Respondent No 4 is ready to comply with any such condition if imposed by the MPCB provided sufficient time is granted to provide it.
- 3) Joint Committee further recommended not to permit operation of distillery during next season till implementation of Point no ii. The Respondent No 4 undertake to provide this arrangement before next crushing season.
- 4) MPCB has issued directions to deposit Rs 3,60,000/- while order dated 14/02/2024. A copy of the said direction is enclosed here with and marked as an annexure C. The



Respondent No 4 after going through the said directions observed at no opportunity of hearing was extended before assessment of environmental compensation amounting to Rs 3,60,000/- as to in what manner compensation is proposed to be imposed. The respondent No 4 has requested the Respondent No 2 (MPCB) to make available above details and grant an opportunity of hearing before assessment of environment compensation. A copy said reply is enclosed and marked as an Annexure D. However the MPCB has not given any information and also not extended any opportunity of hearing by following principals of natural justice till today.

- 5) Therefore, the Respondent No 4 praise that the MPCB may kindly be directed to extend opportunity of hearing and till then it should not impose any environmental compensation or recover it from the respondent no 4.

Dated this 19 of April 2024 at Sangli

[Handwritten Signature]

(Divyansh Gore)
Advocate for Respondent No 4

For M/s Swapnapurti Sugar Ltd

[Handwritten Signature]

(Ashok S Mali)
Director.



BEFORE ME

[Handwritten Signature]

ADV. D. T. PAWAR
ADVOCATE & NOTARY
GOVT. OF INDIA, REG. NO. 7795
Shri Sai, 1145, Kanase Galli,
Khanbhag, Sangli - 416 416 (M.S.)
M. 9422619792

Noted & registered
at Serial Numbers ... 902
2024

19 APR 2024



MAHARASHTRA POLLUTION CONTROL BOARD

Tel: 24010706/24010437
 Fax: 24023516
 Website: <http://mpcb.gov.in>
 Email: cac-cell@mpcb.gov.in



Kalpataru Point, 2nd and
 4th floor, Opp. Cine Planet
 Cinema, Near Sion Circle,
 Sion (E), Mumbai-400022

RED/L.S.I (R60)

Date: 05/11/2020

No:- Format1.0/CAC/UAN No.MPCB-
 CONSENT-0000092881/CR-2011000269

To,

Shri Dutt India Pvt. Ltd., (Operator of Vasantdada Shetkari Sahakari Sakhar
 Karkhana Ltd., Sangli.)
 173/156/167/188,A/p. - Madhavnagar Road, Sangli
 Miraj,Sangli.

Sub: Renewal of consent for 45 KLPD Molasses base Distillery & Country
 Liquor-20000 Box/M, under RED Category.

Ref: 1. Renewal of consent granted by the Board vide no. CAC/UAN No.
 MPCBCONSENT-0000076902/CR-2001000190 dtd. 04.01.2020.
 2. Minutes of CAC Meeting dtd. 14.08.2020.

Your application No.MPCB-CONSENT-0000092881 Dated 06.06.2020

For: Consent to Renewal under Section 26 of the Water (Prevention & Control of Pollution)
 Act, 1974 & under Section 21 of the Air (Prevention & Control of Pollution) Act, 1981 and
 Authorization under Rule 6 of the Hazardous & Other Wastes (Management &
 Transboundary Movement) Rules 2016 is considered and the consent is hereby granted
 subject to the following terms and conditions and as detailed in the schedule I, II, III & IV
 annexed to this order:

- The consent to renewal is granted for a period up to 31/08/2023
- The capital investment of the project is Rs.17.5565 Crs. (As per C.A Certificate
 submitted by industry (Sugar unit - 280.10 Cr))
- Consent is valid for the manufacture of:

Sr No	Product	Maximum Quantity	UOM
Products			
1	Country Liquor	20000	Box/M
2	Rectified Spirit	1350	KL/M
3	Ethanol	2170	KL/M
4	CO2	525	KL/M

Distillery Capacity shall not exceed (Molasses base) 45 KLPD.

