

**OBJECTION VERIFICATION REPORT OF THE JOINT COMMITTEE IN COMPLIANCE WITH 1<sup>ST</sup> SET OF OPERATIVE DIRECTIONS OF THE ORDER DATED 22/04/2024 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 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 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..."*

In compliance to the aforesaid Hon'ble NGT order dated 01/09/2023, the joint committee heard the representation as submitted by the applicants and about the present issues & area under reference. The applicants accompanied with 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. Further, the joint committee carried-out source emission monitoring at the stack attached to the captive co-gen boiler; ambient air quality monitoring at three locations i.e. two at down wind direction & one at up wind direction (within & around, the industry) based on the pre-dominant wind direction and accessibility & availability of infrastructure facility to place the ambient air quality monitoring machines.

Upon receipt of analysis results of the aforesaid environmental samples and subsequent deliberation, the joint committee prepared & submitted its report to the Hon'ble NGT through the nodal agency i.e. MPCB on 01/02/2024. Thereafter, the matter was herd from time to time.

Hon'ble NGT directed vide order dated 22/04/2024 (copy of Hon'ble NGT order, dated 22/04/2024 is given at **Annexure-1**) issued two set of operative directions for compliance and relevant order of the first set of operative directions is reproduced as below:

*"...5. Therefore, we deem it appropriate that a copy of this objection submitted by the respondent No.1 shall be served upon the Joint Committee by the Registry, with a direction to the Committee that they will go through the entire objections raised by the respondent No.1 in respect of the recommendation of the Joint Committee and after having studied them, the Committee will submit their opinion for the same within a period of one month for final consideration before us..."*

Further, Hon'ble NGT directed vide order dated 22/04/2024 (copy of Hon'ble NGT order, dated 22/04/2024 is given at **Annexure-1**) and relevant order of the second set of operative directions is reproduced as below:

*"...8. In order to verify whether the amount, which is being claimed by the appellants by way of personal compensation in Form No.II, has been correctly assessed, we deem it appropriate to constitute another Committee comprising one Member each of the District Collector, Nanded; and District Agricultural Officer, Nanded. We further direct that this Committee may take help of any other competent person, if required, 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.*

*9. We further direct that the applicants shall provide all the documentary evidence before the said Committee, such as receipts of purchase of crops; rates of the same on which the same has been purchased/sold; and the revenue record etc.*

*10. We also direct that the representative of the respondent No.1 shall be present during the hearing, which would be given by the said Committee and the said Committee shall submit its report within a period of two months from the date of uploading of this order..."*

## **2.0 Approach**

In order to comply with the first set of operative directions of the Hon'ble NGT order dated 22/04/2024, the joint committee convened a physical meeting on 29/05/2024 at the District Collector's office, Nanded to discuss about way forward for compliance of the first set of operative directions of the aforesaid Hon'ble NGT order. The joint committee deliberated on

the objection report, dated 20/04/2024 filed to the Hon'ble NGT by M/s Twenty-One Sakahar Karkhana Unit No. 3 & Ors. (hereinafter referred as the Respondent no. 1). The following joint committee members were present during the meeting:

- i. Shri Nishchal C., Scientist 'E', 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 Ravindra Krishsagar, Field Officer-MPCB, Sub-Regional Office, Nanded and Shri Nikhilesh Gandhre, JRF, CPCB, Regional Directorate-Pune were present during the joint committee meeting.

### **3.0 Observations & findings in respect of verification of objections**

This report is outcome containing factual opinion of the said joint committee based on the verification of the objections, which was filed by the Respondent no.1 in respect of the earlier recommendations of the joint committee which was made in compliance to the previous order of the Hon'ble NGT vide dated 01/09/2023.

Whereas, compliance report in respect of second set of operative directions of the Hon'ble NGT order vide dated 22/04/2024 shall be separately submitted by the another joint committee comprising of the District Collector, Nanded; and District Agricultural Officer, Nanded through the nodal agency i.e. MPCB.

Point wise verification of objections by the joint committee in compliance to the first set of operative directions of the Hon'ble NGT order vide dated 22/04/2024 is depicted in the below Table-1.

**Table-1: Point wise verification of objections by the joint committee in compliance to the first operative directions of the Hon'ble NGT order vide dated 22/04/2024**

S. No.	Joint committee report, Para No.	Observations & conclusions as per joint committee report, dated 01/02/2024	Objections by the Respondent no.1, dated 20/04/2024	Remarks by the joint committee w.r.t. objections of the Respondent no. 1
1.	5.0. (i)	<ul style="list-style-type: none"> <li>• As per the daily manufacturing report submitted by the industry for the present crushing season, 2023-24; cane crushing activities started w.e.f. 01/11/2023 and avg. cane crushed during November, 2023 is 1,620 TCD (min: 1,132 TCD &amp; max: 3,350 TCD) against consented quantity of 2,500 TCD.</li> </ul>	<ul style="list-style-type: none"> <li>• The Respondent states that the crushing activities within the factory only begun on 10/11/2023. The Respondent states that no crushing activities were undertaken from 01/11/2023 to 09/11/2023.</li> <li>• The Respondent further states that the consented crushing capacity as per the Consent to Operate dated 28/11/2022 and 09/12/2023 is 3500 TCD.</li> </ul>	<ul style="list-style-type: none"> <li>• The joint committee is relying upon the information as submitted by representative of the Respondent no. 1 during inspection, dated 14/12/2023 &amp; 15/12/2023, carried-out in compliance to the Hon'ble NGT order, dated 01/09/2023 that the cane crushing activities started w.e.f. 01/11/2023 for the cane crushing season 2023-24. The same has been reported in the joint committee report, dated 01/02/2024.</li> <li>• Whereas, as per the final manufacturing report, dated 22/03/2024 (for the crushing season: 2023-24 i.e. Excise Series no. 76, Form R.T. 8 (C) SA-1,) submitted to the Sugar Commissionerate, Aurangabad, the cane crushing activity of the industry started w.e.f. 10/11/2023.</li> <li>• It is pertinent to observe that the Respondent no. 1 has mentioned &amp; admitted in their objection report, dated 20/04/2024 vide S. no. 8 that they had conducted trials and tests of various new machineries installed from 01/11/2023 till 09/11/2023. Holistically, the industrial activities i.e. pre-preparatory activities/trial &amp; testing activities including cleaning/maintenance of process equipment/reactors started w.e.f. 01/11/2023 itself.</li> <li>• The joint committee further relying upon the real time OCEMS data i.e. effluent &amp; emission which is being transmitted to the MPCB &amp; CPCB servers in respect of operational status of the Respondent no. 1. Wherein, it is pertinent to observe that the OCEMS data in respect of emission from the bagasse fired boiler-1 &amp; 2 and treated effluent from outlet of ETP is being recorded w.e.f. 03/11/2023 and 07/11/2023. Copy of the real time OCEMS data during the last</li> </ul>

				<p>crushing season 2023-24, as provided by MPCB is given at <b>Annexure-2.</b></p>
<p>2.</p>	<p>5.0. (ii) &amp; (iii)</p>	<ul style="list-style-type: none"> <li>• Data analysis on OCEMS (effluent &amp; emission).</li> </ul>	<ul style="list-style-type: none"> <li>• The Respondent states that Standard equipment and IT Infrastructure as per prescribed norms and standards are installed and maintained at the factory. During the crushing season of 16/11/2022 to 05/03/2023 the Respondent purchased the factory on 01/12/2022. Thereafter Respondent undertook several operations to upgrade the systems, machines and equipment within the factory. However, non-functionality or poor operations and maintenance were never reported by MPCB, despite several surprise visits from time to time during the said period.</li> <li>• Pertinently, during the next crushing season commencing November 2023, the OCEMS have been transmitting data appropriately ensuring collection of data at 86% - 95%. The same has been</li> </ul>	<ul style="list-style-type: none"> <li>• As per MPCB records and as mentioned &amp; admitted by the Respondent no. 1 in their objection report vide S. no. 2 that 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) w.e.f. crushing season 2022-23 onwards.</li> <li>• As per the final manufacturing report, dated 21/03/2023 (for the crushing season: 2022-23 i.e. Excise Series no. 76, Form R.T. 8 (C) SA-1,) submitted to the Sugar Commissionerate, Aurangabad, the cane crushing activity of the industry started w.e.f. 16/11/2022 itself and cane crushing activity of the industry ended on 05/03/2023. It is a matter of fact &amp; record, as above that the Respondent no. 1 has operated &amp; engaged in the manufacturing activities w.e.f. 16/11/2022.</li> <li>• As per the directions issued by CPCB u/s 18 (1) (b) of the Water (Prevention and Control of Pollution) Act, 1974 &amp; the Air (Prevention and Control of Pollution) Act, 1981 vide dated B-29016/04/06/PCI-I, dated 05/02/2014 that all SPCBs/PCCs were directed to ensure that all the 17-Categories of highly polluting industries, CETPs and Common hazardous waste &amp; biomedical incinerators in their jurisdiction to install OCEMS (effluent &amp; emission); to connect &amp; upload the OCEMS data at SPCBs/PCCs &amp; CPCB server; to ensure regular O&amp;M with tamper proof mechanism etc. not later than 31/03/2015. Copy of the said directions, dated 05/02/2014 is given at <b>Annexure-3.</b> It is pertinent to observe that the Respondent no. 1 industry belongs to one of the 17-Categories of highly polluting industries, wherein it is obligated to install &amp; connect the OCEMS on or before 31/03/2015.</li> <li>• Further, it is matter of fact &amp; record that the Respondent no. 1 is obligated to comply with the consent to operate (CTO) conditions</li> </ul>

			<p>observed by the Joint Committee in their report at paragraph nos. 5.0.(v) and (vi).</p>	<p>stipulated as per S. no. 1 (E) of Schedule-I: Terms &amp; conditions for compliance of Water Pollution Control of earlier CTO, dated 28/11/2022 and as per the present CTO, dated 09/12/2023. Relevant paragraph of the CTO is reproduced as “...<i>Industry shall operate Online Continuous Emission Monitoring System (OCEMS) and shall transmit Online Continuous Emission Monitoring System (OCEMS) data to Board’s server directly through the data logger without any intermediate server...</i>” Copies of the CTO, dated 28/11/2022 and 09/12/2023 is given at <b>Annexure-4 &amp; 5</b> respectively.</p> <ul style="list-style-type: none"> <li>• In view of the above, the Respondent no. 1 cannot deny &amp; take excuse by quoting such reasons for non-functionality or poor O&amp;M of installed OCEMS including its data connectivity at the MPCB &amp; CPCB server.</li> </ul>
3.	5 (ix)	<ul style="list-style-type: none"> <li>• During the present crushing season 2023-24, MPCB has carried-out surveillance inspection of the industry on 22/11/2023. During the said inspection, the industry was found non-complied w.r.t. discharge of treated effluent from final outlet of ETP more than the prescribed standards i.e. COD: 264 &gt; 250 mg/l. Further, MPCB also observed violations w.r.t. overflow of spray pond effluent/discharge of effluent into nearby nalah during monitoring on 22/11/2023. Wherein,</li> </ul>	<ul style="list-style-type: none"> <li>• The Respondent states that Vigilance samples of Treated effluents exceed standard by just 14 mg/l. The same is extremely low. However, at the same time the online monitoring data reveals effluents on 22/11/2023 are within consent limits.</li> <li>• Further, the excess source emission is extremely low and exceeds standards by just 3 mg/Nm<sup>3</sup>. The online monitoring data reveals emission on 21/11/2023 to be within consent limits.</li> </ul>	<ul style="list-style-type: none"> <li>• The joint committee wants to reiterates the conditions stipulated in the consent to operate (CTO) as per S. no. 1 (C) of Schedule-I: Terms &amp; conditions for compliance of Water Pollution Control of earlier CTO, dated 28/11/2022 and as per the present CTO, dated 09/12/2023. Relevant paragraph of the CTO dated 28/11/2022 &amp; 09/12/2023 is reproduced as “...<i>The Applicant shall operate the effluent treatment plant (ETP) to treat the trade effluent so as to achieve the following standards prescribed by the Board or under EP Act, 1986 and Rules made there under from time to time, whichever is stringent...</i>” Copies of the CTO, dated 28/11/2022 and 09/12/2023 is given at <b>Annexure-4 &amp; 5</b> respectively.</li> <li>• As per the MPCB inspection, it is matter of fact &amp; record that the Respondent no. 1 was found non-complied w.r.t. discharge of treated effluent from final outlet of ETP more than the prescribed standards for COD. Also, there was instance of overflow of spray pond effluent/discharge of effluent into nearby nalah wherein the concentration of BOD and COD in the nalah is observed to be 110 &amp; 332 mg/l.</li> </ul>

