

**MAHARASHTRA POLLUTION CONTROL BOARD
REGIONAL OFFICE – PUNE**

Phone No. 020-25816451
Fax No. 020-25811701
e-mail : ropune@mpcb.gov.in



Jog Centre, 3rd Floor,
Wakdewadi,
Old Pune Mumbai Road,
Pune- 411003

MPCB/ROPI/2003/19-FIS-0085

Date: 19/03/2020

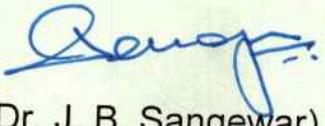
To
Hon'ble Registrar,
National Green Tribunal (PB), New Delhi.

Sub. :- Report by Maharashtra Pollution Control Board in Original Application No. 555 / 2019 Rahul Hanumant Chauhan vs. State of Maharashtra.

Ref. :- Order passed by Hon'ble NGT on 03/12/2019.

Sir,

In compliance of the Order passed by Hon'ble Tribunal on 03/12/2019, submitting herewith the Report by Maharashtra Pollution Control Board.


(Dr. J. B. Sangewar)
Regional Officer, MPCB - Pune.

BEFORE THE NATIONAL GREEN TRIBUNAL

PRINCIPAL BENCH, NEW DELHI

Original Application No. 555/2019

Rahul Hanumant Chauhan

--- Applicant(s)

Versus

State of Maharashtra

--- Respondent(s)

**REPORT IN COMPLIANCE OF ORDER DATED 03/12/2019 PASSED BY THE
HON'BLE NGT**

Hon'ble National Green Tribunal vide Order dated 03/12/2019 directed Maharashtra Pollution Control Board to assess and recover the compensation for damage to the environment for illegal operation of the unit in question.

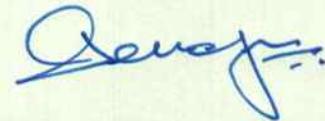
1. In compliance of the Order passed by Hon'ble NGT on 03/12/2019, a statement showing the directions issued u/s 33A of the Water (Prevention and Control of Pollution) Act, 1974 by the Maharashtra Pollution Control Board for assessment of environment compensation is as under :-

Sr. No.	Name of the Industries	Date of Direction	Amount of environment compensation
1.	M/s Malegaon SSK Ltd., 232, 234, Shivnagar, Tal. Baramati, Dist. Pune	13/02/2020	Rs. 21,90,000/- (Rs. Twenty-One Lacs Ninety Thousand

			Only)
2.	M/s Shriram Jawahar SSK Udyog (Sugar Unit), Gat No.9/2, 10, 11, 13/1A, Ramnagar, Tal. Phaltan, Dist, Satara	13/02/2020	Rs. 22,20,000/- (Rs. Twenty-Two Lacs Twenty Thousand Only)
3.	M/s Shriram Jawahar SSK Ltd (Distillery), Nira Valley, Arkshala Vibhag, Tal. Phaltan, Dist. Satara	13/02/2020	Rs. 22,20,000/- (Rs. Twenty-Two Lacs Twenty Thousand Only)
4.	M/s Govind Milk & Milk Products, Gat No.93/1, 93/2 & 94/1, 5, Ganeshsheri, Tal. Phaltan, Dist. Satara	13/02/2020	Rs. 21,30,000/- (Rs. Twenty-One Lacs Thirty Thousand Only)
5.	M/s Maharashtra Foods Processing and Cold Storage, Gat No.21/2B, 22/4, Ganeshnagar, Baramati Road, Village: Algudewadi, Tal: Phaltan, Dist: Satara	13/02/2020	Rs. 22,20,000/- (Rs. Twenty-Two Lacs Twenty Thousand Only)

Copies of the directions dtd.13/02/2020 issued to the above industries are enclosed herewith and marked as an **Annexure-'I'** collectively.