- Conditions under Water (P&CP), 1974 Act for discharge of effluent:

Sr No	Description	Permitted (in CMD)	Standards to	Disposal Path
1.	Trade effluent	360	As per Schedule-I	Re-Boiler followed by Bio-Composting to achieve ZLD
2.	Domestic effluent	2	As per Schedule-I	On land for irrigation





5. **Conditions under Air (P& CP) Act, 1981 for air emissions:**

Sr No.	Stack No.	Description of stack / source	Number of Stack	Standards to be achieved
1	0	Steam taken from Sugar Factory Boilers	1	As per Schedule -II

6. **Non-Hazardous Wastes:**

Sr No	Type of Waste	Quantity	UoM	Treatment	Disposal
1	Distillation Residues	0.9	MT/A	Composting	Used as manure

7. **Conditions under Hazardous & Other Wastes (M & T M) Rules 2016 for treatment and disposal of hazardous waste:**

Sr No	Category No./ Type	Quantity	UoM	Treatment	Disposal
NA					

- 8 The Board reserves the right to review, amend, suspend, revoke this consent and the same shall be binding on the industry.
- 9 This consent should not be construed as exemption from obtaining necessary NOC/ permission from any other Government authorities.
- 10 This consent is issued pursuant to the decision of the Consent Appraisal Committee Meeting held on 14.08.2020.
- 11 Industry shall install online continuous monitoring system as per CPCB guidelines & data to be transmitted directly from Data Logger to Board server .
- 12 To improve water economy, PP shall submit detail water budget along with proposal towards recycling of treated effluent to the maximum extent including excess condensate into the process to reduce fresh water consumption, within a period of 3 months with activity bar chart.
- 13 The applicant shall make an application for renewal of consent 60 days prior to date of expiry of the consent. (Operate/Renewal)

For and on behalf of the
Maharashtra Pollution Control Board.

(Ashok A. Shingare IAS),
Member Secretary

Received Consent fee of -

Sr.No	Amount(Rs.)	Transaction/DR.No.	Date	Transaction Type
1	150000.00	TXN2006001835	30/06/2020	Online Payment
2	1500.00	TXN2008000878	13/08/2020	Online Payment

Copy to:

1. Regional Officer, MPCB, Kolhapur and Sub-Regional Officer, MPCB, Sangli
- They are directed to ensure the compliance of the consent conditions.
2. Chief Accounts Officer, MPCB, Sion, Mumbai
3. CC/CAC desk - for record & website updation purposes.



SCHEDULE-I**Terms & conditions for compliance of Water Pollution Control:****1. Conditions for Trade effluent:**

A) You have provided Effluent treatment plant with the design capacity of 360 CMD for trade effluent 360 CMD including Re-boiler followed by Bio-Composting on 7.5 acres land for achieving zero discharge. In no any spent wash shall discharge outside the factory premises/ on land / into stream directly or indirectly.

2. Conditions for Sewage/ Domestic effluent:

- i. You have provided septic tank and soak pit (for sewage below 20 CMD).
- ii. The industry shall operate sewage treatment system to treat the sewage/ domestic effluent so as to achieve the standards as prescribed by the board/under EP Act, 1986 and rules made thereunder from time to time whichever is stringent.

Sr.No	Parameter	Concentration not to exceed(in mg/l except for pH)
1.	pH	6.5-9.0
2.	BOD	30
3.	TSS	100

- iii. The sewage shall be treated by using septic tank and soak pit and overflow if any shall be used on-land for gardening/irrigation.
3. The operation of distillery should be restricted to 270 days in a year and that it will not operate during rainy season.
4. The Applicant shall comply with the provisions of the Water (Prevention & Control of Pollution) Act, 1974 and as amended, by installing water meters and other provisions as contained in the said act:

Sr. No.	Purpose for water consumed	Water consumption quantity (CMD)
1.	Industrial Cooling, spraying in mine pits or boiler feed	0.00
2.	Domestic purpose	2.50
3.	Processing whereby water gets polluted & pollutants are easily biodegradable	700.00
4.	Processing whereby water gets polluted & pollutants are not easily biodegradable and are toxic	0.00
5.	Gardening	0

5. Industry shall install online monitoring system as per the guidelines of CPCB and data to be transmitted to Board's server.
6. The Applicant shall provide Specific Water Pollution control system as per the conditions of EP Act, 1986 and rule made there under from time to time/ Environmental Clearance.