		<p>during the said monitoring; the concentration of BOD and COD in the nalah is observed to be 110 &amp; 332 mg/l.</p> <ul style="list-style-type: none"> <li>• Similarly, MPCB has carried-out surveillance inspection of the industry w.r.t. source emission on 22/11/2023. During the said inspection, the industry was found non-complied w.r.t. discharge of source emission more than the prescribed standards i.e. PM: 153 &gt; 150 mg/Nm<sup>3</sup>.</li> <li>• Based on the aforesaid monitoring results of effluent &amp; emission carried-out by MPCB, it is evident that the industry is consistently non-complied w.r.t. discharge of treated effluent more than the prescribed standards and non-complied w.r.t. discharge of spray pond effluent/overflow into nearby nalahs. Also, the</li> </ul>	<ul style="list-style-type: none"> <li>• The Respondent states that, the level of emissions and effluents have significantly reduced to be within the consent limits. The Respondent has purchased the factory on 01/12/2022. Thereafter the Respondent has taken several measures to ensure compliance of consent terms. Therefore, the JVS reports from 25/01/2023, 27/01/2023, 02/02/2023 and 06/02/2023 all reveal the emissions and effluents to be within consent limits.</li> </ul>	<ul style="list-style-type: none"> <li>• In view of the above, the Respondent no.1 is obligated to comply with the discharge standards as per said clause of CTO, dated 28/11/2022 &amp; 09/12/2023. Also, the Respondent no. 1 cannot take excuse by quoting that the treated effluent sample &amp; source emission sample is exceeding marginally.</li> <li>• It is pertinent to observe that as per the directions issued by CPCB u/s 18 (1) (b) of the Water (Prevention and Control of Pollution) Act, 1974 &amp; the Air (Prevention and Control of Pollution) Act, 1981 vide dated B-29016/04/06/PCI-I, dated 05/02/2014 mentioned about applicability of OCEMS and the relevant paragraph of the said directions is reproduced as “...whereas for regulatory purposes and for purposes of actions to be taken against non complying industries/facilities, the existing methods of sampling, analysis and related procedures under the existing statutes need to be continued; and...” Copy of the said directions, dated 05/02/2014 is given at <b>Annexure-3</b>.</li> <li>• The joint committee wants to reiterates that the present conclusions derived is based on the various non-compliances (i.e. discharge of treated effluent from final outlet of ETP more than the prescribed standards, violations w.r.t. overflow of spray pond effluent/discharge of effluent into nearby nalah and discharge of source emission more than the prescribed standards) reported by the MPCB during their surveillance inspections carried-out in crushing season 2023-24. Whereas, the referred dates i.e. 25/01/2023; 27/01/2023; 02/02/2023 and 06/02/2023 by the Respondent no. 1 in their objection report, dated 20/04/2024 are those dates which are based on the surveillance inspection carried-out by MPCB during crushing season 2022-23. Wherein, it is observed that the Respondent no. 1 has complied w.r.t. discharge of source emission &amp; discharge of treated effluent. However, it is matter of fact &amp; record that the Respondent no. 1 was found non-complied w.r.t discharge of spray pond effluent/overflow of spray pond effluent into nearby nalahs, during 02/02/2023 &amp;</li> </ul>
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		industry is non-complied w.r.t. discharge of source emission more than the prescribed standards. Accordingly, MPCB has issued warning notices and proposed directions to the industry, under the provisions of the Water & Air Acts.		06/02/2023, the nalah water having with reported concentration of BOD: 39.5 & 74 mg/l and COD: 112 & 208 mg/l respectively.
4.	5.0 (x) and (xi)	<ul style="list-style-type: none"> <li>The industry has not provided wind breaking walls/enclosures around the bagasse storage area, as a result the bagasse particles are spreading to the nearby agricultural fields.</li> <li>The industry has not provided adequate vent to the process cyclone of bagasse mixer in the press mud preparation section.</li> </ul>	<ul style="list-style-type: none"> <li>The Respondent has taken measures to store bagasse particles appropriately and to ensure that incidences of fire are prevented. However, installation of wind breaking walls/enclosures around the bagasse storage area is not a condition imposed upon Respondent No. 1 vide the Consent to Operate dated 28/11/2022.</li> <li>Further, the provision of a vent to the process cyclone of bagasse mixer in the press mud preparation section is also not a condition under the Consent to Operate dated 28/11/2022.</li> </ul>	<p>The joint committee wants to reiterates the recommendations made in its report dated 01/02/2024. Since, the Respondent no. 1 is storing the bagasse in open area, within its premises; such open stock pile of bagasse is resulting in fugitive emission/carryover of bagasse particles into nearby agricultural fields, during its handling. Also, the joint committee during its inspection has observed fugitive emission/carryover of bagasse particles into nearby agricultural fields.</p> <ul style="list-style-type: none"> <li>Further, the joint committee wants to reiterates the conditions stipulated in the consent to operate (CTO) as per S. no. 24 of Schedule-IV: General Conditions of earlier CTO, dated 28/11/2022 and as per the present CTO, dated 09/12/2023. Relevant paragraph of the CTO dated 28/11/2022 &amp; 09/12/2023 is reproduced as “...<i>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...</i>” Copies of the CTO, dated 28/11/2022 and 09/12/2023 is given at <b>Annexure-4 &amp; 5</b> respectively.</li> <li>Further, recommendation of the joint committee in respect of provision of wind breaking walls/enclosures around the bagasse storage area is a preventive measure in order to ensure that the bagasse can be handled in an environmentally sound manner without resulting in fugitive emissions/carry-over of bagasse particles into nearby</li> </ul>

			<ul style="list-style-type: none"> <li>It has already been observed by the Joint Committee that the Respondent has spent almost Rs. 8 Crore in up gradations and installations of several machineries to prevent and mitigate pollution since purchasing the factory on 01/12/2022. The Respondent is continuing to take steps in mitigating any pollution caused further.</li> </ul>	<p>agricultural fields. Further, it is matter of fact &amp; record that several agricultural fields are situated within close proximity of the boundary of Respondent no.1. Such deposition of bagasse particles is observed by the joint committee during its inspection and also reported in its report dated 01/02/2024 (Kindly refer photographs at page no. 15 to 25).</p> <ul style="list-style-type: none"> <li>Further, the ambient air quality monitoring carried-out at agricultural fields of Shri Kondiba Gangadhar Bomnale, Gat No. 365 and agricultural field of Ms. Swati Jamge, Gat No. 327 has showed the concentration of PM10 more than the prescribed AAQS, 2009 i.e. 203.67 &amp; 105.67 &gt; 100 µg/m<sup>3</sup>. The said agricultural fields are located close to the industry. Hence, provision of wind breaking walls/enclosures around the bagasse storage area and adequate vent to the process cyclone of bagasse mixer in the press mud preparation section is required in order to abate the fugitive emission/carryover of bagasse particles into nearby agricultural fields.</li> </ul>
5.	5.0 (xiii)	<ul style="list-style-type: none"> <li>The industry has provided a flange type arrangement in the treated effluent conveyance pipeline at the bank of nalah, prior to discharge/conveyance into dug well. Undue &amp; or illegal disposal of treated effluent/untreated/partially treated effluent into nalah through such type of provision of arrangements by the industry cannot be ruled-out. As such incidences of undue &amp; illegal disposal of effluent</li> </ul>	<ul style="list-style-type: none"> <li>The Respondent states that the factory has sufficient capacity for storage of water and arrangements for the appropriate discharge of water. Pertinently, the said water, once treated, is supplied to the farmers for irrigation purposes. The flange arrangement is for connecting additional pipes to discharge water to other farms as per the requirement of farmers from season to season. The Applicants have claimed</li> </ul>	<ul style="list-style-type: none"> <li>The joint committee wants to reiterates the observations made in its report dated 01/02/2024 in respect of treated effluent conveyance system for irrigation. As the same is a site-specific observation made by the joint committee during its inspection.</li> </ul>

		are being alleged by the applicants in the OA filed before the Hon'ble NGT.	<p>discharge of water in the nallah whereas the fact that came to light during the Joint Committee visit is that the water is being provided to the farmers and not discharged to the nallah.</p> <ul style="list-style-type: none"> <li>• The said observation has been recorded in the Joint Committee Report at paragraph no. 5.0 (xix).</li> </ul>	
6.	5.0 (xviii)	<ul style="list-style-type: none"> <li>• Analysis result of the source emission sample collected from the common stack attached to 32 TPH bagasse fired boilers on 14/12/2023 reveals that the concentration of monitored parameter i.e. PM is found to be exceeding the MPCB prescribed standards PM: 158 &gt; 150 mg/Nm<sup>3</sup>. Also, the based on the past surveillance inspection carried-out by MPCB, source emission sample collected from the common stack attached to 32 TPH bagasse fired boilers reveals that the</li> </ul>	<p>The Respondent states that the Respondent has already installed Wet Scrubbers in compliance with the conditions of the Consent to Operate dated 28/11/2022. Further, deviations, if any, in the readings of the emissions exceed the MPCB prescribed standards by only 3-8mg/Nm<sup>3</sup>. The Respondent states that the said deviation is not glaring and the Respondent is taking steps to curtail the same and bring the emission within the consent limits.</p>	<ul style="list-style-type: none"> <li>• The joint committee wants to reiterates the conditions stipulated in the consent to operate (CTO) as per S. no. 2 (2) of Schedule-II: Terms &amp; conditions for compliance of Air Pollution Control of earlier CTO, dated 28/11/2022 and as per the present CTO, dated 09/12/2023. Relevant paragraph of the CTO dated 28/11/2022 &amp; 09/12/2023 is reproduced as "...<i>The applicant shall operate and maintain above mentioned air pollution control system, so as to achieve the level of pollutants to the following standards...</i>" i.e. the concentration of the particulate matter not be exceeded 150 mg/Nm<sup>3</sup>. Copies of the CTO, dated 28/11/2022 and 09/12/2023 is given at <b>Annexure-4 &amp; 5</b> respectively.</li> <li>• As per the joint committee inspection, dated 14/12/2023 and past MPCB inspections dated 07/01/2023 &amp; 23/11/2023, it is matter of fact &amp; record that the Respondent no. 1 was found non-complied w.r.t. discharge of source emission more than the prescribed standards for PM.</li> <li>• It is matter of fact &amp; record that several agricultural fields are situated within close proximity of the boundary of Respondent no.1. Such deposition of fly ash is observed by the joint committee during its inspection and also reported in its report dated 01/02/2024 (Kindly</li> </ul>

		<p>concentration of monitored parameter i.e. PM is found to be exceeding the MPCB prescribed standards PM: 163 &amp; 153 &gt; 150 mg/Nm<sup>3</sup> during 07/01/2023 &amp; 23/11/2023.</p>		<p>refer photographs at page no. 15 to 25). Further, the joint committee wants to reiterates the observations &amp; findings made at S. no. xiv of Section 5.0 of the joint committee report, dated 01/02/2024 and the same is reproduced as “...<i>The joint committee visited and carried-out inspection of all agricultural fields of the applicants in association with the representatives of the applicants. It is pertinent to observe that the crops grown (viz. cotton, jowar, ground nut and animal fodder etc.) on all the agricultural fields have been deposited with soot particles &amp; or bagasse particles, which is being emitted from the stack (majority in downwind &amp; cross wind directions)</i>...”</p> <ul style="list-style-type: none"> <li>• In view of the above, the Respondent no.1 is obligated to comply with the source emission discharge standards as per said clause of CTO, dated 28/11/2022 &amp; 09/12/2023. Also, the Respondent no. 1 cannot take excuse by quoting that the source emission sample is exceeding marginally.</li> </ul>
7.	6.0 (e)	<ul style="list-style-type: none"> <li>• Non installation of condensate polishing unit (CPU) for treatment of process condensate as required under the Terms &amp; conditions for compliance of Water Pollution Control of CTO, dated 28/11/2022 issued under the Water (Prevention and Control of Pollution) Act, 1974 i.e. contravention of CTO conditions.</li> </ul>	<ul style="list-style-type: none"> <li>• The Respondent states that at the time of purchasing the said factory, the Respondent conducted an independent survey of the condition of the factory and the machinery installed therein. The Respondent states that vide Letter dated 10/11/2023 bearing No. 78/2023-2024 issued by Shree Enviro Tech, the Respondent was informed that since the factory had Low Pressure Boilers (32 TPH x 2), the factory did not need a Condensate Polishing Unit</li> </ul>	<ul style="list-style-type: none"> <li>• The joint committee wants to reiterates the conditions stipulated in the consent to operate (CTO) as per S. no. 1 (B) of Schedule-I: Terms &amp; conditions for compliance of Water Pollution Control of earlier CTO, dated 28/11/2022 and as per the present CTO, dated 09/12/2023. Relevant paragraph of the CTO dated 28/11/2022 &amp; 09/12/2023 is reproduced as “...<i>Industry shall provide CPU for recycle/reuse of treated effluent</i>...” Copies of the CTO, dated 28/11/2022 and 09/12/2023 is given at <b>Annexure-4 &amp; 5</b> respectively.</li> <li>• Nevertheless, it is worth to mention that the Respondent no. 1 is misinterpreting the installation of condensate polishing unit (CPU) for the treatment of condensate generated from the boilers. Whereas, the said CPU is meant for treatment &amp; reuse of excess/process condensate generated from the process not from the ancillary/utility section i.e. from boilers.</li> </ul>

