

154

Government Of Karnataka
(Revenue Department)

Office of Deputy Commissioner

MANDYA DISTRICT

No. DC(MANDYA)/ENVIRONMENT/2023-24/ 3673

DATE: 8/1/2024

To,

The Consultant (Judicial),
National Green Tribunal,
Principle Bench,
New Delhi.


Respected Sir,

Sub: Submission of Inspection report and stack monitoring results with respect to **M/s. Basaveshwara Jaggery unit** owned by K. Shivanna located at Sy. No. 105, Chinnenahalli Village, M. Shettihalli Post, Srirangapatana Tq, Mandya District. reg.

- Ref: 1. Hon'ble NGT order in respect of OA No. 89/2023, dated 03-03-2023.
2. Karnataka State Pollution control Board, Bengaluru to Regional Office, KSPCB, Mandya Memo No. 7751, dtd: 16-02-2023
3. This office had constituted Joint committee issuing official memorandum vide No. 4781 dated 30-03-2023
4. Joint Inspection conducted by committee members dated 29-05-2023.
5. Proceedings of the Mahazar held by committee members on 04-11-2023 & 23-11-2023
6. Regional Laboratory, KSPCB, Mysuru analysis report No. 1540, dtd: 01-12-2023 received to KSPCB office on 04-12-2023

With respect to the above, this is to bring to your kind notice that, as per your directions vide ref(1) a joint committee was constituted to monitor **M/s. Basaveshwara Jaggery unit** located at Sy. No. 105, Chinnenahalli Village owned by Sri. K. Shivanna S/o. Chandgal Kempanna, Shettihalli Hobli, Srirangapatna Taluk, Mandya District. The committee visited the industry on 29-05-2023, 04-11-2023 & 23-11-2023. The Mahazar and monitoring report are herewith submitted to your kind information and needful.

Yours faithfully,


Deputy Commissioner
Mandya

Encl: as above

Joint inspection report in respect of M/s. Basaveshwara Jaggery unit, Sy. No. 105, Chinnenahalli Village, Shettihalli Hobli, Srirangapatna Taluk, Mandya District by the officers of the Mandya District conducted on 29-05-2023.

Preamble: M/s. Basaveshwara Jaggery unit located at Sy. No. 105, Chinnenahalli Village owned by Sri. K. Shivanna S/o. Chandgal Kempanna, Shettihalli Hobli, Srirangapatna Taluk, Mandya District a latitude and longitude of the jaggery unit is E-12.47517 N-76.72903. The Jaggery manufacturing unit obtained consent from the Board to operate upto 31-12-2023 with conditions. As several complaints were received against the said unit for causing Water and Air Pollution, the unit was inspected earlier and the unit was advised to comply with conditions of the Board. However, non compliance reported earlier was not rectified and also Hon'ble Lokayuktha directed the Board to submit monitoring report with respect to Air emissions. However, jaggery unit authority have not made provisions for monitoring the Air emission hence, the same was reported to Hon'ble Lokayuktha vide letters dated 06-10-2022, 16-12-2022, 08-02-2023 and 27-03-2023. Further, RO Mandya had issued show cause notice and sufficient time has given to the Jaggery authority to comply to the conditions of the consent order. Since, Jaggery unit authority failed to comply within stipulated time. It was recommended to issue Notice of Proposed Direction for violations to Regional Senior Environmental Officer, Zonal Office of the Board. Before confirmation of the Notice of Proposed Direction, the Board was requested to conduct personal hearing at Head office, Bengaluru.

As per the directions of Hon'ble NGT, OA No. 89/2023, the Deputy Commissioner, Mandya has constituted a committee comprising following members to conduct joint inspection and submit report to the Hon'ble NGT.