2. Details of Environmental compensation calculations are enclosed herewith and marked as an **Annexure – 'II'**.



(Dr. J. B. Sangewar)
Regional Officer, MPCB-Pune.

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Jog Centre, 3rd Floor, Wakdewadi,
Old Pune Mumbai Road,
Pune- 411003

MPCB/ROP/ 200213-FTS-0253

Date: 10/02/2020

To,
M/s. Malegaon Sahakari Sakhar Karkhana Limited.,
232, 234, Shivnagar, Baramati,
Tal. Baramati, Dist. Pune.

Sub: Directions under Section 33A of the Water (Prevention & Control of Pollution) Act, 1974.

Ref: 1) Directions issued by the Board from time to time.
2) Proposed Directions issued by Board on 20/11/2019.
3) Order passed by Hon'ble NGT, New Delhi in O.A. No.555/2019, Dtd. 03/12/2019.

.....

WHEREAS, Mr. Rahul Chauhan has filed an Application bearing No.555/2019 against you before the Hon'ble National Green Tribunal, PB, New Delhi against water pollution caused by your unit M/s Malegaon Sahakari Sakhar Karkhana Limited, 232, 234, Shivnagar, Baramati, Dist. Pune.

AND WHEREAS, the Hon'ble NGT vide order dtd. 13/08/2019 directed to the Maharashtra Pollution Control Board to inspect the area in question and verify the correctness of the allegations and file the action taken report.

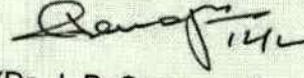
AND WHEREAS, in compliance of the order dtd. 13/08/2019, the MPCB has filed its report on 21 November, 2019. Accordingly, Hon'ble NGT has passed an Order on 04/12/2019 to assess the environmental compensation for non-compliances indicated in the finding like JVS report exceeding the prescribed standards, not providing 15 days storage capacity for the treated effluent to take care of no demand for irrigation, not providing CPU.

NOW THEREFORE, in compliance of the Order dtd.03/12/2019 passed by Hon'ble NGT, you are hereby directed to deposit an amount of Rs. 21,90,000/- (Rupees Twenty One Lakhs Ninety Thousand Only) from period 20/11/2019 to 31/01/2020 towards the assessment of damage already caused to the environment and recovery of environmental compensation as per 'Polluters Pay' Principle to the Maharashtra Pollution Control Board, Kalpataru Point, 3rd Floor, Sion (East), Mumbai-400 022, within a period of 7 days from date of receipt of these directions, failing which, the Board will have no option than to initiate appropriate legal action against you, which please note.

..2..

Further period environmental compensation order will be issued separately.
This is issued with the approval of the Hon'ble Member Secretary of the Board.

For and on behalf of the
Maharashtra Pollution Control Board



(Dr. J. B. Sangewar)
Regional Officer, Pune

Copy submitted to: – for information.

1. Hon'ble Member Secretary, MPCB, Mumbai- for favour of information.
2. Joint Director (WPC) / Law Officer (P & L Div), M. P. C. Board, Sion, Mumbai

Copy for information and necessary follow up:

1. Sub-Regional Officer, MPC Board, Pune-I.

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Jog Centre, 3rd Floor, Wakdewadi,
Old Pune Mumbai Road,
Pune- 411003

MPCB/ROP/ 200213- FTS- 0258

Date: 13/02/2020

To,
M/s. Shriram Jawahar Shetkari Sahakari Sakhar Udyog,
Gat No. 9/2, 10, 11, 13/1A, Ramnagar, Phaltan,
Tal. Phaltan, Dist. Satara.

Sub: Directions under Section 33A of the Water (Prevention & Control of Pollution) Act, 1974.

Ref: 1) Directions issued by the Board from time to time.
2) Proposed Directions issued by Board on 29/11/2019.
3) Order passed by Hon'ble NGT, New Delhi in O.A. No.555/2019,
Dtd. 03/12/2019.

.....