			<p>(CPU) to be installed as all the condensate generated is recycled and utilized for various processes carried out within the factory.</p> <ul style="list-style-type: none"> <li>• It is pertinent to note that in such an event, if a CPU is installed, the same would remain idle and not in use and would incur unnecessary expenditure in maintenance of the same.</li> </ul>	<ul style="list-style-type: none"> <li>• Further, joint committee wants to reiterates the conditions stipulated in the consent to operate (CTO) as per S. no. 1 (F) of Schedule-I: Terms &amp; conditions for compliance of Water Pollution Control of earlier CTO, dated 28/11/2022 and as per the present CTO, dated 09/12/2023. Relevant paragraph of the CTO dated 28/11/2022 &amp; 09/12/2023 is reproduced as “...<i>Trade effluent of 0.00 CMD generated from Co-gen shall be 100% recycle in process...</i>” i.e. the trade effluent generated from co-gen i.e. condensate/blowdown streams from the boilers shall be recycled in the process. Copies of the CTO, dated 28/11/2022 and 09/12/2023 is given at <b>Annexure-4 &amp; 5</b> respectively.</li> <li>• In view of the above, the Respondent no. 1 is found non-complied since taking over of the industry during December, 2022 w.r.t. non-installation of CPU as per the conditions stipulated in the consent to operate (CTO) as per S. no. 1 (B) of Schedule-I: Terms &amp; conditions for compliance of Water Pollution Control of earlier CTO, dated 28/11/2022 and as per the present CTO, dated 09/12/2023.</li> </ul>
8.	<ul style="list-style-type: none"> <li>• 6.0, Table 9, S. No. 01</li> <li>• Below Table 9 – Point (a)</li> </ul>	<ul style="list-style-type: none"> <li>• Period of Violation – 01/11/2023 (as per cane crushing data, industry started manufacturing activities). Total No. of days of Violation – 39</li> <li>• Environmental compensation w.r.t. s. no. 1, as above; as damages for contravening provisions under the Water (Prevention and Control of Pollution) Act, 1974 and the Air</li> </ul>	<ul style="list-style-type: none"> <li>• The Respondent states that the Respondent did not commence cane crushing on 01/11/2023. The Respondent had conducted trials and tests of various new machineries installed from 01/11/2023 till 09/11/2023. Therefore, the total number of days of violation is not 39.</li> </ul>	<ul style="list-style-type: none"> <li>• The joint committee wants to reiterates the remarks made at S. no. 1, as above.</li> <li>• Nevertheless, it is worth to mention that the Respondent no. 1 has resumed manufacturing activities i.e. conducted trials and tests of various new machineries installed during 01/11/2023 to 09/11/2023, without obtaining mandatory CTO from MPCB.</li> <li>• As per S. no. 26 of Schedule-IV: General Conditions of the earlier CTO, dated 28/11/2022, the Respondent no. 1 has to make an application to MPCB for renewal of the consent at least 60 days before the date of the expiry of the previous consent. Copy of the CTO, dated 28/11/2022 is given at <b>Annexure-4</b>. It is observed that the Respondent no. 1 made an application to MPCB for renewal of existing CTO on 24/07/2023.</li> </ul>

		(Prevention and Control of Pollution) Act, 1981 i.e. operating without obtaining CTO from MPCB is worked out to be Rs. 11,70,000/- (Rupees Eleven Lakhs Seventy Thousand Only).		<ul style="list-style-type: none"> <li>In view of the above, the joint committee wants to reiterates the recommendations in respect of period of violation and associated environmental compensation of Rs. 11,70,000/- (Rupees Eleven Lakhs Seventy Thousand Only) as damages for contravening provisions under the Water (Prevention and Control of Pollution) Act, 1974 and the Air (Prevention and Control of Pollution) Act, 1981 i.e. operating without obtaining CTO from MPCB.</li> </ul>
9.	<ul style="list-style-type: none"> <li>6.0, Table 9, S. No. 02 &amp; 03</li> <li>Below Table 9 – Point (a)</li> </ul>	<ul style="list-style-type: none"> <li>Continued manufacturing activities during last cane crushing season &amp; present cane crushing season without installation of CPU (as per S. no. 1 (B) of Schedule-I: Terms &amp; conditions for compliance of Water Pollution Control of earlier CTO, dated 28/11/2022).</li> <li>Environmental compensation w.r.t. s. no. 2 &amp; 3, as above; as damages for contravening mandatory CTO conditions i.e. continued operation without installing CPU since last cane crushing season till present cane crushing season is worked out to be Rs. 46,50,000/-</li> </ul>	<ul style="list-style-type: none"> <li>The respondent states that the time of purchasing the said factory, the respondent conducted as independent survey of the condition of the factory and the machinery installed therein. The respondent states that vide letter date 10/11/2023 bearing no. 78/2023-2024 issued by Shree Enviro Tech, the respondent was informed that since the factory had Low pressure Boilers (32 TPH x 2), the factory did not need CPU to be installed as all the condensate generated is recycled and utilized for various processes carried out within factory.</li> <li>It is pertinent to note that in such event if a CPU is installed the same would</li> </ul>	<ul style="list-style-type: none"> <li>The joint committee wants to reiterates the remarks made at S. no. 7, as above.</li> <li>In view of the above, the joint committee wants to reiterates the recommendations in respect of period of violation and associated environmental compensation of Rs. 46,50,000/- (Rupees Forty-Six Lakhs Fifty Thousand Only) as damages for contravening mandatory CTO conditions i.e. continued operation without installing CPU since last cane crushing season till present cane crushing season (as per S. no. 1 (B) of Schedule-I: Terms &amp; conditions for compliance of Water Pollution Control of earlier CTO, dated 28/11/2022 and as per the present CTO, dated 09/12/2023).</li> </ul>

		(Rupees Forty-six Lakhs fifty thousand only)	remain idle and not in use and would incur unnecessary expenditure in maintenance of the same.	
10.	<ul style="list-style-type: none"> <li>• 6.0, Table 9, S. No. 6 &amp; 7</li> <li>• Below Table 9 – Point (d)</li> </ul>	<ul style="list-style-type: none"> <li>• Discharge of emission from stack more than the prescribed emission standards.</li> <li>• Environmental compensation w.r.t. s. no. 6 &amp; 7, as above; for emission from stack more than the prescribed discharge standards is worked out to be Rs. 11,10,000/- (Rupees Eleven Lakhs Ten Thousand Only);</li> </ul>	<ul style="list-style-type: none"> <li>• The Respondent has installed Wet Scrubbers in compliance with the conditions of the Consent to Operate 28/11/2022. The same function with efficiency of 90%. The respondent therefor cannot be made liable to pay damages if it has installed machinery as prescribed under Consent to Operate 28/11/2022 and therefore, deviations if any cannot be attributed to the respondent.</li> </ul>	<ul style="list-style-type: none"> <li>• The joint committee wants to reiterates the remarks made at S. no. 6, as above.</li> <li>• In view of the above, the joint committee wants to reiterates the recommendations in respect of period of violation and associated environmental compensation of Rs. 11,10,000/- (Rupees Eleven Lakhs Ten Thousand Only) for emission from stack more than the prescribed discharge standards.</li> </ul>
11	<ul style="list-style-type: none"> <li>• 6.0, Table 9, S. No. 9</li> </ul>	<p>Accidental discharge into environment (into nalah), overflow of spray pond effluent &amp; condensate into environment (into nalah which further meets the Godavari River). The industry was repeatedly found non-compliant w.r.t. accidental discharge of effluent, spray pond</p>	<ul style="list-style-type: none"> <li>• The Respondent did not commence cane crushing on 01/11/2023. The Respondent had conducted trials and tests of various new machineries installed from 01/11/2023 till 09/11/2023. Thereafter, it has been observed by the Joint Committee that till date of joint committee inspection no such instances of</li> </ul>	<ul style="list-style-type: none"> <li>• W.r.t. recommendations in respect of period of violation and associated environmental compensation of Rs. 27,60,000/- (Rupees Twenty-Seven Lakhs Sixty Thousand Only) for accidental discharge of effluent/spray pond effluent into environment, the joint committee submits as below:               <ul style="list-style-type: none"> <li>i. Based on the past MPCB inspections dated 17/01/2023 &amp; 21/11/2023, it is matter of fact &amp; record that the Respondent no. 1 was repeatedly found non-compliant w.r.t. accidental discharge of effluent, spray pond effluent &amp; condensate outside the industry premises. Further, the joint committee wants to reiterates the observations &amp; findings made at S. no. xx &amp; Table-8 of Section 5.0 of the joint committee report, dated 01/02/2024 wherein the MPCB</li> </ul> </li> </ul>

	<ul style="list-style-type: none"> <li>• Below Table 9 – Point (e)</li> </ul>	<p>effluent &amp; condensate during Jan, 23; Nov, 23.</p> <ul style="list-style-type: none"> <li>• Environmental compensation w.r.t. s. no. 8 &amp; 9, as above; as damages for accidental discharge of effluent/spray pond effluent into environment (into nalah) is worked-out to be Rs. 27,60,000/- (Rupees Twenty-Seven Lakhs Sixty Thousand Only).</li> </ul>	<p>overflow &amp; spray pond effluent were observed.</p> <ul style="list-style-type: none"> <li>• Further the JVS reports from 25/01/2023, 27/01/2023, 02/02/2023 and 06/02/2023 all reveal the emissions and effluents to be within consent limits. Therefore, it cannot be said that industry was repeatedly found non-compliant w.r.t. accidental discharge of effluent, spray pond effluent &amp; condensate during January 2023.</li> </ul>	<p>has issued 04 no. of directions u/s 33A of the Water (Prevention and Control of Pollution) Act, 1974 to the Respondent no.1 for the aforesaid reported non-compliances.</p> <ul style="list-style-type: none"> <li>ii. The period of violation in estimation of environmental compensation amount, as specified in the Section 6.0 of the joint committee report is calculated as “...<i>N</i> = Number of days of violation took place for which violation took place is the period between the day of violation observed and the day of compliance verified by CPCB/SPCB...”</li> <li>iii. Considering the period when default/non-compliance is to be considered for assessing environmental compensation, the period of default/non-compliance has been taken into account from the day when the Respondent no. 1 was found discharged effluent more than the prescribed discharge standards; and accidental discharge of effluent into environment (into nalah); overflow of spray pond effluent &amp; condensate into environment (into nalah, which further meets Godavari River) till the day when the Respondent no.1 was found complied i.e. till the day of compliance verified by CPCB/SPCB.</li> <li>iv. In view of the above, assessment on revised period of violation and associated environmental compensation of Rs. 21,60,000/- (Rupees Twenty-One Lakhs Sixty Thousand Only) for accidental discharge of effluent/spray pond effluent into environment is depicted in the <b>Sub-Table-1</b>.</li> <li>v. Whereas, the joint committee wants to reiterates the assessment on period of violation and associated environmental compensation amount for remaining violations/non-compliances, as applicable on the Respondent no. as per its report, dated 01/02/2024. Hence, the revised total environmental compensation as applicable on the Respondent no. 1 by considering the S. no. iv, as above is depicted in the <b>Sub-Table-2</b>.</li> </ul>
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# 1022

**Sub-Table-1: Assessment on revised period of violation and associated environmental compensation for accidental discharge of effluent/spray pond effluent into environment.**

<b>S. no.</b>	<b>Period of violation</b>		<b>Total no. of days of violation</b>	<b>Remarks</b>	<b>Revised EC in Rupees</b>
8.	18/01/2023: starting day of violation by the Respondent no. 1. i.e. non-compliance observed by MPCB during its inspection w.r.t. accidental discharge of effluent into environment.	05/03/2023: ending day of non-compliance i.e. the end of manufacturing activities, as per RT8C final manufacturing report for the season 2022-23 submitted to Sugar Commissionerate, is presumed as the day of compliance verified by SPCB/ending day of non-compliance, as there is no specific day of compliance reported by MPCB.	47	Accidental discharge of effluent into environment (into nalah); overflow of spray pond effluent & condensate into environment (into nalah, which further meets Godavari River). The industry was repeatedly found non-complied w.r.t. accidental discharge of effluent, spray pond effluent & condensate during Jan, 23; Nov, 23.	14,10,000
9.	21/11/2023: starting day of violation by the Respondent no. 1. i.e. non-compliance observed by MPCB during its inspection w.r.t. accidental discharge of effluent into environment.	15/12/2023: ending day of non-compliance i.e. till date of joint committee inspection – no such instances of overflow of effluent & spray pond effluent was observed during the joint committee inspection.	25		7,50,000
<b>Revised environmental compensation in Rupees</b>					<b>21,60,000</b>

