

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

OBJECTIONS AND AFFIDAVIT IN REPLY TO THE AFFIDAVIT FILLED BY
AND ON BEHALF OF MPCB DATED 09/05/2024

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 affidavit filled by and on behalf of MPCB dated 09/05/2024 with objections to the joint committee report as under –

- 1) The Advocate for the Respondent No 4 on last date of hearing was not informed about the personal hearing extended by the MPCB and therefore he has made statement that an opportunity of hearing was not extended to the Respondent No 4. The Respondent No 4 hereby begs unconditional pardon for not informing its Advocate about opportunity extended by MPCB on Video Conferencing dated 25/04/2024.
- 2) The Respondent No 4 has already specifically pointed out in its Affidavit in Reply to the main application as under
“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.”
Therefore incase if the MPCB wants that the condition in respect of treatment of spent wash through boiler followed by bio-composting, which is already provided



by the Respondent No 4 as per the MPCB consent condition, then as per the Rule 3(3) of Environment (Protection) Rules, 1986, It shall be complied with by the industry within a period of One Year of being so specified. Therefore the recommendation of Joint Committee about not to permit operation of distillery during next season till implementation thereof is totally incorrect and cannot be imposed in violation of Rule 3(3) of Environment (Protection) Rules, 1986.

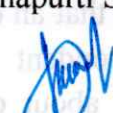
- 3) MPCB has issued directions to deposit Rs 3,60,000/- while order dated 14/02/2024. Though an opportunity of hearing was extended by MPCB online, as per the Joint Committee report observation on 11/03/2023 the industry was found to be closed on 05/03/2023 and incidence of fish kill occurred on 10/03/2023 which was deliberately forced on and for headed on the Respondent No 4. It is submitted that the Respondent No 4 is not responsible for the incident and spent wash was carried out by way of Gravity to 5 days and 30 day lagoon. The Respondent No 4 has repaired the pipeline carrying spent wash immediately on the same day and reported to the MPCB .Therefore whatever allegations made by the Respondent No 1 and MPCB as well as Joint committee against the Respondent No 4 are denied.

Hence, The Respondent No 4 praises for not to impose EDC on it.

Dated this 19/7/2024 at Sangli

For M/s Swapnapurti Sugar Ltd

(Divyansh Gore)
Advocate for Respondent No 4


(Ashok S Mali)
Director.

Noted & registered
at Serial Numbers

1457
2024



BEFORE ME


ADV. D. T. PAWAR
ADVOCATE & NOTARY
GOVT. OF INDIA, REG. NO. 7795
Shri Sai, 1145, Kanase Galli,
Khanbhag, Sangli - 415 416 (M.S.)
M. 9422619792

19 JUL 2024