WHEREAS, Mr. Rahul Chauhan has filed an Application bearing No.555/2019 against you before the Hon'ble National Green Tribunal, PB, New Delhi against water pollution caused by your unit M/s. Shriram Jawahar Shetkari Sahakari Sakhar Udyog, Gat No. 9/2, 10, 11, 13/1A, Ramnagar, Phaltan, Tal. Phaltan, Dist. Satara.

AND WHEREAS, the Hon'ble NGT vide order dtd. 13/08/2019 directed to the Maharashtra Pollution Control Board to inspect the area in question and verify the correctness of the allegations and file the action taken report.

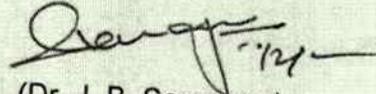
AND WHEREAS, in compliance of the order dtd. 13/08/2019, the MPCB has filed its report on 21 November, 2019. Accordingly, Hon'ble NGT has passed an Order on 04/12/2019 to assess the environmental compensation for non-compliances indicated in the finding like 1. Industry operating without valid consent 2. You have not provided adequate & 15 days effluent holding tank 3. You have not provided adequate effluent treatment system 3. You are discharging the treated effluent in kaccha laggons.

NOW THEREFORE, in compliance of the Order dtd.03/12/2019 passed by Hon'ble NGT, you are hereby directed to deposit an amount of Rs. 22,20,000/- (Rupees Twenty Two Lakhs Twenty Thousand Only) from period 29/11/2019 to 11/02/2020 towards the assessment of damage already caused to the environment and recovery of environmental compensation as per 'Polluters Pay' Principle to the Maharashtra Pollution Control Board, Kalpataru Point, 3rd Floor, Sion (East), Mumbai-400 022, within a period of 7 days from date of receipt of these directions, failing which, the Board will have no option than to initiate appropriate legal action against you, which please note.

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Further period environmental compensation order will be issued separately.
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For and on behalf of the
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Regional Officer, Pune

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Old Pune Mumbai Road,
Pune- 411003

MPCB/ROP/ 200213-FTS-0257

Date: 13/12/2020

To,
M/s. Shriram Jawahar SSK Ltd (Distillery),
Nira Valley Arkashala Vibhag, At. Phaltan,
Tal. Phaltan, Dist Satara.

Sub: Directions under Section 33A of the Water (Prevention & Control of Pollution) Act, 1974.

Ref: 1) Directions issued by the Board from time to time.
2) Proposed Directions issued by Board on 29/11/2019.
3) Order passed by Hon'ble NGT, New Delhi in O.A. No.555/2019,
Dtd. 03/12/2019.

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WHEREAS, Mr. Rahul Chauhan has filed an Application bearing No.555/2019 against you before the Hon'ble National Green Tribunal, PB, New Delhi against water pollution caused by your unit M/s. Shriram Jawahar SSK Ltd (Distillery), Nira Valley Arkashala Vibhag, At. Phaltan, Tal. Phaltan, Dist Satara.

AND WHEREAS, the Hon'ble NGT vide order dtd. 13/08/2019 directed to the Maharashtra Pollution Control Board to inspect the area in question and verify the correctness of the allegations and file the action taken report.

AND WHEREAS, in compliance of the order dtd. 13/08/2019, the MPCB has filed its report on 21 November, 2019. Accordingly, Hon'ble NGT has passed an Order on 04/12/2019 to assess the environmental compensation for non-compliances indicated in the finding like 1. Industry operating without valid consent 2. You have not provided effluent holding tank 3. You have not recycle / reuse the treated effluent as per conditions stipulated in consent granted by the Board 4. Overall operation and maintenance of ETP is very poor, 4. You have not provided ETP for treatment of spent, utility effluent and evaporator condensate.