# 1023

**Sub-Table-2: Assessment on total revised environmental compensation.**

<b>S. no.</b>	<b>Period of violation</b>		<b>Total no. of days of violation</b>	<b>Remarks</b>	<b>EC in Rupees</b>
1.	01/11/2023 (as per cane crushing data, industry started its manufacturing activities i.e. pre-preparatory activities started in respect of trial & testing activities including cleaning/maintenance of process equipment/reactors).	09/12/2023 (CTO granted by MPCB on 09/12/2023)	39	Resuming manufacturing activities without obtaining mandatory CTO from MPCB (as per S. no. 26 of Schedule-IV: General Conditions of the earlier CTO, dated 28/11/2022 i.e. the industry has to make an application to MPCB for renewal of the consent at least 60 days before the date of the expiry of the consent. It is observed that the industry made an application to MPCB for renewal of existing CTO on 24/07/2023)	11,70,000
2.	16/11/2022 (as per RT8C final manufacturing report for the season 2022-23 submitted to Sugar Commissionerate)	05/03/2023 (as per RT8C final manufacturing report for the season 2022-23 submitted to Sugar Commissionerate)	110	Continued manufacturing activities during last cane crushing season & present cane crushing season without installation of CPU (as per S. no. 1 (B) of Schedule-I: Terms & conditions for compliance of Water Pollution Control of earlier CTO, dated 28/11/2022)	33,00,000
3.	01/11/2023 (as per cane crushing data, industry started its manufacturing activities i.e. pre-preparatory activities started in respect of trial & testing activities including cleaning/maintenance of process equipment/reactors).	15/12/2023 (till date of joint committee inspection – as on date the industry has not installed CPU)	45		13,50,000
4.	30/11/2022 (non-compliance observed by MPCB based on their surveillance inspection carried-out)	18/01/2023 (compliance observed by MPCB based on their surveillance inspection carried-out)	50	Discharge of effluent from ETP more than the prescribed discharge standards. The industry was repeatedly found non-complied w.r.t. discharge of effluent (for parameters: SS; BOD; COD) more than the prescribed	15,00,000
5.	21/11/2023 (non-compliance observed by MPCB based on their surveillance inspection carried-out)	15/12/2023 (compliance observed by joint committee)	25		7,50,000

# 1024

				standards during Nov, 22; Dec, 22; Jan, 23 & Nov, 23 respectively.	
6.	07/01/2023 (non-compliance observed by MPCB based on their surveillance inspection carried-out)	18/01/2023 (compliance observed by MPCB based on their surveillance inspection carried-out)	12	Discharge of emission from stack more than the prescribed emission standards	3,60,000
7.	21/11/2023 (non-compliance observed by MPCB based on their surveillance inspection carried-out)	15/12/2023 (compliance observed by joint committee)	25		7,50,000
8.	18/01/2023: starting day of violation by the Respondent no. 1. i.e. non-compliance observed by MPCB during its inspection w.r.t. accidental discharge of effluent into environment	05/03/2023: ending day of non-compliance i.e. the end of manufacturing activities, as per RT8C final manufacturing report for the season 2022-23 submitted to Sugar Commissionerate, is presumed as the day of compliance verified by SPCB/ending day of non-compliance, as there is no specific day of compliance reported by MPCB.	47	Accidental discharge of effluent into environment (into nalah); overflow of spray pond effluent & condensate into environment (into nalah, which further meets Godavari River). The industry was repeatedly found non-complied w.r.t. accidental discharge of effluent, spray pond effluent & condensate during Jan, 23; Nov, 23.	14,10,000
9.	21/11/2023: starting day of violation by the Respondent no. 1. i.e. non-compliance observed by MPCB during its inspection w.r.t. accidental discharge of effluent into environment	15/12/2023: ending day of non-compliance i.e. till date of joint committee inspection – no such instances of overflow of effluent & spray pond effluent was observed.	25		7,50,000
<b>Total revised period of violation (N), days and total revised environmental compensation in Rupees</b>				<b>378</b>	<b>1,13,40,000</b>

**Based on above:**

- a. Environmental compensation w.r.t. s. no. 1 of Sub-Table-2, as above; as damages for contravening provisions under the Water (Prevention and Control of Pollution) Act, 1974 and the Air (Prevention and Control of Pollution) Act, 1981 i.e. operating without obtaining CTO from MPCB is worked out to be Rs. 11,70,000/- (Rupees Eleven Lakhs Seventy Thousand Only);
- b. Environmental compensation w.r.t. s. no. 2 & 3 of Sub-Table-2, as above; as damages for contravening mandatory CTO conditions i.e. continued operation without installing CPU since last cane crushing season till present cane crushing season (as per S. no. 1 (B) of Schedule-I: Terms & conditions for compliance of Water Pollution Control of earlier CTO, dated 28/11/2022 & present CTO, dated 09/12/2023) is worked out to be Rs. 46,50,000/- (Rupees Forty-Six Lakhs Fifty Thousand Only);
- c. Environmental compensation w.r.t. s. no. 4 & 5 of Sub-Table-2, as above; for discharge of effluent from ETP more than the prescribed discharge standards is worked out to be Rs. 22,50,000/- (Rupees Twenty-Two Lakhs Fifty Thousand Only);
- d. Environmental compensation w.r.t. s. no. 6 & 7 of Sub-Table-2, as above; for emission from stack more than the prescribed discharge standards is worked out to be Rs. 11,10,000/- (Rupees Eleven Lakhs Ten Thousand Only);
- e. Environmental compensation w.r.t. s. no. 8 & 9 of Sub-Table-2, as above; as damages for accidental discharge of effluent/spray pond effluent into environment (into nalah) is worked-out to be Rs. 21,60,000/- (Rupees Twenty-One Lakhs Sixty Thousand Only).

Therefore, total revised environmental compensation as applicable on the Respondent no.1 for contravening mandatory provisions of environmental laws (operating without CTO, as required under the Water & Air Acts); contravention of mandatory CTO conditions (continued operation without installing CPU); discharge of effluent & emission more than the prescribed standards; and accidental discharge/disposal of effluent/spray pond effluent into the environment is worked out to be Rs. 1,13,40,000 /- (Rupees One Crore Thirteen Lakhs Forty Thousand Only).



(Nishchal C.)  
Scientist 'E'  
CPCB, RD-Pune



(Shankar Kendule)  
Sub-Regional  
Officer, MPCB,  
Nanded



(Abhijeet Raut)  
District Collector,  
Nanded



(Bhausaheb  
Barhate),  
District  
Superintendent  
Agriculture Officer,  
Nanded

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Item No.4

(Pune Bench)

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

THROUGH PHYSICAL HEARING (WITH HYBRID OPTION)

**Original Application No.113/2023(WZ)**

Shri Kapil Baliram Bomnale &amp; Ors.

.....Applicant(s)

*Versus*Director, M/s Twenty-One Sakahar Karkhana  
Unit No.3 & Ors.

....Respondent(s)

Date of hearing: 22.04.2024

**CORAM: HON'BLE MR. JUSTICE DINESH KUMAR SINGH, JUDICIAL MEMBER  
HON'BLE DR. VIJAY KULKARNI, EXPERT MEMBER**

Applicant : Mr. Dattatray Devale, Advocate  
Respondent(s) : Mr. Gautam Karnik, Advocate i/b  
Ms. Niyati Shah, Advocate along-with  
Mr. Abhishek Chitnis, Advocate for R-1/PP  
Mr. Vilas Jadhav, Advocate for R-2 & 3/MPCB  
Mr. Aniruddh Kulkarni, Advocate for R-5/Env. Deptt.

**ORDER**

1. From the side of the applicants, learned counsel Mr. Dattatray Devale has appeared.
2. In compliance with our previous order dated 05.02.2024, the learned counsel for applicants has filed Form No.II, which is annexed at page nos.920 to 1006 of the paper book, wherein it is submitted that the applicants and their family members have suffered loss for agricultural crops to the tune of Rs.2,12,85,078/- (Two Crores Twelve Lakhs Eighty Five Thousands and Seventy-Eight Rupees), each farmer-wise details of which are mentioned in tabular form in Annexure-A and that necessary court fees of Rs.1,93,956/- has also been paid by D.D., a copy of which is also annexed at page no.999 of the paper book.
3. From the side of respondent No.1- Project Proponent, composite objections along-with reply affidavit dated 20.04.2024 has been filed

before us in the form of hard copy, which also contains the reply to the Form No.II.

4. The main objection, with respect to the amount being claimed by the applicants by way of personal compensation, is being disputed by the learned counsel for respondent No.1 on the ground that the same has not been substantiated or supported with any documentary evidence. Not a single document has been produced in support of the details given by them in tabular form, regarding the loss caused to their respective crops. The applicants have produced only 7/12 extracts of the respective lands along-with their rejoinder affidavit to the reply filed by the respondent No.1, which merely show the area under cultivation of the crops that are being cultivated thereon. But they have not filed any documents to show as to how much of their produce from such cultivation was actually sold and at what rate, the same was sold. They have also failed to provide the source of the data collected in the said statement and hence they have not come before this Tribunal with clean hands.

5. With respect to the Joint Committee Report, the main emphasis has been laid by the respondent No.1 on the amount, which has been proposed by the Joint Committee to be levied by way of environmental compensation, by mentioning that three amounts, which are proposed to be levied, i.e. of Rs.46,50,000/- (Rs. Forty-Six Lakhs Fifty Thousands Only) at point no.9, annexed at page no.1016 of the paper book; Rs.11,10,000/- (Rupees eleven Lakhs Ten Thousands Only) at point no.10; and Rs.27,60,000/- (Rupees Twenty Seven Lakhs Sixty Thousand Only) at point no.11, are incorrect and the grounds, on which the same are being said to be incorrect, have also given therein. Not only this, the entire Joint Committee Report has been opposed on various counts by the respondent No.1. Therefore, we deem it appropriate that a copy of this objection submitted by the respondent No.1 shall be served upon the

Joint Committee by the Registry, with a direction to the Committee that they will go through the entire objections raised by the respondent No.1 in respect of the recommendation of the Joint Committee and after having studied them, the Committee will submit their opinion for the same within a period of one month for final consideration before us.

6. The learned counsel for respondent No.1 has pointed out that following persons are not impleaded as respondents in the present Original Application by the learned counsel for applicants:-

“

Sr. No.	Name of Non-Applicant	GAT No.	Amount claimed (in Rs.)
1.	Smt. Sarjabai Shesherao Bomnale	556	6,17,200/-
2.	Mrs. Sarasvatibai Madhavrao Bomnale	552	5,34,900/-
3.	Mrs. Laxmibai Vyankati Bhalke	337/449	9,09,500/-
4.	Mrs. Svati Bharat Jamge	330	8,22,500/-
5.	Mrs. Dwarkabai Shrirang Jamge	311	7,68,000/-
6.	Mrs. Gangabai Damodhar Jamge	304	16,90,400/-
Total			53,42,500/-

”

7. To the above, the learned counsel for applicants replied by saying that the above-named persons are wives/family members of the persons, who have already been made parties in the present Original Application by him. But for the sake of convenience, we direct the learned counsel for applicants to implead above-named persons also as respondent No.25 onwards in the present Original Application, by moving an application in array of the parties of the present Original Application may accordingly be amended and a copy of the same shall be served upon all other parties.

8. In order to verify whether the amount, which is being claimed by the appellants by way of personal compensation in Form No.II, has been

correctly assessed, we deem it appropriate to constitute another Committee comprising one Member each of the District Collector, Nanded; and District Agricultural Officer, Nanded. We further direct that this Committee may take help of any other competent person, if required, 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.

9. We further direct that the applicants shall provide all the documentary evidence before the said Committee, such as receipts of purchase of crops; rates of the same on which the same has been purchased/sold; and the revenue record etc.

10. We also direct that the representative of the respondent No.1 shall be present during the hearing, which would be given by the said Committee and the said Committee shall submit its report within a period of two months from the date of uploading of this order.

11. A copy of the order be communicated to the above-mentioned Committee forthwith for compliance.

Put up this matter for further consideration on 20.08.2024

Dinesh Kumar Singh, JM

Dr. Vijay Kulkarni, EM

April 22, 2024  
Original Application No.113/2023(WZ)  
P.Kr

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**Re: Information in the Hon'ble NGT matter in OA no. 113 of 2023 - reg.**

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**From :** onlincecems support  
<onlincecems.support@mpcb.gov.in>

Mon, Jan 15, 2024 09:25 AM

 2 attachments

**Subject :** Re: Information in the Hon'ble NGT matter in OA no. 113 of 2023 - reg.

**To :** sronanded@mpcb.gov.in

**Cc :** NISHCHAL C <nischal.cpcb@nic.in>,  
roarangabad@mpcb.gov.in, lo@mpcb.gov.in, ravindra  
kshirsagar <ravindra.kshirsagar@mpcb.gov.in>

Dear Sir,

As requested, please find attached OCEMS data **of M/S. Twentyone Sugars Ltd (Unit iii) (Formerly Known As M/S Dharashiv Sakhar Karkhana Unit iii)** for your reference.

---

**From:** SRO Nanded <sronanded@mpcb.gov.in>

**Sent:** Friday, January 12, 2024 5:23 PM

**To:** Onlincecems Support <onlincecems.support@mpcb.gov.in>

**Cc:** NISHCHAL C <nischal.cpcb@nic.in>; RO Aurangabad <roarangabad@mpcb.gov.in>; Netra Chaphekar <lo@mpcb.gov.in>

**Subject:** Information in the Hon'ble NGT matter in OA no. 113 of 2023 - reg.

Sir,

It is requested to make suitable arrangements to provide OCEMS data for effluent & emission of the industry w.e.f. **16/11/2022 to 05/03/2023** (last crushing season) and w.e.f. **01/11/2023 to 15/12/2023** (present crushing season) in separate excel format of M/s Dharashiv sakahar karkhana Unit -III ( operating by M/s. Twenty one Sakahar karkhana unit No. 3 Shivani Jamga Tal loha Dist Nanded

**Regards,**

***Shankar S Kendule***

**Sub-Regional Officer,**

**Maharashtra Pollution Control Board, Nanded**

***J "SAVE PAPER"-THINK BEFORE YOU PRINT!***

***POWER BEHIND ENVIRONMENT...M.P.C.B.***

---

**From:** SRO Nanded <sronanded@mpcb.gov.in>

**Sent:** Tuesday, January 9, 2024 3:17 PM

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**From:** NISHCHAL C <nischal.cpcb@nic.in>  
**Sent:** Friday, January 12, 2024 3:20:03 PM  
**To:** SRO Nanded <sronanded@mpcb.gov.in>  
**Cc:** RO Aurangabad <roaurangabad@mpcb.gov.in>; Netra Chaphekar <lo@mpcb.gov.in>  
**Subject:** Fwd: Information in the Hon'ble NGT matter in OA no. 113 of 2023 - reg.