1. The Chief Executive Officer, Zilla Panchyath, Mandya (Member)
2. The Assistant Commissioner (On behalf of Deputy Commissioner, Mandya), Pandavapura Division, Pandavapura Taluk, Mandya (Member)
3. The Joint Director, Agricultural Department, Mandya (Member)
4. The Joint Director, District Industries & Commerce, Mandya District (Member)
5. The Regional Officer, Karnataka State Pollution Control Board, Regional Office, Mandya (Member)
6. The Thasildhar, Srirangapatna Taluk, Mandya District (Member)

In view of the above, the following Joint committee members were inspected.

Sl. No.	Name of the & Designation of the committee members	Representative Present during the inspection
1.	The Chief Executive Officer, Zilla Panchyath, Mandya (Member)	1. Smt. Veena, Executive Officer, S.R. Patna on behalf of CEO 2. Sri. Lakshmigowda, PDO, Subbanakuppe Panchyath, S.R.Patna, Mandya District.
2.	The Assistant Commissioner (On behalf of Deputy Commissioner, Mandya), Pandavapura Division, Pandavapura Taluk, Mandya (Member)	Not Present
3.	The Joint Director, Agricultural Department, Mandya (Member)	1. Sri. Ashok, Joint Director 2. Smt. Mamatha, Deputy Director 3. Sri. Nishanth, Asst. Director
4.	The Joint Director, District Industries & Commerce, Mandya District (Member)	Sri. Shivalinghiah, Joint Director
5.	The Regional Officer, Karnataka State Pollution Control Board, Regional Office, Mandya (Member)	1. Smt. B.P. Geetha, Environmental Officer 2. Smt. B.K. Ashwini, Dy. Environmental Officer
6.	The Thasildhar, Srirangapatna Taluk, Mandya District (Member)	Not Present

During joint inspection on 29-05-2023, the following observations were made.

1. The unit was not in operation.
2. The unit has 2 Nos. of sugar cane crusher, 4 Nos. of Boiling Pans, 2 exhaust fan, Bagasse Drier of capacity 10 Tons/ day with chimney of 50 feet height Above Ground Level. But port hole and plat form are not provided to the chimney.
3. The jaggery unit have obtained consent to operate 25 KVA D.G. set. But during inspection it was noticed that, same has been dismantled.
4. The shed housing all the above equipments has netlon mesh towards north side of the unit.

5. The ash generated during operation of the jaggery unit will be collected in the concrete pit of size 8.0X10 feet.
6. Washing of the pans are collected in concrete tank at the ground level and the same will be utilized for their own agricultural land.
7. The Jaggery unit was established during 1984. Now the jaggery unit is surrounded by residential houses, small temple and Water purification unit (RO Plant) within the radius of 500mts. The google map is enclosed for kind reference.
8. The house of complainant Sri. Arun, S/o. Late Gurukarchannappa, Chinnenhalli, Subbanakuppe Panchyath, M.Shettihalli Post, Sirangapatna Taluk, Mandy District is within 100mts. from the jaggery unit. The latitude and longitude of the complainant house is E-12.47546 N-76.72861.
9. As per the Hon'ble Lokayaktha and Hon'ble NGT the stack monitoring can be conducted once power supply is restored and porthole and plat farms are provided the chimney.
10. During inspection the jaggery unit authority requested the officers for 45 days (One & half month) to provide porthole and platform to the chimney attached to the Drier. Hence, the monitoring could not be carried out.
11. The photographs taken during inspection and request letter of Jaggery authority are enclosed for kind perusal.

Conclusion: Karnataka State Pollution Control Board opinion that, only after the porthole and platform are provided, the stack monitoring can be conducted before taking any other decisions.

Environmental Officer
Karnataka State Pollution Control Board
Regional Office, Mandya.

Opinion of Agriculture Department: Due to non-renewal of licence by the authority, the jaggery authority couldn't able to get loan from bank. The jaggery authority had faced financial crisis to start operating the unit. As per the jaggery authority request permission may be granted for 45 days (One & half month) to provide porthole and platform to the chimney attached to the Drier.