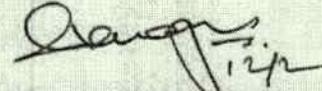
NOW THEREFORE, in compliance of the Order dtd.03/12/2019 passed by Hon'ble NGT, you are hereby directed to deposit an amount of Rs. 22,20,000/- (Rupees Twenty Two Lakhs Twenty Thousand Only) from period 29/11/2019 to 11/02/2020 towards the assessment of damage already caused to the environment and recovery of environmental compensation as per 'Polluters Pay' Principle to the Maharashtra Pollution Control Board, Kalpataru Point, 3rd Floor, Sion (East), Mumbai-400 022, within a period of 7 days from date of receipt of these directions, failing which, the Board will have no option than to initiate appropriate legal action against you, which please note.

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For and on behalf of the
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Regional Officer, Pune

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Old Pune Mumbai Road,
Pune- 411003

MPCB/ROP/ 200213-FTS-0260

Date: 13/02/2020

To,
M/s. Govind Milk & Milk Products,
Gat No. 93/1, 93/2 & 94/1, 5, Ganeshsheri,
A/p. Phaltan, Dist. Satara.

Sub: Directions under Section 33A of the Water (Prevention & Control of Pollution) Act, 1974.

Ref: 1) Directions issued by the Board from time to time.
2) Proposed Directions issued by Board on 02/12/2019.
3) Order passed by Hon'ble NGT, New Delhi in O.A. No.555/2019, Dtd. 03/12/2019.

.....

WHEREAS, Mr. Rahul Chauhan has filed an Application bearing No.555/2019 against you before the Hon'ble National Green Tribunal, PB, New Delhi against water pollution caused by your unit M/s Govind Milk & Milk Products, Gat No. 93/1, 93/2 & 94/1, 5, Ganeshsheri, A/p. Phaltan, Dist. Satara.

AND WHEREAS, the Hon'ble NGT vide order dtd. 13/08/2019 directed to the Maharashtra Pollution Control Board to inspect the area in question and verify the correctness of the allegations and file the action taken report.

AND WHEREAS, in compliance of the order dtd. 13/08/2019, the MPCB has filed its report on 21 November, 2019. Accordingly, Hon'ble NGT has passed an Order on 04/12/2019 to assess the environmental compensation for non-compliances indicated in the finding like 1. Industry operating without valid consent 2. You have not operated ETP properly, 3. Effluent was overflowing from SDBs and spreading on the Ground.

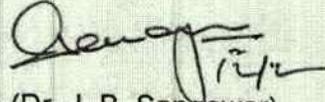
NOW THEREFORE, in compliance of the Order dtd.03/12/2019 passed by Hon'ble NGT, you are hereby directed to deposit an amount of Rs. 21,30,000/- (Rupees Twenty One Lakhs Thirty Thousand Only) from period 02/12/2019 to 31/01/2020 towards the assessment of damage already caused to the environment and recovery of environmental compensation as per 'Polluters Pay' Principle to the Maharashtra Pollution Control Board, Kalpataru Point, 3rd Floor, Sion (East), Mumbai-400 022, within a period of 7 days from date of receipt of these directions, failing which, the Board will have no option than to initiate appropriate legal action against you, which please note.

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Pune- 411003

MPCB/ROP/ 200213- FTS-0262

Date: 13/02/2020

To,
M/s. Maharashtra Foods Processing and Cold Storage,
Gat No. 21/2B, 22/4, Ganeshnagar, Baramati Road,
Vill. Algudewadi, Tal. Phaltan Dist Satara.

Sub: Directions under Section 33A of the Water (Prevention & Control of Pollution) Act, 1974.

Ref: 1) Directions issued by the Board from time to time.
2) Proposed Directions issued by Board on 29/11/2019.
3) Order passed by Hon'ble NGT, New Delhi in O.A. No.555/2019, Dtd. 03/12/2019.