Sir,

This has reference & in continuation to the trailing email communication. It is requested to make suitable arrangements to provide OCEMS data for effluent & emission of the industry w.e.f. **16/11/2022 to 05/03/2023** (last crushing season) and w.e.f. **01/11/2023 to 15/12/2023** (present crushing season) in separate excel format.

Regards,

Nishchal C.

Senior Environmental Engineer

Mob: +91 97220 17220

Central Pollution Control Board, Regional Directorate - Pune, Maharashtra  
(Ministry of Environment, Forest & Climate Change, Govt. of India)

---

**From:** sronanded@mpcb.gov.in  
**To:** "NISHCHAL C" <nischal.cpcb@nic.in>  
**Cc:** lo@mpcb.gov.in, lo1@mpcb.gov.in, roaurangabad@mpcb.gov.in, "ravindra kshirsagar" <ravindra.kshirsagar@mpcb.gov.in>  
**Sent:** Tuesday, January 9, 2024 5:51:55 PM  
**Subject:** Information in the Hon'ble NGT matter in OA no. 113 of 2023 - reg.

Sir/Madam

In continuation of earlier mail regarding results of M/s Twenty-One Sakahar Karkhana Unit No. 3, Shivani Jamga, Tq. Loha Dist. Nanded.

Regards,

**Shankar S Kendule**

**Sub-Regional Officer,**

**Maharashtra Pollution Control Board, Nanded**

**J "SAVE PAPER"-THINK BEFORE YOU PRINT!**

**POWER BEHIND ENVIRONMENT...M.P.C.B.**

---

**From:** SRO Nanded <sronanded@mpcb.gov.in>  
**Sent:** Tuesday, January 9, 2024 3:17 PM  
**To:** NISHCHAL C <nischal.cpcb@nic.in>  
**Cc:** RO Aurangabad <roaurangabad@mpcb.gov.in>; Netra Chaphekar <lo@mpcb.gov.in>; Smita Madhav Khatavkar <lo1@mpcb.gov.in>  
**Subject:** Information in the Hon'ble NGT matter in OA no. 113 of 2023 - reg.

Sir,

Please find enclosed herewith asked information in training mail

This is submitted for information and further necessary action.

**Regards,**  
**Shankar S Kendule**  
**Sub-Regional Officer,**  
**Maharashtra Pollution Control Board, Nanded**  
**J "SAVE PAPER"-THINK BEFORE YOU PRINT!**  
**POWER BEHIND ENVIRONMENT...M.P.C.B.**

---

**From:** NISHCHAL C <nischal.cpcb@nic.in>  
**Sent:** Monday, January 8, 2024 7:59 PM  
**To:** SRO Nanded <sronanded@mpcb.gov.in>  
**Cc:** RO Aurangabad <roaurangabad@mpcb.gov.in>; Netra Chaphekar <lo@mpcb.gov.in>  
**Subject:** Information in the Hon'ble NGT matter in OA no. 113 of 2023 - reg.

Sir,

This has reference to the joint committee inspection carried-out in compliance to the Hon'ble NGT matter in OA no. 113 of 2023 (WZ), Shri Kapil Baliram Bomnale & Ors Vs Director, M/s Twenty-One Sakahar Karkhana Unit No. 3 & Ors. In this regard, it is requested to provide the information on the following:

- RT 8 (C) report of the industry for last crushing season;
- Compiled list of directions issued by MPCB to the industry for the reported non-compliances of discharge/emission standards (tabular form-start date of violation/direction & compliance observed date/direction revocation date) during last crushing season till the Hon'ble NGT order dated 01/09/2023;
- Analysis results of effluent samples, surface water, ground water, ambient air and source emission - decoded results;
- Photographs along with coordinates of the alleged agricultural fields visited by the agriculture officer and analysis results of soil samples by the Agriculture Dept.;
- Report on compensation assessed by the Agriculture Dept., based on the applicable methodology i.e. for crop yield/crop damage etc.;

Regards,  
Nishchal C.  
Senior Environmental Engineer  
Mob: +91 97220 17220  
Central Pollution Control Board, Regional Directorate - Pune, Maharashtra  
(Ministry of Environment, Forest & Climate Change, Govt. of India)



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**Twentyone Sugars Ltd Unit iii 16NOV2022 to 05MAR2023 last crushing season.xlsx**  
14 KB

# 1033

**Twentyone Sugars Ltd Unit III 01NOV2023 to 15DEC2023 present crushing season.xlsx**



11 KB

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## Maharashtra Pollution Control Board

Site Name: M/s. Twentyone Sugars Ltd (Unit III) (Formerly known as M/s Dhurashiv Sakhar Karkhana Unit III)

From Date: 2023/11/01 To Date: 2023/12/15

Sl No.	Time	ETP-COD - (mg/l) Raw	ETP-BOD - (mg/l) Raw	ETP-TSS - (mg/l) Raw	ETP-pH - (pH) Raw	ETP-Flow - (m <sup>3</sup> /hr) Raw	BOILER_STACK-PM - (mg/Nm <sup>3</sup> ) Raw
1	2023-11-01	NA	NA	NA	NA	NA	NA
2	2023-11-02	NA	NA	NA	NA	NA	NA
3	2023-11-03	NA	NA	NA	NA	NA	12.05
4	2023-11-04	NA	NA	NA	NA	NA	10.15
5	2023-11-05	NA	NA	NA	NA	NA	10.1
6	2023-11-06	NA	NA	NA	NA	NA	10.57
7	2023-11-07	152.49	53.45	23.29	8.16	0	10
8	2023-11-08	141.92	50.13	22.21	8.12	0	10.6
9	2023-11-09	135.41	47.82	19.83	8.02	0	7.66
10	2023-11-10	117.46	41.49	18.55	7.82	0	7.57
11	2023-11-11	83.98	29.66	13.12	7.76	0	10.52
12	2023-11-12	85.18	30.1	13.03	7.76	0	10.7
13	2023-11-13	88.16	31.15	13.24	7.73	0	8.52
14	2023-11-14	118.83	41.98	16.78	7.39	0	6.98
15	2023-11-15	140.67	49.68	20.11	6.54	0	11.3
16	2023-11-16	88.16	31.13	9.67	6.18	0	12.04
17	2023-11-17	83.66	29.54	9.06	6.5	0	10.94
18	2023-11-18	114.88	40.55	12.89	6.78	0	13.14
19	2023-11-19	109.95	38.86	12.72	6.91	0	23
20	2023-11-20	117.85	41.65	13.93	7.16	0	25.39
21	2023-11-21	93.75	33.06	10.27	7.39	NA	24.28
22	2023-11-22	79.18	27.99	8.78	7.25	NA	25.66
23	2023-11-23	105.72	37.38	13.08	7.02	0.69	32.88
24	2023-11-24	115.76	40.95	14.68	7.24	0.45	42.55
25	2023-11-25	107.71	38.08	13.51	7.38	0	49.14
26	2023-11-26	103.12	36.46	13.14	7.48	1.93	39.06
27	2023-11-27	69.01	24.41	7.7	7.57	0.27	42.43
28	2023-11-28	45.59	16.13	4.27	7.53	0	53.9
29	2023-11-29	46	16.27	4.74	7.57	0.26	6.18
30	2023-11-30	43.26	15.3	3.65	7.62	0.13	0.19
31	2023-12-01	90.89	32.16	11.04	7.29	3.37	30.21
32	2023-12-02	183.46	64.89	29.99	7.33	0.98	30.44
33	2023-12-03	180.96	63.99	33.99	7.42	0.98	40.65
34	2023-12-04	190.34	67.33	35.91	7.52	1.03	34.66
35	2023-12-05	192.05	67.93	35.27	7.61	4.14	45
36	2023-12-06	108.83	38.51	17.83	7.38	2.22	36.11
37	2023-12-07	52.18	18.47	6.29	7.44	0	34.52
38	2023-12-08	129.3	45.77	16.39	7.11	3.24	35.87
39	2023-12-09	218.47	77.28	31.67	6.81	1.15	38.37
40	2023-12-10	181.91	63.9	25.55	7.03	2.33	43.35
41	2023-12-11	148.98	52.65	15.79	7.24	0	34.57
42	2023-12-12	146.73	51.84	14.55	7.34	0	31.94
43	2023-12-13	117.98	41.71	12.72	7.59	0	28.4
44	2023-12-14	40.16	14.18	3.64	7.73	0	22.04
45	2023-12-15	69.88	24.48	6.72	8	0	21.56

0

6

SPEED POST

B-29016/04/06/PCI-I/

5401

February 05, 2014

To

The Chairman  
All SPCBs/PCCs (as per list enclosed)

**SUB: DIRECTIONS UNDER SECTION 18(1)(b) OF THE WATER (PREVENTION & CONTROL OF POLLUTION) ACT, 1974 and THE AIR (PREVENTION & CONTROL OF POLLUTION) ACT, 1981 IN THE MATTER OF POLLUTION CONTROL IN 17 CATEGORY OF HIGHLY POLLUTING INDUSTRIES , CETPs AND COMMON HAZRDOUS WASTE & BIOMEDICAL WASTE INCINERATORS- REGARDING SELF MONITORING OF COMPLIANCE**

WHEREAS, under Section 17 of the Water (Prevention & Control of Pollution) Act, 1974, and under Section 17 of the Air (Prevention & Control of Pollution) Act, 1981, one of the function of the State Pollution Control Boards(SPCBs)/Pollution Control Committees(PCCs) is to plan a comprehensive programme for the prevention, control or abatement of pollution of streams, wells and air pollution in the State/Union territory and to secure the execution thereof; and

WHEREAS, under section 16 of the Water (Prevention and Control of Pollution) Act, 1974 and under Section 16 of the Air (Prevention & Control of Pollution) Act, 1981, one of the functions of the Central Pollution Control Board (CPCB), constituted under Water (Prevention and Control of Pollution) Act, 1974 is to coordinate activities of the State Pollution Control Boards and Pollution Control Committees and to provide technical assistance and guidance to SPCBs / PCCs; and

WHEREAS, the SPCBs and PCCs are empowered to stipulate standards for discharge of environmental pollutants for various categories of industries and common effluent treatment plants (CETPs) , Common Hazardous waste and Biomedical waste incinerators even more stringent than those notified by the Central Government, under the Environmental (Protection) Act, 1986 and rules framed there under; and

WHEREAS, Pharmaceuticals, Chlor Alkali, Fertilizers, Oil Refinery, Dye and dye intermediate, Pesticides, Petrochemical, Large Power plants, Cement, Aluminium, Zinc, Copper, Iron & steel, Large Pulp & paper, Distillery, Sugar and Tannery industries located in States/UTs have been discharging environmental pollutants directly or indirectly into the ambient air and water, which pose constant threat to cause adverse effect on the water and air quality ; and

WHEREAS, Common Hazardous waste and Biomedical waste incinerators and Common Effluent Treatment Plants(CETPs) located in States/UTs have been discharging environmental pollutants directly or indirectly into the ambient air and water; and

WHEREAS, the SPCBs and PCCs are also required to ensure installation and regular operation of the requisite pollution control facilities in the polluting industries; and

WHEREAS, there is need to inculcate habit of self monitoring mechanism within the industries for complying the prescribed standards and this can be achieved by the methods like installing online effluent and emission monitoring devices; and

WHEREAS, number of industries (as per list) under 17 category (Annexure-I) which are operating in the state/UT have been identified can be suitably directed for installation and commissioning of online monitoring systems (emission and or effluent); and

WHEREAS, number of Common Hazardous waste and Biomedical waste incinerators and CETPs operating in the state/UT (as per list) can also be considered for installation and commissioning of online monitoring systems (emission and or effluent);and

WHEREAS, for strengthening the monitoring and compliance through self regulatory mechanism ,online source and effluent monitoring systems need to be

installed and operated by the developers and the industries on 'polluter pays principle' ;and

WHEREAS, some of the SPCBs have already given specific conditions in consent to operate of 17 categories of highly polluting industries/ and Common Hazardous waste and Biomedical waste incinerators to install continuous emission and effluent monitoring systems; and

WHEREAS, it is envisaged in "National Environment Policy- 2006" that to strengthen the testing infrastructure and network for monitoring ambient environmental quality and progressively ensure real-time, and online availability of the monitoring data; and

WHEREAS, CPCB had earlier issued letter dated January 12,2011 to SPCBs /PCCs to direct all the 17 categories of highly polluting industries to install automatic air and water quality stations to monitor the ambient quality; and

WHEREAS ,it is becoming a need and necessity to regulate and minimize inspection of industries on routine basis and instead efforts need to be made to bring self discipline in the industries to exercise self monitoring & compliance and transmit data of effluent and emission compliance to SPCBs/PCCs and to CPCB on continuous basis; and