Dangane

SCHEDULE-II

Terms & conditions for compliance of Air Pollution Control:

1. As per your application, you have provided the Air pollution control (APC) system and erected following stack (s) to observe the following fuel pattern:

Stack No.	Stack Attached To	APC System	Height in Mtrs.	Type of Fuel	Quantity & UoM
0	Steam taken from Sugar Factory Boilers	0	0	0	0 --NA--

2. Appropriate Air Pollution Control (APC) system shall be provided for all the dust generating points including fugitive dust from all vulnerable sources, so as to comply prescribed stack emission and fugitive emission standards.
3. The Applicant shall obtain necessary prior permission for providing additional control equipment with necessary specifications and operation thereof or alteration or replacement/alteration well before its life come to an end or erection of new pollution control equipment.
4. The Board reserves its rights to vary all or any of the condition in the consent, if due to any technological improvement or otherwise such variation (including the change of any control equipment, other in whole or in part is necessary).
5. The applicant shall operate and maintain above mentioned air pollution control system, so as to achieve the level of pollutants to the following standards:

Particulate matter	Not to exceed	150 mg/Nm ³
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6. Storage of raw materials, coal etc. shall be either stored in silos or in covered areas to prevent dust pollution and other fugitive emissions.
7. The industry shall install 24x7 continuous emission monitoring system at process stacks to monitor stack emission with respect to standards prescribed in Environment (Protection) Rules, 1986 and connected to MPCB and CPCB online servers and calibrate these system from time to time according to equipment supplier specification through labs recognized under Environment (Protection) Act, 1986 or NABL accredited laboratories.
8. The industry shall submit monthly summary report of continuous stack emission and air quality monitoring and results of manual stack monitoring and manual monitoring of air quality /fugitive emissions to Regional Office MPCB.
9. The Board reserves its rights to vary all or any of the condition in the consent, if due to any technological improvement or otherwise such variation (including the change of any control equipment, other in whole or in part is necessary).

Rangam



SCHEDULE-III
Details of Bank Guarantees:

Sr. No	Consent (C2E/C2O/C2R)	Amt of BG Imposed	Submission Period	Purpose of BG	Compliance Period	Validity Date
1	C to R	500000	15 days/extended	Towards compliance of Consent conditions & O & M of pollution control system.	31.08.2021	31.12.2021

BG Forfeiture History

Srno.	Consent (C2E/C2O/C2R)	Amount of BG imposed	Submission Period	Purpose of BG	Amount of BG Forfeiture	Reason of BG Forfeiture
						NA

BG Return details

Srno.	Consent (C2E/C2O/C2R)	BG imposed	Purpose of BG	Amount of BG Returned
				NA

Amegane



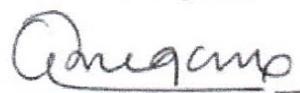
SCHEDULE-IV
General Conditions:

1. The Energy source for lighting purpose shall preferably be LED based
2. The PP shall harvest rainwater from roof tops of the buildings and storm water drains to recharge the ground water and utilize the same for different industrial applications within the plant
3. Conditions for D.G. Set
 - a) Noise from the D.G. Set should be controlled by providing an acoustic enclosure or by treating the room acoustically.
 - b) Industry should provide acoustic enclosure for control of noise. The acoustic enclosure/ acoustic treatment of the room should be designed for minimum 25 dB (A) insertion loss or for meeting the ambient noise standards, whichever is on higher side. A suitable exhaust muffler with insertion loss of 25 dB (A) shall also be provided. The measurement of insertion loss will be done at different points at 0.5 meters from acoustic enclosure/room and then average.
 - c) Industry should make efforts to bring down noise level due to DG set, outside industrial premises, within ambient noise requirements by proper siting and control measures.
 - d) Installation of DG Set must be strictly in compliance with recommendations of DG Set manufacturer.
 - e) A proper routine and preventive maintenance procedure for DG set should be set and followed in consultation with the DG manufacturer which would help to prevent noise levels of DG set from deteriorating with use.
 - f) D.G. Set shall be operated only in case of power failure.
 - g) The applicant should not cause any nuisance in the surrounding area due to operation of D.G. Set.
 - h) The applicant shall comply with the notification of MoEFCC, India on Environment (Protection) second Amendment Rules vide GSR 371(E) dated 17.05.2002 and its amendments regarding noise limit for generator sets run with diesel.
4. The applicant shall maintain good housekeeping.
5. The non-hazardous solid waste arising in the factory premises, sweepings, etc. be disposed of scientifically so as not to cause any nuisance / pollution. The applicant shall take necessary permissions from civic authorities for disposal of solid waste.
6. The applicant shall not change or alter the quantity, quality, the rate of discharge, temperature or the mode of the effluent/emissions or hazardous wastes or control equipments provided for without previous written permission of the Board. The industry will not carry out any activity, for which this consent has not been granted/without prior consent of the Board.
7. The industry shall ensure that fugitive emissions from the activity are controlled so as to maintain clean and safe environment in and around the factory premises.
8. The industry shall submit quarterly statement in respect of industries obligation towards consent and pollution control compliance's duly supported with documentary evidences (format can downloaded from MPCB official site).
9. The industry shall submit official e-mail address and any change will be duly informed to the MPCB.
10. The industry shall achieve the National Ambient Air Quality standards prescribed vide Government of India, Notification No. B-29016/20/90/PCI-L dated. 18.11.2009 as amended.

Rangam



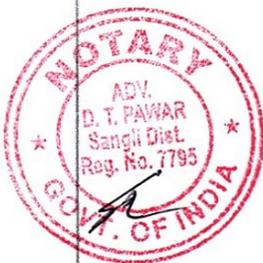
11. The Board reserves its rights to review plans, specifications or other data relating to plant setup for the treatment of waterworks for the purification thereof & the system for the disposal of sewage or trade effluent or in connection with the grant of any consent conditions. The Applicant shall obtain prior consent of the Board to take steps to establish the unit or establish any treatment and disposal system or an extension or addition thereto.
12. The industry shall ensure replacement of pollution control system or its parts after expiry of its expected life as defined by manufacturer so as to ensure the compliance of standards and safety of the operation thereof.
13. The PP shall provide personal protection equipment as per norms of Factory Act
14. Industry should monitor effluent quality, stack emissions and ambient air quality monthly/quarterly.
15. Whenever due to any accident or other unforeseen act or even, such emissions occur or is apprehended to occur in excess of standards laid down, such information shall be forthwith Reported to Board, concerned Police Station, office of Directorate of Health Services, Department of Explosives, Inspectorate of Factories and Local Body. In case of failure of pollution control equipments, the production process connected to it shall be stopped.
16. The applicant shall provide an alternate electric power source sufficient to operate all pollution control facilities installed to maintain compliance with the terms and conditions of the consent. In the absence, the applicant shall stop, reduce or otherwise, control production to abide by terms and conditions of this consent.
17. The industry shall recycle/reprocess/reuse/recover Hazardous Waste as per the provision contain in the Hazardous and Other Wastes (M & TM) Rules 2016, which can be recycled /processed /reused /recovered and only waste which has to be incinerated shall go to incineration and waste which can be used for land filling and cannot be recycled/reprocessed etc. should go for that purpose, in order to reduce load on incineration and landfill site/environment.
18. An inspection book shall be opened and made available to the Board's officers during their visit to the applicant.
19. Industry shall strictly comply with the Water (P&CP) Act, 1974, Air (P&CP) Act, 1981 and Environmental Protection Act, 1986 and industry specific standard under EP Rules 1986 which are available on MPCB website (www.mpcb.gov.in).
20. Separate drainage system shall be provided for collection of trade and sewage effluents. Terminal manholes shall be provided at the end of the collection system with arrangement for measuring the flow. No effluent shall be admitted in the pipes/sewers downstream of the terminal manholes. No effluent shall find its way other than in designed and provided collection system.
21. Neither storm water nor discharge from other premises shall be allowed to mix with the effluents from the factory.
22. The industry should not cause any nuisance in surrounding area.
23. The industry shall take adequate measures for control of noise levels from its own sources within the premises so as to maintain ambient air quality standard in respect of noise to less than 75 dB (A) during day time and 70 dB (A) during night time. Day time is reckoned in between 6 a.m. and 10 p.m. and night time is reckoned between 10 p.m. and 6 a.m.
24. The industry shall create the Environmental Cell by appointing an Environmental Engineer, Chemist and Agriculture expert for looking after day to day activities related to Environment and irrigation field where treated effluent is used for irrigation.