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WHEREAS, Mr. Rahul Chauhan has filed an Application bearing No.555/2019 against you before the Hon'ble National Green Tribunal, PB, New Delhi against water pollution caused by your unit M/s Maharashtra Foods Processing and Cold Storage, Gat No. 21/2B, 22/4, Ganeshnagar, Baramati Road, Vill. Algudewadi, Tal. Phaltan Dist Satara.

AND WHEREAS, the Hon'ble NGT vide order dtd. 13/08/2019 directed to the Maharashtra Pollution Control Board to inspect the area in question and verify the correctness of the allegations and file the action taken report.

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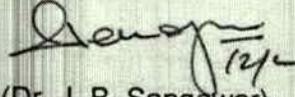
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Details of Environmental Compensation calculations –

- 1) **Name of the Industry - M/s Malegaon SSK Ltd. , Tal. Baramati, Dist. Pune;**

Formula used for Environmental Compensation –

$$EC = P1 \times N \times R \times S \times LF$$

P1 – As unit is in Red Category, value of P1 is considered as 80.

N – No. of days of violation

R – Rs. 250 as per NGT order

S – As unit is Red / LSI category S taken as 1.5

LF – As population is below 1 million, LF is taken as 1.

$$EC = 80 \times 73 \times 250 \times 1.5 \times 1$$

$$EC = 21,90,000/- \text{ (Twenty One Lacs Ninety Thousand Only)}$$

- 2) **Name of the Industry - M/s Shriram Jawahar SSK Udyog (Sugar Unit), Tal. Phaltan, Dist. Satara;**

Formula used for Environmental Compensation –

$$EC = P1 \times N \times R \times S \times LF$$

P1 – As unit is in Red Category, value of P1 is considered as 80.

N – No. of days of violation

R – Rs. 250 as per NGT order

S – As unit is Red / LSI category S taken as 1.5

LF – As population is below 1 million, LF is taken as 1.

$$EC = 80 \times 74 \times 250 \times 1.5 \times 1.$$

$$EC = 22,20,000/- \text{ (Twenty Two Lacs Twenty Thousand Only)}$$

- 3) **Name of the Industry - M/s Shriram Jawahar SSK Ltd (Distillery), Tal. Phaltan, Dist. Satara**

Formula used for Environmental Compensation –

$$EC = P1 \times N \times R \times S \times LF$$

P1 – As unit is in Red Category, value of P1 is considered as 80.

N – No. of days of violation

R – Rs. 250 as per NGT order

S – As unit is Red / LSI category S taken as 1.5

LF – As population is below 1 million, LF is taken as 1.

$$EC = 80 \times 74 \times 250 \times 1.5 \times 1.$$

$$EC = 22,20,000/- \text{ (Twenty Two Lacs Twenty Thousand Only)}$$

4) **Name of the Industry - M/s Govind Milk & Milk Products, Tal. Phaltan, Dist. Satara**

Formula used for Environmental Compensation –

$$EC = P1 \times N \times R \times S \times LF$$

P1 – As unit is in Red Category, value of P1 is considered as 80.

N – No. of days of violation

R – Rs. 250 as per NGT order

S – As unit is Red / LSI category S taken as 1.5

LF – As population is below 1 million, LF is taken as 1.

$$EC = 80 \times 71 \times 250 \times 1.5 \times 1.$$

EC = 21,30,000/- (Twenty One Lacs Thirty Thousand Only)

5) **Name of the Industry - M/s Maharashtra Foods Processing & Cold Storage, Tal. Phaltan, Dist. Satara**

Formula used for Environmental Compensation –

$$EC = P1 \times N \times R \times S \times LF$$

P1 – As unit is in Red Category, value of P1 is considered as 80.

N – No. of days of violation

R – Rs. 250 as per NGT order

S – As unit is Red / LSI category S taken as 1.5

LF – As population is below 1 million, LF is taken as 1.

$$EC = 80 \times 74 \times 250 \times 1.5 \times 1.$$

EC = 22,20,000/- (Twenty Two Lacs Twenty Thousand Only)