WHEREAS, there could be some time needed for getting such devices standardised and requiring confidence on data generated but needless to emphasize that efforts towards setting up to continuous monitoring devices is essential; and

WHEREAS, the ground truthing of the values indicated by the online devices need to be done before bringing them in public domain for proper interpretation and such measures need to be taken at the level of SPCBs/PCCs .And whereas for regulatory purposes and for purposes of actions to be taken against non complying industries /facilities, the existing methods of sampling,

analysis and related procedures under the existing statutes need to be continued; and

WHEREAS, SPCBs and PCCS have prescribed standards for various parameters as per the notified standards under Environment(Protection) Act,1986 and the State Boards may refer to the parameters which should be monitored by installing continuous effluent and emission monitoring devices(Annexure -II);and

Whereas, continuous effluent and emission monitoring devices can be installed in those industries which are continuously letting out effluents and emissions out of their premises: and

Now, therefore, in exercise of the powers conferred under Section 18 (1) (b) of the Water (Prevention & Control of Pollution) Act, 1974, and 18 (1) (b) of the Air (Prevention & Control of Pollution) Act, 1981 and keeping in view strengthening of the monitoring mechanism for effective compliance through self regulatory mechanism,you are directed to issue the following directions to all the industries under 17 categories of highly polluting industries, and CETPs, Common Hazardous waste and Biomedical waste incinerators:

- a. To Install online continuous Stack Emission Monitoring Systems (CSEMS) in 17 categories of highly polluting industries and in Common Hazardous waste and Biomedical waste incinerators for the parameters(industry/sector specific parameter) mentioned in the consent to operate/authorisation not later than by March 31,2015;
- b. To install online effluent quality monitoring system at the outlet of effluent treatment plants of the 17 category industries and in CETPs for the measurement of the parameters(industry/sector specific parameter) like flow, pH, COD, BOD, TSS and for other consented parameters as per the guidelines provided; not later than by March 31, 2015;
- c. To connect and upload the online emission and effluent monitoring data at SPCBs/PCCs and CPCB server in a time bound manner but not later than by March 31,2015;

- d. To ensure regular maintenance and operation of the online system with temper proof mechanism having facilities for online calibration;
- e. To submit bank guarantee of 25 % of the cost of online monitoring systems (emission and effluent whichever applicable) for ensuring timely installation of online monitoring systems within 90 days from the date of receipt of directions issued by SPCBs/PCCs to the industries;

The SPCB shall install the necessary software and hardware in their headquarter for centralized data collection, analysis and corrective action .The action taken report along with time bound action plan for each industry under the 17 category of industry and CETPs, Common Hazardous waste and Biomedical waste incinerators for installation of online monitoring systems (emission and or effluent) shall be submitted to the Central Pollution Control Board within 120 days from the date of receipt of these directions.

  
(Susheel Kumar)  
Chairman

**Copy to:**

1. The Advisor(CP Division)  
Ministry of Environment & Forests  
Paryavaran Bhawan  
CGO Complex, Lodi Road  
New Delhi - 110 003
2. I/C PCI-I,II,III and HWMD
3. All Zonal Officer ,CPCB
4. ✓ I/c IT Division, CPCB
5. I/c. ESS, CPCB

  
(Susheel Kumar)

## State/UT wise List of CETP/ Common Hazardous Waste and Bio medical Waste Incinerators

S. No.	State/ UT	CETP	Common Hazardous Waste incinerator	Bio medical waste incinerator	Total
1.	Andhra Pradesh	6	2	15	23
2.	Assam	-	-	5	5
3.	Bihar	-	-	2	2
4.	Chandigarh	-	-	1	1
5.	Chhattisgarh	-	-	6	6
6.	Daman & Diu and Dadra & Nagar Haveli	-	1	1	2
7.	Delhi	13	-	3	16
8.	Gujarat	27	5	13	45
9.	Haryana	13	1	7	21
10.	Himachal Pradesh	-	-	2	2
11.	J&K	1	-	2	3
12.	Jharkhand	-	-	1	1
13.	Karnataka	9	5	15	29
14.	Kerala	3	-	1	4
15.	Madhya Pradesh	1	1	15	17
16.	Maharashtra	27	3	34	64
17.	Meghalaya	-	-	1	1
18.	Odisha	-	-	6	6
19.	Puducherry	-	-	1	1
20.	Punjab	4	-	4	8
21.	Rajasthan	14	1	12	27
22.	Tamilnadu	49	1	10	60
23.	Tripura	-	-	1	1
24.	Uttarakhand	3	1	1	5
25.	Uttar Pradesh	4	3	13	20
26.	West Bengal	1	1	7	9
	<b>Total</b>	<b>175</b>	<b>25</b>	<b>179</b>	<b>379</b>

## Annexure-II

Sl No	Category	Effluent Parameters	Emission Parameters
1.	Aluminium	pH, BOD, COD, TSS	PM, Fluoride
2.	Cement	pH, BOD, COD, TSS	PM, NO <sub>x</sub> , SO <sub>2</sub>
3.	Distillery	pH, BOD, COD, TSS	PM
4.	Dye and dye intermediate	pH, BOD, COD, TSS, Cr	-
5.	Chlor Alkali	pH, BOD, COD, TSS	Cl <sub>2</sub> , HCl
6.	Fertilizers	pH, BOD, COD, TSS, Ammonia	PM, Fluoride, Ammonia
7.	Iron & steel	pH, BOD, COD, TSS	PM, SO <sub>2</sub>
8.	Oil refinery	pH, BOD, COD, TSS	PM, CO, NO <sub>x</sub> , SO <sub>2</sub>
9.	Petrochemical	pH, BOD, COD, TSS	PM, CO, NO <sub>x</sub> , SO <sub>2</sub> ,
10.	Pesticides	pH, BOD, COD, TSS, Cr, As	-
11.	Pharmaceuticals	pH, BOD, COD, TSS, Cr, As	-
12.	Power Plants	pH, BOD, COD, TSS	PM, NO <sub>x</sub> , SO <sub>2</sub>
13.	Pulp & paper	pH, BOD, COD, TSS, AO <sub>x</sub>	-
14.	Sugar	pH, BOD, COD, TSS	-
15.	Tannery	pH, BOD, COD, TSS	-
16.	Zinc	pH, BOD, COD, TSS	PM SO <sub>2</sub>
17.	Copper	pH, BOD, COD, TSS	PM SO <sub>2</sub>

Q

## List of SPCBs/ PCCs

Sl. No.	State/ UT
1.	The Chairman A.P. Pollution Control Board Paryavaran Bhawan Industrial Estate, Sanath Nagar Hyderabad – 500 038
2.	The Chairman Arunachal Pradesh Pollution Control Board Office of Principal Chief Conservator of Forests and Secretary (E & F) Govt. of Arunachal Pradesh Itanagar – 791 111
3.	The Chairman Assam State Pollution Control Board Bamunimaidan Guwahati – 781 021
4.	The Chairman Bihar State Pollution Control Board IInd Floor, Beltron Bhawan Jawaharlal Nehru Marg Shastri Nagar, Patna – 800 023
5.	The Chairman Chandigarh Pollution Control Committee Additional Town Hall Bldg. 2 <sup>nd</sup> Floor, Sector 17-C Chandigarh – 110 017
6.	The Chairman Chattisgarh State Env. Conservation Board Nanak Niwas, Civil Lines Raipur, Chattisgarh – 492 001
7.	The Chairman Daman, Diu, Dadra & Nagar Haveli Pollution Control Committee Office of the Dy. Conservator of Forests Moti Daman, Daman – 396 220
8.	The Chairman Delhi Pollution Control Committee 6th level, B-wing, Delhi Secretariat IP Estate, New Delhi – 110 002
9.	The Chairman Goa State Pollution Control Board Dempo Tower, 1 <sup>st</sup> Floor Patto Plaza, Panaji Goa – 403 001
10.	The Chairman Gujarat State Pollution Control Board Sector 10-A Gandhi Nagar – 382 043

11.	The Chairman Haryana State Pollution Control Board C-11, Sector – 6 Panchkula, Haryana
12.	The Chairman H.P. State Environment Protection and Pollution Control Board Paryavaran Bhawan Phase-III, Below BCS New Simla – 171 009
13.	The Chairman J & K State Pollution Control Board Super Bazar Building, 3 <sup>rd</sup> Floor, City Chowk Jammu
14.	The Chairman Jharkhand Pollution Control Board TA Building, HEC Campus At + P.O. – Dhurba Ranchi
15.	The Chairman Karnataka State Pollution Control Board 6, 7, 8 & 9 <sup>th</sup> Floors Public Utility Building, MG Marg Bangalore – 560 001
16.	The Chairman Kerala State Pollution Control Board Plamoodu Junction Pattam Palace P.O. Thiruvananthapuram – 695 004
17.	The Chairman M.P. State Pollution Control Board Paryavaran Parisar E-5, Arera Colony Bhopal – 462 016
18.	The Chairman Maharashtra State Pollution Control Board Kalpataru Point, 3 <sup>rd</sup> & 4 <sup>th</sup> floors Sion Matunga Scheme, Road No. 8 Opp. Cine Planet, Sion Circle, Sion (E) Mumbai – 400 022
19.	The Chairman Meghalaya State Pollution Control Board Arden, Lumbyngngad Shillong – 793 014
20.	The Chairman Mizoram State Pollution Control Board M.G. Road, Khatna Aizwal
21.	The Chairman Orissa State Pollution Control Board

	A-118, Nilkanta Nagar, Unit – VIII Bhubaneswar – 751 012
22.	The Chairman Pondicherry Pollution Control Committee Department of Science Technology & Environment Housing Board Complex 3 <sup>rd</sup> Floor, Anna Nagar Pondicherry – 600 005
23.	The Chairman Punjab State Pollution Control Board Vatavaran Bhawan, Nabha Road Patiala – 147 001
24.	The Chairman Rajasthan State Pollution Control Board A-4, Jalane Dungri Institutional Area Jaipur – 302 004
25.	The Chairman Sikkim State Pollution Control Board State Land Use & Environment Cell Govt. of Sikkim, Deorali Gangtok, Sikkim
26.	The Chairman Tamilnadu State Pollution Control Board No. 100, Anna Salai Guindy, Chennai – 600 032
27.	The Chairman Tripura State Pollution Control Board Vigyan Bhawan, Pt. Nehru Complex Gorkhabasti P.O., Kunjaban Agartala (W) – 799 006
28.	The Chairman Uttarakhand Environment Protection & Pollution Control Board 29/20, Nemi Road, Dehradun, Uttarakhand" Pincode- 24800
29.	The Chairman U.P. State Pollution Control Board 3 <sup>rd</sup> Floor, PICUP Bhawan Vibhuti Khand, Gomti Nagar Lucknow – 226 020
30.	The Chairman West Bengal State Pollution Control Board Paribesh Bhawan 10A, Block LA, Sector 3, Salt Lake City Kolkata – 700 091

# MAHARASHTRA POLLUTION CONTROL BOARD

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



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

No:- Format1.0/CC/UAN No.MPCB-  
 CONSENT-0000147201/CR/2211002348

Date: 28/11/2022

To,  
 M/s. Dharashiv Sakhar Karkhana Unit-III,  
 (Formerly known as M/s. Ventateshwar Agro Sugar Products  
 Pvt.Ltd Sugar Products Pvt.Ltd),  
 313, 317, 321, 322, 325,326, 327, 329, 353, Shivani  
 (Jamga),  
 Tal-Loha, Dist-Nanded.



**Sub: Renewal of Consent to Operate for Sugar Unit under RED Category.**

**Ref:**

1. Application submitted SRO-Nanded
2. Earlier Consent having No-Format1.0/CC/UAN-No.MPCB-  
 Consent-0000116110/CR-2111000465, Dtd-12.11.2021
3. Minutes of 20th Consent Committee Meeting held on 01.11.2022

Your application No.MPCB-CONSENT-0000147201 Dated 05.09.2022

For: grant of 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:

1. **The Consent to Renewal is granted upto: 31.07.2023**
2. **The capital investment of the industry is Rs.56.94 Crs. (As per C.A Certificate submitted by industry).**
3. **Consent is valid for the manufacture of:**

Sr No	Product	Maximum Quantity	UOM
1	Sugar	12600	MT/M
2	Molasses	4725	MT/M
3	Press Mud	4200	MT/M
4	Bagasse	31500	MT/M

3. **(The Cane Crushing Capacity of Sugar Industry shall not exceed 3500 TCD)**
4. **Conditions under Water (P&CP) Act, 1974 for discharge of effluent:**

Sr No	Description	Permitted in CMD	Standards to	Disposal
1.	Trade effluent	315	As per Schedule - I	On land for irrigation
2.	Domestic effluent	20	As per Schedule - I	on land for irrigation

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

<b>Stack No.</b>	<b>Description of stack / source</b>	<b>Number of Stack</b>	<b>Standards to be achieved</b>
S-1	Boiler (32 TPH)	1	As per Schedule -II
S-2	Boiler (32 TPH)	1	As per Schedule -II
S-3	D.G. set (320 KVA)	1	As per Schedule -II
S-4	D.G. set (120 KVA)	1	As per Schedule -II

(As per previous consent of existing unit)

6. **Conditions about Non Hazardous Wastes:**

<b>Sr No</b>	<b>Type of Waste</b>	<b>Quantity</b>	<b>UoM</b>	<b>Treatment</b>	<b>Disposal</b>
1	ETP Sludge	1	MT/A	NA	Used as Manure
2	Boiler Ash	10	MT/Day	NA	Brick Manufacturing Unit

7. **Conditions under Hazardous & Other Wastes (M & T M) Rules 2008 for treatment and disposal of hazardous waste:**

<b>Sr No</b>	<b>Type of Waste</b>	<b>HW Category.</b>	<b>Quantity &amp; UoM</b>	<b>Treatment</b>	<b>Disposal</b>
1	5.1 Used or spent oil	5.1	1.0 MT/A	Mix with Bagasse	Mix with Bagasse & Burnt in Boiler

The applicant shall ensure disposal to the Actual user having permissions under Rule 9 of Hazardous and other Waste (M & TM) Rules, 2016.

a. The applicant shall properly collect, transport & regularly dispose of the hazardous waste to CHWTSDF, in compliance of the Hazardous & Other Wastes (Management & Transboundary Movement) Rules, 2016 and keep proper manifest thereof.