M.S. Veera

ಜಯನಿರ್ವಹಣೆ ಅಧಿಕಾರಿ

ಅಲ್ಪಕುಪಂಚಾಯತಿ, ತ್ರೇರಂಗಪಟ್ಟಣ, ಜಿಲ್ಲಾ ಕೃಷಿಗಾರಿಕಾ ಕೇಂದ್ರ, ಮಂಡ್ಯ.

ಜಂಟಿ ನಿರ್ದೇಶಕರು

Joint Director of Agriculture
Mandya District, Mandya

Preamble :- M/s. Basaverhware Jaggery unit owned by K. Shivanna s/o Chandgal Kempamma located at sy. No. 105, Chinnahalli village, M. Shettihalli post, Srirangapatna Taluk, Mandya District is a jaggery unit manufacturing with Consent from the Board upto 31-12-2023. As there were Complaints against the said unit for Causing Pollution, the unit was issued Notice of Proposed Direction (NPD) from the Board on 06-01-2023. Further, the Complaint was also registered with Hon'ble NGT Principle Bench, New Delhi, O.A. No. 89/2023, dated 03-03-2023. The Hon'ble NGT had directed to monitor the unit with a Committee comprising the following officers of the Mandya District.

- 1) The Chief Executive Officer, ZP, Mandya
- 2) Joint Director, Agricultural Department, Mandya
- 3) Joint Director, District Industries & Commerce, Mandya District.
- 4) Regional Officer, Karnataka State Pollution Control Board, Mandya
- 5) Thasildhar, Srirangapatna, Mandya District.

The above Committee members visited the said jaggery unit on 29-05-2023. However, as porthole and platform were not provided to the driver, stack monitoring was not carried out.

The owner of the jaggery unit had requested the Committee to provide 45 days time to provide post hole and platform/ladder (its enclosed). Later he has conveyed to the Board after providing the posthole & platform (letter dtd 22-06-2023). Now, the Board has directed the Committee to re-visit the jaggery unit and submit the report. Meanwhile, it was brought to notice of this office, that unit had started operation without revocation of Notice of Proposed Direction. A letter was addressed to the owner of the jaggery unit to stop the operation immediately, till clearance from Hon'ble NGT is obtained (letter dtd 13-10-2023)

The Hon'ble Deputy Commissioner, Mandya District has directed the Committee to re-visit the jaggery unit on 04-11-2023. In view of the Hon'ble DC directions, the Committee members visited the jaggery unit on 04-11-2023 ^{at 11:00 AM} and the following observations were made:

i) The letter was also communicated to the Complainant (Sri. Akum) through PPAID letter No. 2122, dated 02-11-2023 and also when contacted over telephone number 9480872429 to attend the joint inspection, he said he would not attend the joint inspection, he will approach to Hon'ble NGT.

- 2) At the time of inspection, the jaggery unit was not in operation.
- 3) The jaggery unit has provided 2 nos. of sugarcane crushers, 4 nos. of boiling pans, & exhaust fan, bagasse drier of capacity 10 tons/day with chimney of 50 feet height above ground level. Also provided port hole and platform, ladders to the chimney.
- 4) The jaggery authorities have obtained consent to operate 25 KVA DG set. But, at the time of inspection, it was noticed that, same was dismantled.
- 5) Washing of boiling pans are collected in concrete tank at the ground level and the same is utilized for their own agriculture land.
- 6) The ash generated during operation will be collected in the concrete pit of size 8.0 x 10 feet.
- 7) The jaggery unit processing area shed housing & equipments provided with netlon mesh towards northern side.
- 8) At the time of inspection of committee members, jaggery unit was not in operation and committee members advised to start the jaggery unit in order to conduct stack monitoring which needs to be submitted to Hon'ble NGT. But, Basaveshwara jaggery unit Authority requested the committee

members stating that due to shortage of raw materials and labours, monitoring may be conducted on 23-11-2023 and letter submitted to Honble Deputy Commissioner, Mandya and the same was accepted by the Committee.