25. The applicant shall provide ports in the chimney/(s) and facilities such as ladder, platform etc. for monitoring the air emissions and the same shall be open for inspection to/and for use of the Board's Staff. The chimney(s) vents attached to various sources of emission shall be designated by numbers such as S-1, S-2, etc. and these shall be painted/ displayed to facilitate identification.
26. The industry should comply with the Hazardous and Other Wastes (M & TM) Rules, 2016 and submit the Annual Returns as per Rule 6(5) & 20(2) of Hazardous and Other Wastes (M & TM) Rules, 2016 for the preceding year April to March in Form-IV by 30th June of every year.
27. The applicant shall install a separate meter showing the consumption of energy for operation of domestic and industrial effluent treatment plants and air pollution control system. A register showing consumption of chemicals used for treatment shall be maintained.
28. The applicant shall bring minimum 33% of the available open land under green coverage/ plantation. The applicant shall submit a yearly statement by 30th September every year on available open plot area, number of trees surviving as on 31st March of the year and number of trees planted by September end.
29. The Board reserves its rights to review plans, specifications or other data relating to plant setup for the treatment of waterworks for the purification thereof & the system for the disposal of sewage or trade effluent or in connection with the grant of any consent conditions.
30. The firm shall submit to this office, the 30th day of September every year, the Environment Statement Report for the financial year ending 31st March in the prescribed FORM-V as per the provisions of Rule 14 of the Environment (Protection) (second Amendment) Rules, 1992.
31. The Applicant shall obtain necessary prior permission for providing additional control equipment with necessary specifications and operation thereof or alteration or replacement/alteration well before its life come to an end or erection of new pollution control equipment.
32. The Board reserves its rights to vary all or any of the condition in the consent, if due to any technological improvement or otherwise such variation (including the change of any control equipment, other in whole or in part is necessary).
33. The applicant shall provide facility for collection of environmental samples and samples of trade and sewage effluents, air emissions and hazardous waste to the Board staff at the terminal or designated points and shall pay to the Board for the services rendered in this behalf.

[Handwritten Signature]



MAHARASHTRA POLLUTION CONTROL BOARD

Phone : 4010437/4020781/
4037124/4035273
Fax : 24044532/4024068 /4023516
Email : cac-cell@mpcb.gov.in
Visit At : <http://mpcb.gov.in>



Kalpataru Point, 3rd & 4th floor, Sion-Matunga
Scheme Road No. 8, Opp. Cine Planet Cinema,
Near Sion Circle, Sion (E),
Mumbai - 400 022

No. MPCB/ UAN No. MPCB-CONSENT_AMMENDMENT-0000006098 /CAC- 2407000048 Date: 15/07/2021

AMENDMENT IN CONSENT

Subject Amendment in Renewal of Consent for change in operator name.