## 8. The Board reserves the right to review, amend, suspend, revoke etc. this consent and the same shall be binding on the industry.

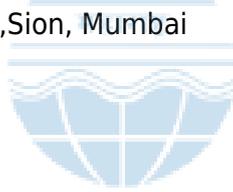
9. This consent should not be construed as exemption from obtaining necessary NOC/permission from any other Government authorities.  
This consent is issued as per communication letter dated 03/11/2022 which is approved by competent authority of the board.

**Received Consent fee of -**

<b>Sr.No</b>	<b>Amount(Rs.)</b>	<b>Transaction/DR.No.</b>	<b>Date</b>	<b>Transaction Type</b>
1	100000.00	TXN2209000402	05/09/2022	Online Payment
2	47945.00	TXN2210003121	31/10/2022	Online Payment

**Copy to:**

1. Regional Officer, MPCB, Aurangabad and Sub-Regional Officer, MPCB, Nanded
  - They are directed to ensure the compliance of the consent conditions.
  - They are directed to obtain top-up B.G. of Rs.10.0 Lakhs towards compliance of consent condition.
2. Chief Accounts Officer, MPCB, Sion, Mumbai



**SCHEDULE-I****Terms & conditions for compliance of Water Pollution Control:**

- 1) **A] As per your application, you have Provided Effluent Treatment Plant (ETP) of designed capacity of 400.00 CMD consisting of Primary & Secondary treatment system for the treatment of 315.00 CMD industrial effluent.**
- B] Industry shall provide CPU for recycle/reuse of treated effluent.**
- C] The Applicant shall operate the effluent treatment plant (ETP) to treat the trade effluent so as to achieve the following standards prescribed by the Board or under EP Act, 1986 and Rules made there under from time to time, whichever is stringent.**

<b>Sr. No.</b>	<b>Parameters</b>	<b>Limiting concentration not to exceed in mg/l, except for pH</b>
(1)	pH	5.5-9.0
(2)	Oil & Grease	10
(3)	BOD (3 days 27 <sup>o</sup> c)	100
(4)	Sulphate	1000
(5)	Suspended Solids	100
(6)	COD	250
(7)	Chloride	600
(8)	Total Dissolved Solids	2100

- D] The treated effluent 315.00 CMD shall be disposed on land for irrigation on 0.00 hectares of own land /as per the bilateral agreement with farmers. In no any case treated/untreated effluent shall find its way outside the factory premises directly or indirectly.**
- E] Industry shall operate Online Continuous Emission Monitoring System (OCEMS) and shall transmit Online Continuous Emission Monitoring System (OCEMS) data to Board's server directly through the data logger without any intermediate server.**
- F] Trade effluent of 0.00 CMD generated from Co-gen shall be 100% recycle in process.**
- G] CREP conditions for Sugar Factory**
- Operation of ETP shall be started at least one month before starting of cane crushing to achieve desired MLSS. So as to meet prescribed standards from day one the operation of mill.
  - Waste water generation shall be reduced to 100 liters per tone of cane crushed.
  - Industry shall achieve zero discharge into in land surface water bodies.
  - 15 days' storage capacity tank shall be provided for treated effluent to take care during no demand for irrigation.

**H] Industry to make necessary arrangement to cover the effluent collection system and to avoid the ingress of Bagasse and other material.**

**I] The unit shall operate ETP even after completion of the crushing season so that any effluent generated during washing & maintenance activity is to be discharged after proper treatment.**

**J] The unit shall optimize water use in industrial process & maintain records.**

2) **A] As per your application, you have provided septic tank and soak pit for the treatment of 20 CMD sewage.**

**B] The applicant shall operate sewage treatment system to treat sewage so as to achieve the following standards/ prescribed under EP Act 1986 and rules made under time to time, whichever is stringent.**

1	Suspended Solids	Not to exceed	100 mg/l
2	BOD 3 days (27°C)	Not to exceed	100 mg/l

**C] The treated sewage shall be 100% reused/recycled for gardening purpose within premise. In no any case, sewage shall find its way outside Company's premises.**

3) The industry shall have bilateral agreement with the farmers on whose land the treated effluent is used for irrigation purposes and a copy of the agreements with validity shall be submitted to the Regional/Sub- Regional Office of the Board.

4) The industry shall create 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.

5) **CONDITIONS FOR MOLASSES STORAGE:**

(i) The molasses shall be properly collected and stored in steel tanks which shall be leak proof. At no stage of handling of molasses, there shall be leakage or spillage.

(ii) The capacity of tanks for storage of molasses shall be such that it will take care of bumper production of sugar, non-lifting of molasses etc.

(iii) All the area on which molasses are stored and handled should be provided with drain for diverting the spills to the treatment plant/ molasses tank. Suitable arrangements for accidental discharges of molasses from the tanks shall be provided to contain the same within factory premises.

(iv) Destruction of molasses and its disposal shall not be done without specific permission in writing from the authorized officer of the Board. Intimation of intention to destroy or dispose of the molasses shall be given to the Board at least 15 (fifteen) days in advance by registered post under intimation to the Sub-Regional officer and Regional officer of the Board under whose jurisdiction the factory is situated.

(v) The storage tanks shall be kept in good conditions all the year round with adequate maintenance. The tanks size and capacity per cm, height, total capacity in tonnes shall be displayed prominently near /on the tank.

(vi) The above conditions shall be in addition to and not in derogation of the provisions contained in the "Bombay Molasses Rules, 1955" and "Maharashtra Molasses Storage and Supply Regulation, 1965".

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 / CREP guidelines if applicable.

- 7) 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.
- 8) 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.
- 9) 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:

<b>Sr. No.</b>	<b>Purpose for water consumed</b>	<b>Water consumption quantity (CMD)</b>
1.	Industrial Cooling, spraying in mine pits or boiler feed	45.00
2.	Domestic purpose	30.00
3.	Processing whereby water gets polluted & pollutants are easily biodegradable	375.00
4.	Processing whereby water gets polluted & pollutants are not easily biodegradable and are toxic	0.00
5.	Grandening	0

- 10) 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/ CREP guidelines.



**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) and observe the following fuel pattern-

Stack No.	Stack Attached To	APC System	Height in Mtrs.	Type of Fuel	Quantity & UoM	S%	SO <sub>2</sub>
S-1	Boiler (32 TPH)	Wet Scrubber	65	Baggase	33750 Kg/Day	0.20	135.00
S-2	Boiler (32 TPH)	Wet Scrubber	65	Baggase	33750 Kg/Day	0.20	135.00
S-3	D.G. set (320 KVA))	Acoustic enclosure	4.0	Diesel	50 Ltr/Hr	1.00	60.00
S-4	D.G. set (120 KVA))	Acoustic Enclosure	2.5	Diesel	70 Ltr/Hr	1.00	60.00

(As per previous consent of existing unit)

- 2) **The Applicant shall provide Specific Air Pollution control equipments as per the conditions of EP Act, 1986 and rule made there under from time to time/ Environmental Clearance / CREP guidelines.**

- 1 The Applicant shall provide ESP/ Bag filter/ Wet scrubber to the Bagasse fired boiler and Dust Collector to Sugar bagging section as an Air Pollution control equipments OR as per the conditions of EP Act, 1986 and rule made there under from time to time / Environmental Clearance / CREP guidelines.
- 2 The applicant shall operate and maintain above mentioned air pollution control system, so as to achieve the level of pollutants to the following standards:

Total Particulate matter	Not to exceed	150 mg/Nm <sup>3</sup>
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- 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 Industry should not use auxiliary fuel more than 15 % (as per amendment in EIA Notification 2009, power plant upto 15 MW based on Bio-mass and using auxiliary fuel as coal upto 15% are exempt.) as co-gen capacity is below 15 MW.
- 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).**

**SCHEDULE-III****Details of Bank Guarantees:**

<b>Sr. No.</b>	<b>Consent(C2E/C2O/C2R)</b>	<b>Amt of BG Imposed</b>	<b>Submission Period</b>	<b>Purpose of BG</b>	<b>Compliance Period</b>	<b>Validity Date</b>
1	Renewal of Consent to Operate	10.0 Lakhs	Submit within 15 days	O&M for achieving consented Standards of Effluent & Stack emission	31.07.2023	31.12.2023

**BG Forfeiture History**

<b>Srno.</b>	<b>Consent (C2E/C2O/C2R)</b>	<b>Amount of BG imposed</b>	<b>Submission Period</b>	<b>Purpose of BG</b>	<b>Amount of BG Forfeiture</b>	<b>Reason of BG Forfeiture</b>
1	Renewal of Consent	5.0 Lakhs	existing	Towards compliance of consent condition	Forfeiture B.G. of Rs.5.0 Lakhs	Towards exceeding JVS



## SCHEDULE-IV

### **General Conditions:**

- 1 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.
- 2 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.
- 3 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 equipment, the production process connected to it shall be stopped.
- 4 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.
- 5 The firm shall submit to this office, the 30th day of September every year, the Environmental 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.
- 6 The industry should comply with the Hazardous & Other Wastes (M & TM) Rules, 2016 and submit the Annual Returns as per Rule 6(5) & 20(2) of Hazardous & Other Wastes (M & TM) Rules, 2016 for the preceding year April to March in Form-IV by 30th June of every year.
- 7 An inspection book shall be opened and made available to the Board's officers during their visit to the applicant.
- 8 The industry shall constitute an Environmental cell with qualified staff/personnel/agency to see the day to day compliance of consent condition towards Environment Protection.
- 9 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.
- 10 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.
- 11 The industry shall submit official e-mail address and any change will be duly informed to the MPCB.
- 12 If the MIDC pipeline is broken/ overflowing chamber, in such cases industry shall not discharge their treated effluent into MIDC drain, it shall be sent to CETP by tanker.
- 13 Industry should monitor effluent quality, stack emissions and ambient air quality monthly/quarterly.

- 14 The industry shall recycle/reprocess/reuse/recover Hazardous Waste as per the provision contain in the H&OW(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.
- 15 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).
- 16 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.
- 17 Neither storm water nor discharge from other premises shall be allowed to mix with the effluents from the factory.
18. 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.
- 19 The industry should not cause any nuisance in surrounding area.
- 20 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.
- 21 The applicant shall maintain good housekeeping.
- 22 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.
- 23 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 equipment 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.

# 1055

- 24 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.
- 25 The industry shall achieve the National Ambient Air Quality standards prescribed vide Government of India, Notification dtd. 16.11.2009 as amended.
- 26 The applicant shall make an application for renewal of the consent at least 60 days before the date of the expiry of the consent.

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This certificate is digitally & electronically signed.

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# MAHARASHTRA POLLUTION CONTROL BOARD

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



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

No:- Format1.0/CAC/UAN No.MPCB-  
 CONSENT-0000177210/CR/2312001037

Date: 09/12/2023

To,  
 M/s. Twentyone Sugars Ltd (Unit III)  
 (Formerly known as M/s Dharashiv Sakhar Karkhana Unit III),  
 Survey no. 313, 317, 321, 322, 325,326, 327, 329,  
 353, Shivani (Jamga), Tal. Loha, Dist. Nanded,  
 Maharashtra.