At the time of inspection, the following Committee members -

- 1) The Chief Executive Officer,
ZP, Mandya, on behalf of
Officers Present
 - 1) K. Ananda Kumar - Deputy
Secretary-2
Development
 - 2) Sri. Venu A.D - Executive
officer.
- 2) The Assistant Commissioner
(on behalf of DC, Mandya),
Pandaupura Division, Mandya
- 3) Joint Director, Agriculture
Department, Mandya
 - 1) Sri. Ashoka .V.S. - JD
 - 2) Smt. Poojadarshini .S.N. ADA
- 4) Joint Director, District
Industries & Commerce,
Mandya District
 - Sri. Shivalingaraj - JD
- 5) Regional Officer, Karnataka
State Pollution Control, Board
Mandya.
 - 1) Smt. Geetha.B.P. EO
 - 2) Smt. Ashwini.B.K. DEO

6) Thashudhas, Sivrangapada Tq,
Mandya District. Srs. Parashuram.
Sathgere.

Further, Committee has advised not to operate the jaggery unit until 20-11-2023 and also in order to conduct monitoring on 23-11-2023. It was advised to start operation on 21-11-2023 in order to stabilize machineries and to mobilize raw materials and labours.

During course of Mahazar, no damage has caused to person / property / machineries. Mahazar was read out and the same is translated in Kannada (local language). Mahazar was completed on 04-11-2023 at 12:15 P.M. in the premises of M/s. Basaveswara Jaggery unit, Sy. No. 105, Chinnerahalli village, M. Shettihalli post, Sivrangapada Tq, Mandya District.

written by me,
B.K. 04/11/2023

Signature of Jaggery
Authority
K. S. Srinivas

ಶ್ರೀ ಕೆ. ಆನಂದ್ ಕುಮಾರ್
ಡಿ. ಸಿ. 2, 2P ಅಧೀನ, ಮಂದ್ಯಾ
4-11-2023

ಶ್ರೀ ಕೆ. ಆನಂದ್ ಕುಮಾರ್
Sri. K. Ananda Kumar
DS-2, 2P office, Mandya

2) Sri. Ashoka. V. S. JD. Agriculture

4/11/23

3) Sri. Shivalingaiah - JD - DIC

4/11/23

4)

Smt. Geetha, B.P - EO
KSPUB - Po - Mandya

nts
4/11/2023
12.30 pm

5)

Sri. Parashuram Sathegere
Thashildhar, SR Patna

Sathegere

6)

Sri Venul - A.D. EO, Taluk
Panchayath

[Faint, illegible handwritten notes and signatures at the bottom of the page]

Mahazar Continued

As per the Committee discussion held on 04-11-2023, the Committee members assembled at the premises of M/s. Basaveshwara Jaggery unit located at Sy. No. 105, Chinnahalli Village, M. Shettihalli Post, Srirangapatna Tq, Mandya District on 23-11-2023 at 11:00 AM and the following members were present.

- 1) The Chief Executive Officer, - Sri. Mohan Kumar. L.
Zp, Mandya (on behalf). Assistant Secretary, ZP
Mandya
- 2) The Assistant Commissioner
Pandaupura, Mandya.
(on behalf of Hon'ble Deputy
Commissioner)
- 3) Joint Director, Agriculture. - Smt. Priyadarshini. S.N.
Mandya (on behalf) ADA
- 4) Joint Director, DIC, Mandya - Sri. Shivalingaiah - J.D.
- 5) Thashildhar, Srirangapatna - Sri. Parashuram Sathegre - Thashildhar
Mandya District. (on behalf) 2) D's. Naveen Kumar. K.B. Deputy
Thashildhar
- 6) Regional office, Karnataka State - Smt. Geetha. B.P. - EO
Pollution Control, Mandya 2) Smt. Ashwini. B.K. - DEO


At the time of inspection, the Jaggery unit ~~was~~ is in operation.

The Mahazar continued in order to conduct stacks emission of the drier, which needs to be submitted to Hon'ble NGT and Lokayuktha. Since, the Complainant's house is located within 0.5 kms of the Jaggery unit. Notice of Intension was served in Prescribed Form-III to the industry in order to collect the sample of emission.