- Ref.-**
1. Earlier Consent granted vide no. CAC-Cell/UAN No. MPCB-CONSENT-0000092881/CR-2011000269 dtd. 05.11.2020.
 2. Application for Amendment MPCB-CONSENT_AMMENDMENT-0000006098.
 3. Minutes of CAC meeting dtd. 02.06.2021.

The Renewal of Consent granted under Section 26 of the Water (Prevention & Control of Pollution) Act, 1974, under Section 21 of the Air (Prevention & Control of Pollution) Act, 1981 and an Authorization under Rule 6 of the Hazardous & Other Wastes (Management & Transboundary Movement) Rules 2016, is hereby amended as below:

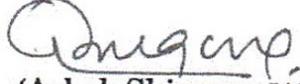
Shri Dutt India Pvt. Ltd.,
(Operator of Vasantdada Shetkari Sahakari Sakhar Karkhana Ltd.),
173/156/167/188, A/p. Madhavnagar Road, Sangli.

Shall be read as

Swapnapurti Sugar Ltd.,
(Operator of Vasantdada Shetkari Sahakari Sakhar Karkhana Ltd.),
173/156/167/188, A/p. Madhavnagar Road, Sangli.

All other conditions of the consent referred at Sr. No 1 shall remain unchanged.

For and on behalf of the
Maharashtra Pollution Control Board


(Ashok Shingare IAS)
Member Secretary

To,
Swapnapurti Sugar Ltd.,
(Operator of Vasantdada Shetkari Sahakari Sakhar Karkhana Ltd.),
173/156/167/188, A/p. Madhavnagar Road, Sangli.

Copy to:

1. Regional Officer(Kolhapur)/ Sub-Regional Officer(Sangli), M.P.C. Board.- They are directed to insure compliance of above conditions.
2. Chief Accounts officer, M.P.C. Board, Mumbai.
3. CAC Cell, M.P.C. Board, Mumbai.



REGIONAL OFFICE, KOLHAPUR.

Tel. No. (0231) 2652952,
2660448
Fax No. (0231) 2652952
E-mail:
rokolhapur@mpcb.gov.in



Udyog Bhavan,
Near Collector Office,
Kolhapur - 416 003.
Website: <http://mpcb.mah.nic.in>

"Your Service is Our Duty"

No. MPCB/RO/KOP/NGT-32/2023(WZ)/EC/ FTS- 0206

Date: 14/02/2024.

To,
M/s Swapnapurti Sugar Ltd.
(Operator of M/s. Vasantdada Shetkari Sahakari Sakhar Karkhana Ltd.)
173/156/167/188, A/p-Madhavnagar Road, Sangli,
Tal. Miraj, Dist. Sangli.

Sub: Environmental Compensation as per NGT Order dated 29.11.2023.

Ref: 1. NGT Order Dated 29.11.2023 in the Original application No.
32/2023 (WZ)
2. Approval received from competent authority.

Sir,

With reference to above subject Order No. 32/2023 (WZ) has been passed by Honourable NGT dated 29.11.2023. In the last order passed, NGT has directed to levy Environmental Compensation & penalty to your unit. Environmental Compensation has been calculated by MPCB.

In view of the above you are directed to deposit the amount of **Rs. 3,60,000/- (Three Lack Sixty Thousand Only)** to the Maharashtra Pollution Control Board within 15 days. The details of Account of Maharashtra Pollution Control Board is as below

Bank Name and address : State Bank Of India. Kolhapur Treasury.
Ashish Chambers, 398/B/E ward, Shahupuri, Kolhapur
Account Number : 37822828958
IFSC Code : SBIN0007249

Failure on your part to comply with this Directions Board will take necessary steps for recovery of the said amount which please be noted.

This is issued with the approval of competent Authority.