**Sub: Renewal of consent to operate of sugar industry having 3500 TCD sugar cane crushing capacity.**

**Ref: 1. Earlier Consent having No.Format1.0/CC/UAN No.MPCBCONSENT-0000147201/CR/2211002348, Dtd. 28.11.2022**  
**2. Minutes of Consent Committee Meeting held on 06.11.2023.**

Your application No.MPCB-CONSENT-0000177210 Dated 24.07.2023

For: grant of 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 and Rule 18(7) 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 upto: 31.07.2024**
- The capital investment of the industry is Rs.109.27 Crs. (As per C.A Certificate submitted by industry).**
- Consent is valid for the manufacture of:**

Sr No	Product	Maximum Quantity	UOM
1	Sugar	12600	MT/M
2	Molasses	4725	MT/M
3	Press Mud	4200	MT/M
4	Bagasse	31500	MT/M

- Note: Total Sugar Cane Crushing capacity shall not exceed 3500 TCD.**
- Conditions under Water (P&CP) Act, 1974 for discharge of effluent:**

Sr No	Description	Permitted in CMD	Standards to	Disposal
1.	Trade effluent	315	As per Schedule - I	On land for irrigation
2.	Domestic effluent	20	As per Schedule - I	on land for irrigation

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

<i>Stack No.</i>	<i>Description of stack / source</i>	<i>Number of Stack</i>	<i>Standards to be achieved</i>
S-1	Boiler (32 TPH)	1	As per Schedule -II
S-2	Boiler (32 TPH)	1	As per Schedule -II
S-3	D.G. set (320 KVA)	1	As per Schedule -II
S-4	D.G. set (120 KVA)	1	As per Schedule -II

(As per previous consent of existing unit)

6. **Conditions about Non Hazardous Wastes:**

<i>Sr No</i>	<i>Type of Waste</i>	<i>Quantity</i>	<i>UoM</i>	<i>Treatment</i>	<i>Disposal</i>
1	ETP Sludge	1	MT/A	Composting	Used as Manure
2	Boiler Ash	10	MT/Day	Sale to Authorized Brick Manufacturer / Use in Manure	Sale to Authorized Brick Manufacturer / Use in Manure

7. **Conditions under Hazardous & Other Wastes (M & T M) Rules 2008 for treatment and disposal of hazardous waste:**

<i>Sr No</i>	<i>Type of Waste</i>	<i>HW Category.</i>	<i>Quantity &amp; UoM</i>	<i>Treatment</i>	<i>Disposal</i>
1	5.1 Used or spent oil	5.1	1.0 MT/A	Sale to MPCB authorized re-processor / recycler / CHWTSDF	Sale to MPCB authorized re-processor / recycler / CHWTSDF

The applicant shall ensure disposal to the Actual user having permissions under Rule 9 of Hazardous and other Waste (M & TM) Rules, 2016.

a. The applicant shall properly collect, transport & regularly dispose of the hazardous waste to CHWTSDF, in compliance of the Hazardous & Other Wastes (Management & Transboundary Movement) Rules, 2016 and keep proper manifest thereof.

8. The Board reserves the right to review, amend, suspend, revoke etc. 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. The applicant shall make an application for renewal of consent 60 days prior to date of expiry of the consent.
11. This consent shall be consider cancelled if industry violates the various environmental laws, rules and regulations.
12. Industry shall comply with the EIA notification, dtd. 14.09.2006 and Amendments thereto and consent shall treat as cancelled if industry violates the same.

13. Industry shall comply with the judgements/ orders passed or being passed by Hon'ble NGT in the matter of O.A. 113/2023.
14. This consent is issued without prejudice to orders /judgements passed / to be passed by Hon'ble NGT in the matter of Original Application No. 113/2023.
15. This consent is issued as per the Consent Appraisal Committee meeting dated 06.11.2023.
16. Industry shall submit Bank Guarantee of Rs. 25 Lacs towards compliance of consent conditions, operation & maintenance of pollution control systems and to achieve consented prescribed standards.
17. Industry shall stop production activity voluntarily in case of failure of operation and maintenance of the ETP / pollution control systems as preventive measures.
18. Industry shall extend all existing BGs towards O&M of pollution control systems and towards compliance of the Consent conditions.
19. The treated sewage shall be recycled for secondary purposes to the maximum extent and remaining shall be discharged on land for gardening within premise. In no case, sewage shall find its way for gardening / outside factory premises.
20. Industry shall send sewage / overflow of septic tank and soak pit into the aeration tank of ETP for further treatment & disposal.



**Received Consent fee of -**

<b>Sr.No</b>	<b>Amount(Rs.)</b>	<b>Transaction/DR.No.</b>	<b>Date</b>	<b>Transaction Type</b>
1	218540.00	TXN2307003336	24/07/2023	Online Payment
2	100000.00	TXN2308000142	01/08/2023	Online Payment

-

**Copy to:**

1. Regional Officer, MPCB, Aurangabad and Sub-Regional Officer, MPCB, Nanded
  - They are directed to ensure the compliance of the consent conditions.
  - They are directed to obtain top-up B.G. of Rs. \_\_\_ towards compliance of consent condition.
2. Chief Accounts Officer, MPCB, Sion, Mumbai

**SCHEDULE-I****Terms & conditions for compliance of Water Pollution Control:**

- 1) **A] As per your application, you have Provided Effluent Treatment Plant (ETP) of designed capacity of 400.00 CMD consisting of Primary & Secondary treatment system for the treatment of 315.00 CMD industrial effluent.**
- B] Industry shall provide CPU for recycle/reuse of treated effluent.**
- C] The Applicant shall operate the effluent treatment plant (ETP) to treat the trade effluent so as to achieve the following standards prescribed by the Board or under EP Act, 1986 and Rules made there under from time to time, whichever is stringent.**

<b>Sr. No.</b>	<b>Parameters</b>	<b>Limiting concentration not to exceed in mg/l, except for pH</b>
(1)	pH	5.5-9.0
(2)	Oil & Grease	10
(3)	BOD (3 days 27 <sup>o</sup> c)	100
(4)	Sulphate	1000
(5)	Suspended Solids	100
(6)	COD	250
(7)	Chloride	600
(8)	Total Dissolved Solids	2100

- D] The treated effluent 315.00 CMD shall be disposed on land for irrigation on 4.20 hectares of own land /as per the bilateral agreement with farmers. In no any case treated/untreated effluent shall find its way outside the factory premises directly or indirectly.**
- E] Industry shall operate Online Continuous Emission Monitoring System (OCEMS) and shall transmit Online Continuous Emission Monitoring System (OCEMS) data to Board's server directly through the data logger without any intermediate server.**
- F] Trade effluent of 0.00 CMD generated from Co-gen shall be 100% recycle in process.**
- G] CREP conditions for Sugar Factory**
- i. Operation of ETP shall be started at least one month before starting of cane crushing to achieve desired MLSS. So as to meet prescribed standards from day one the operation of mill.
  - ii. Waste water generation shall be reduced to 100 liters per tone of cane crushed.
  - iii. Industry shall achieve zero discharge into in land surface water bodies.
  - iv. 15 days' storage capacity tank shall be provided for treated effluent to take care during no demand for irrigation.

**H] Industry to make necessary arrangement to cover the effluent collection system and to avoid the ingress of Bagasse and other material.**

**I] The unit shall operate ETP even after completion of the crushing season so that any effluent generated during washing & maintenance activity is to be discharged after proper treatment.**

**J] The unit shall optimize water use in industrial process & maintain records.**

2) **A] As per your application, you have provided septic tank and soak pit for the treatment of 20 CMD sewage.**

**B] The applicant shall operate sewage treatment system to treat sewage so as to achieve the following standards/ prescribed under EP Act 1986 and rules made under time to time, whichever is stringent.**

1	Suspended Solids	Not to exceed	100 mg/l
2	BOD 3 days (27°C)	Not to exceed	100 mg/l

**C] The treated sewage shall be 100% reused/recycled for gardening purpose within premise. In no any case, sewage shall find its way outside Company's premises.**

3) The industry shall have bilateral agreement with the farmers on whose land the treated effluent is used for irrigation purposes and a copy of the agreements with validity shall be submitted to the Regional/Sub- Regional Office of the Board.

4) The industry shall create 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.

5) **CONDITIONS FOR MOLASSES STORAGE:**

(i) The molasses shall be properly collected and stored in steel tanks which shall be leak proof. At no stage of handling of molasses, there shall be leakage or spillage.

(ii) The capacity of tanks for storage of molasses shall be such that it will take care of bumper production of sugar, non-lifting of molasses etc.

(iii) All the area on which molasses are stored and handled should be provided with drain for diverting the spills to the treatment plant/ molasses tank. Suitable arrangements for accidental discharges of molasses from the tanks shall be provided to contain the same within factory premises.

(iv) Destruction of molasses and its disposal shall not be done without specific permission in writing from the authorized officer of the Board. Intimation of intention to destroy or dispose of the molasses shall be given to the Board at least 15 (fifteen) days in advance by registered post under intimation to the Sub-Regional officer and Regional officer of the Board under whose jurisdiction the factory is situated.

(v) The storage tanks shall be kept in good conditions all the year round with adequate maintenance. The tanks size and capacity per cm, height, total capacity in tonnes shall be displayed prominently near /on the tank.

(vi) The above conditions shall be in addition to and not in derogation of the provisions contained in the "Bombay Molasses Rules, 1955" and "Maharashtra Molasses Storage and Supply Regulation, 1965".

- 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 / CREP guidelines if applicable.
- 7) The Board reserves its rights to review plans, specifications or other data relating to plant setup for the treatment of waterworks for the purification there of & 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.
- 8) 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.
- 9) 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:

<b>Sr. No.</b>	<b>Purpose for water consumed</b>	<b>Water consumption quantity (CMD)</b>
1.	Industrial Cooling, spraying in mine pits or boiler feed	45.00
2.	Domestic purpose	30.00
3.	Processing whereby water gets polluted & pollutants are easily biodegradable	375.00
4.	Processing whereby water gets polluted & pollutants are not easily biodegradable and are toxic	0.00
5.	Grandening	0

- 10) 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/ CREP guidelines.

**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) and observe the following fuel pattern-

Stack No.	Stack Attached To	APC System	Height in Mtrs.	Type of Fuel	Quantity & UoM	S%	SO <sub>2</sub>
S-1	Boiler (32 TPH)	Wet Scrubber	65	Baggase	33750 Kg/Day	0.20	135.00
S-2	Boiler (32 TPH)	Wet Scrubber	65	Baggase	33750 Kg/Day	0.20	135.00
S-3	D.G. set (320 KVA))	Acoustic enclosure	4.0	Diesel	50 Ltr/Hr	1.00	60.00
S-4	D.G. set (120 KVA))	Acoustic Enclosure	2.5	Diesel	70 Ltr/Hr	1.00	60.00

(As per previous consent of existing unit)

- 2) **The Applicant shall provide Specific Air Pollution control equipments as per the conditions of EP Act, 1986 and rule made there under from time to time/ Environmental Clearance / CREP guidelines.**

- 1 The Applicant shall provide ESP/ Bag filter/ Wet scrubber to the Bagasse fired boiler and Dust Collector to Sugar bagging section as an Air Pollution control equipments OR as per the conditions of EP Act, 1986 and rule made there under from time to time / Environmental Clearance / CREP guidelines.
- 2 The applicant shall operate and maintain above mentioned air pollution control system, so as to achieve the level of pollutants to the following standards:

Total Particulate matter	Not to exceed	150 mg/Nm <sup>3</sup>
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- 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 Industry should not use auxiliary fuel more than 15 % (as per amendment in EIA Notification 2009, power plant upto 15 MW based on Bio-mass and using auxiliary fuel as coal upto 15% are exempt.) as co-gen capacity is below 15 MW.
- 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).**

**SCHEDULE-III****Details of Bank Guarantees:**

<b>Sr. No.</b>	<b>Consent(C2E/C2O/C2R)</b>	<b>Amt of BG Imposed</b>	<b>Submission Period</b>	<b>Purpose of BG</b>	<b>Compliance Period</b>	<b>Validity Date</b>
1	Consent to Operate	Rs. 25 Lacs	15 days	Towards Compliance of consent conditions and Operation & maintenance of pollution control system & to achieve consented prescribed standards	31.07.2024	31.01.2025.

**BG Forfeiture History**

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



## SCHEDULE-IV

### **General Conditions:**

- 1 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.
- 2 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.
- 3 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 equipment, the production process connected to it shall be stopped.
- 4 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.
- 5 The firm shall submit to this office, the 30th day of September every year, the Environmental 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.
- 6 The industry should comply with the Hazardous & Other Wastes (M & TM) Rules, 2016 and submit the Annual Returns as per Rule 6(5) & 20(2) of Hazardous & Other Wastes (M & TM) Rules, 2016 for the preceding year April to March in Form-IV by 30th June of every year.
- 7 An inspection book shall be opened and made available to the Board's officers during their visit to the applicant.
- 8 The industry shall constitute an Environmental cell with qualified staff/personnel/agency to see the day to day compliance of consent condition towards Environment Protection.
- 9 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.
- 10 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.
- 11 The industry shall submit official e-mail address and any change will be duly informed to the MPCB.
- 12 If the MIDC pipeline is broken/ overflowing chamber, in such cases industry shall not discharge their treated effluent into MIDC drain, it shall be sent to CETP by tanker.

- 13 Industry should monitor effluent quality, stack emissions and ambient air quality monthly/quarterly.
- 14 The industry shall recycle/reprocess/reuse/recover Hazardous Waste as per the provision contain in the H&OW(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.
- 15 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).
- 16 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.
- 17 Neither storm water nor discharge from other premises shall be allowed to mix with the effluents from the factory.
18. 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.
- 19 The industry should not cause any nuisance in surrounding area.
- 20 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.
- 21 The applicant shall maintain good housekeeping.
- 22 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.

# 1066

- 23 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 equipment 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.
- 24 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.
- 25 The industry shall achieve the National Ambient Air Quality standards prescribed vide Government of India, Notification dtd. 16.11.2009 as amended.
- 26 The applicant shall make an application for renewal of the consent at least 60 days before the date of the expiry of the consent.

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This certificate is digitally & electronically signed.

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