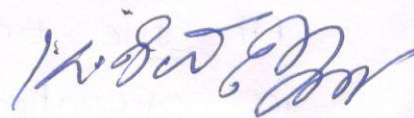
The sample was collected from the chimney of drier, was labelled, sealed and signature of Committee members in front of the Committee and Jaggery unit authority to be submitted to the Zonal lab, Mysuru for analysis. The analysis report will be subsequently submitted to Hon'ble NGT and Lokayuktha.

The Mahazar was read out in Kannada (local language) and no damage is caused to any person or property during the course of inspection and sampling. The Mahazar was completed at 1.00 P.M, dated 23-11-2023.

Written by me,

 B.K. 23/11/2023

Signature of Industry representative.



Committee members Present.



Assistant Secretary
2P, Mandya

2) Thashidhar, Sourangapatna

Sattigeri

Deputy Thashidhar, Sourangapatna

Nanjunda 23/11/23

3) Joint Director, DTC, Mandya

Kadamba

4) Environmental offices, KSPCB
Mandya

NTS 23/11/2023

5) Assistant Director of Agriculture
Sourangapatna

Priya Lakshmi
23/11/23

6) Executive officer, Sourangapatna

A.R. Ulu

23/11/23

ಶ್ರೀಮತಿ ಹೆಚ್.ಜಿ.ಎಸ್.ಎಸ್.

23-11-2023



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Karnataka State Pollutions Control Board

ಕರ್ನಾಟಕ ರಾಜ್ಯ ಮಾಲಿನ್ಯ ನಿಯಂತ್ರಣ ಮಂಡಳಿ

Regional Office - 1, Mysuru (Urban),
Plot No.:436-D, Hebbal Industrial Area,
K.R. S. Road, Metagalli, Mysuru - 570 016.

Telephone : 0821 - 2519411
e-mail : mysore1@kspcb.gov.in

ಪ್ರಾದೇಶಿಕ ಕಛೇರಿ- 1, ಮೈಸೂರು (ನಗರ).
ಪ್ಲಾಟ್ ನಂ.:436-ಡಿ, ಹೆಬ್ಬಾಳ ಕೈಗಾರಿಕಾ ಪ್ರದೇಶ,
ಕೆ.ಆರ್.ಎಸ್. ರಸ್ತೆ, ಮೆಟಗಲ್ಲಿ, ಮೈಸೂರು - 570 016.
Fax : 0821 - 2519411
web : http://kspcb@kar.nic.in

An ISO 9001 : 2015 and ISO 45001:2018 Certified Laboratory

KSPCB/RO-1(MYS-URB)/SO-LAB/2023-24/

1540

Date:- 01 DEC 2023

NOTE

Sub: Analysis Report of the Source emission sample collected on 23.11.2023 from
M/s Basaveshwara Jaggery unit ,Sy No.-105 , Chinnenahalli village , M.Shettihalli Post
Srirangapatna taluk , Mandya district -reg

Ref: 1) Requisition for Analysis of the sample Dated.23.11.2023
2) Analysis Report of the Board Analyst, Regional Laboratory, Dated 29.11.2023

The Analysis Report of the Source emission sample submitted (in triplicates) vide letter cited under ref 1 & 2 is herewith enclosed for further needful.