(J.S. Salunkhe)

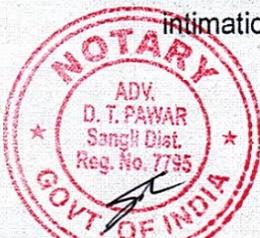
Regional Officer, MPCB Kolhapur.

Copy submitted to

1. Member Secretary, MPCB, Mumbai.
2. Joint Director (WPC), MPCB, Mumbai
3. Law Division, MPCB, Mumbai.

Copy for further follow up:

Sub Regional Officer, MPCB, Kolhapur.- Please go through the NGT order dtd. 29.11.2023 & submit Action Taken Report to HOD with copy to this office for necessary record under intimation.



Ref. No. 170 /2023-24

Date: 24/02/2024

To,

The Regional Officer,
Maharashtra Pollution Control Board,
Udyog Bhavan Ground floor
Nr. Collector office
Kolhapur-416003
Maharashtra

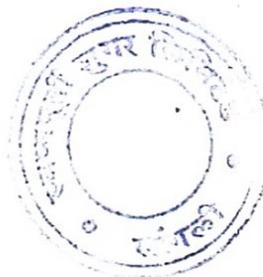
Subject: Reply regarding Directions to deposit Rs 3,60,000/- vide dated 14/02/2024.

Reference: 1) Your directions dated 14/02/2024 received on 19/02/2024.
2) Order passed By Hon. NGT order no.32/2023 (WZ) dated 19.02.2024

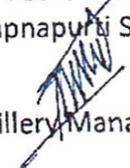
We have carefully gone through your above referred directions dated 14/02/2024, which is received on 19/02/2024 through RPAD . After going through your directions we have following objections again your directions as under,

1. You have not extended any opportunity of hearing before assessment of environmental compensation amounting to Rs 3,60,000/- showing in what manner it has calculated.
2. You have not issued any proposed direction or show cause notice before assessment of environmental compensation and before issuance of directions to deposit compensation of Rs 3,60,000/-.
3. You have thus violated principals of natural justice and not provided any calculation details and formula which have been applied for assessment of compensation with the period for which the compensation is assessed.
4. Therefore, we request your good self to make available the above details on top priority basis to know to know how you have assessed the compensation at earliest, as per order/ guidelines passed By Hon. NGT order no.32/2023 (WZ) dated 19.02.2024 para no.3. So as to submit our detailed reply and objections thereto and to initiate further remedy of appeal within stipulated period. We reserved our right to initiate further line of action as may deemed fit necessary in the given case.
5. We have not received till date any document in respect of filling of original application No 32/2023 (WZ) and therefore unable to initiate any further legal remedy against assessment of damages.

Thanking You,



Yours Faithfully,
For Swapnapurti Sugar Ltd


Distillery Manager

CC: To SRO ,MPCB Sangli

VAKALATNAMA
BEFORE THE NATIONAL GREEN TRIBUNAL
WESTERN ZONE BENCH, PUNE

ORIGINAL APPLICATION NO 32/2023 WZ

RAJU ALIAS DEVAVAPPA ANNA SHETTY & ORS

-- } APPLICANT.

Versus

M/S SHRI DUTT INDIA PVT. LTD & ORS

---}RESPONDENT.



We the undersigned, do hereby appoint and retain Mr. Divyansh Gore, Advocate and authorize them to plead as well as to act and to appear for us in the above application and on our behalf of the Respondent No. 4 to conduct and prosecute (or defend) the same to withdraw or to compromise the same and all proceeding that may be taken in respect of any application connected with the same or any decree or order passed therein including proceeding in the application for Review to file and obtain the return of documents and to deposit and receive money on our behalf in the said case and to represent us and to take all necessary steps on our behalf in the above matter. We agree to ratify, all acts done by the aforesaid Advocates in pursuance of this Authority.

Dated this 15th February 2024

Divyansh Gore
Advocate, Pune

..For Respondent No 4
Through its Authorised Signatory

Name – Ashok S. Mali



Designation – Director
Swarnapurti Sugar Ltd.