Encl: as above

Kavilhan
Scientific Officer
Regional Laboratory, Mysuru

To,

Smt.Geetha.B.P
Environmental Officer,
Karnataka State Pollution Control Board,
Regional Office Mandya

ಕರ್ನಾಟಕ ರಾಜ್ಯ ಮಾಲಿನ್ಯ ನಿಯಂತ್ರಣ ಮಂಡಳಿ ಪ್ರಾದೇಶಿಕ ಕಛೇರಿ - ಮಂದ್ಯ	
ದಿನಾಂಕ	04/12/2023
ಸಂಖ್ಯೆ	4117
ವಿಭಾಗ	DAO 1
ಅಧಿಕಾರಿ	
ಶಿ. ವಿಭಾಗ	

4/12/2023
Do-1

Corporate Office Address : Central Environmental laboratory/ ಕೇಂದ್ರ ಪರಿಸರ ಪ್ರಯೋಗಾಲಯ,
Karnataka State Pollution control Board /ಕರ್ನಾಟಕ ರಾಜ್ಯ ಮಾಲಿನ್ಯ ನಿಯಂತ್ರಣ ಮಂಡಳಿ, "Nisarga Bhavana" / "ನಿಸರ್ಗ ಭವನ",
"B" Block / "ಬಿ" ವಿಭಾಗ, 7th "D" Main/ 7ನೇ "ಡಿ" ಮುಖ್ಯರಸ್ತೆ Thimmaiah Road / ತಿಮ್ಮಯ್ಯ ರಸ್ತೆ, shivanagar/ಶಿವನಗರ
Bengaluru - 560 079/ ಬೆಂಗಳೂರು - 560 079

FORM-IV
[See sub-rule (3) of Rule 21]
REPORT BY THE STATE BOARD ANALYST

Report No : L-25
Sample No:L-25

DATED :29.11.2023

I hereby certify that, I **Smt. Vanitha.H.R**, State Board Analyst duly appointed under Sub-Section (3) of Section (26) of the Air (Prevention and control of Pollution) Act, 1981, received on the **Twenty third day of November-2023** from **Geetha B.P, Environmental Officer, Karnataka State Pollution Control Board, Regional Office, Mandya** sample of Source emission collected from **M/s Basaveshwara Jaggery unit ,Sy No.-105 , Chinnenahalli village ,M.Shettihalli Post Srirangapatna taluk , Mandya district** for analysis bearing letter No. KSPCB/RO-MND/EO/DEO/2023-24/2939 dated: 23.11.2023. The sample was in a condition fit for analysis reported below:

I further certify that, I have analyzed the aforementioned sample on/between 23.11.2023 to 29.11.2023 and declare the results of the analysis to be as follows:

NAME OF THE SAMPLING LOCATION :	M/s Basaveshwara Jaggery unit ,Sy No.-105 , Chinnenahalli village , M.Shettihalli Post Srirangapatna taluk , Mandya district	Page 1 of 1	
SAMPLE COLLECTED BY :	Geetha.B.P, Environmental Officer, Karnataka State Pollution Control Board, Regional Office Mandya	DATE OF COMMENCEMENT OF TEST : 24.11.2023	
DATE OF COLLECTION :	23.11.2023	DATE OF COMPLETION OF TEST : 29.11.2023	
DATE OF RECEIPT :	23.11.2023	SAMPLE REPORT NO. :L-25	
PARTICULARS	Stack attached to drier of capacity 2 tons/ day	SAMPLE NO.	L-25

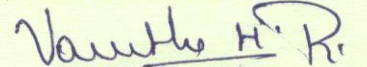
Sl. No.	Parameters	Unit	Standards	Results	Test Method
				L-25	
1.	Particulate matter	mg/Nm ³	500	260	IS 11255 (Part 1): 2019
Inference		Sample results are Confirms to the standard of analyzed parameter			

- Note: 1. Particulars and standards are mentioned as per requisition letter & results pertain only to the sample tested
2. The report shall not be reproduced without the written approval of the laboratory.
3. Samples will be stored for a period of 10 days from the date of issue of report.
4. mg/Nm³-milligram per meter cube

The condition of the seal, fastening and container on receipt was intact and tallied with the specimen impression of the seal.

SIGNED THIS ON THE **TWENTY NINTH DAY OF NOVEMBER -2023**

STATE BOARD ANALYST


(VANITHA.H.R)

**ASSISTANT SCIENTIFIC OFFICER
REGIONAL LABORATORY,
MYSURU.**

To,

Smt.Geetha.B.P