

1

**Rejoinder to the Affidavits filed by Other Respondents**

**IN THE HON'BLE NATIONAL GREEN TRIBUNAL WZ BENCH PUNE**

**ORIGINAL APPLICATION NO 01 OF 2025**

**Ankush Ranganath Kale**

**- - - } Applicants.**

**Vs**

**M/s State of Maharashtra & Others.**

**- - - } Respondents.**

**Rejoinder to the Affidavits filed by Other Respondents**

1. The R.No.9 has gone through all the Affidavits filed by and on behalf of Central Ground Water Authority (R.No.3), MoEF & CC, GoI, CPCB (R.N.2), Excise Department (R.N. 7) and MPCB (R.No.5).

A) Comments on the MPCB (R.No.5) Affidavit dated 23.05.2025-

a) Sugar Unit-

- i) The sugar unit has been granted First Consent to Operate for expansion of 1000 TCD and 10.5 MW Co-generation Unit with amalgamation of Existing Renewal of Consent to Operate of 6000 TCD Sugar and 21 MW Co-generation. Further E.C. dated 08.07.2021 had been obtained by the R.No.9 for proposed expansion from 7000 TCD to 9000 TCD, for which renewal was granted on 20.02.2022 and 22.07.2024 valid for a period up to 31.07.2025.

The Applicant has not challenged any of the above permissions either before the Appellate Authority or this Hon'ble Tribunal.

- ii) The R.No.5 has further given the details of Effluent Treatment Plant, Air Pollution Control Devices with the ESP & APC to Boiler, and Online Monitoring System to effluent & emission which is connected to MPCB & CPCB Servers.
- iii) MPCB- Actions- a) SCN issued on 15.12.2021 for poor maintenance & operation of ETP & alleged installation of 80 TPH Boiler. The Reply to SCN submitted on 21.12.2021, stating that the Boiler is installed in 2007 itself not now.

- iv) BG of Rs. 15 Lakhs forfeited for Boiler & Rs. 5 Lakhs forfeited for exceeding JVS. (Page-937 MPCB Affidavit Sr. No 9 para.)

The Officer of the Respondent-Board visited on 27.2.2026 & found ETP was in operation, CPU not provided, but 15 days Storage Tank provided as per the CREP-Norms. The Visit Report is at Annexure-VII of MPCB-Reply. In fact, the condition for CPU imposed for the first time in the Consent to Operate dated 20.2.2022 at Schedule-I Condition No.1 (B) (Page 964 of MPCB-Affidavit). The Condition No.1-D of Schedule-I specifically allowed to dispose of treated effluent on land for Irrigation on 150 Hectors of own land /as per the bilateral agreement with the farmers. (Page 940 of MPCB-Affidavit).

- b) Distillery Unit-

The First C to O has been granted on 22.7.2024 to the Distillery for Expansion of 55 KLPD Molasses based Distillery Unit up to 31.8.2024 at Annexure-VIII of MPCB-Affidavit. Earlier Consent was for 45 KLPD which is valid up to 31.8.2025. The R.N. 9 has been granted further EC dated 15.12.23, which is still valid.

These permissions are not challenged by the Applicant. The following are the actions & compliances.

- i) The R.No.9 provided bio-digester followed by MEE, followed by bio-composting and also provided incineration boiler for treatment and disposal of Spent-wash and also provided CPU for treatment of effluent and same shall be reused in the process. Industry has provided OCEMS.
- ii) MPCB has issued Interim Directions dated 21.03.2023 and directed to scrap Kachha Lagoon as per consent conditions dated 24.07.2022, not to dispose of effluent through tanker outside factory premises and to assess contamination of ground water, soil and remediation of it through Government Institute like VSI/IIT within 3 months and submit performance evaluation report of existing pollution control system as well as to submit BG of Rs.5 Lacs towards compliance.

- iii) Industry has complied with interim directions dated 21.03.2023 by scrapping kachha lagoon, stopped disposing spent wash through tankers outside factory premises and issued work order to VSI for assessment of contamination, which work is in progress. Industry has submitted BG of Rs. 5 Lacs.
- iv) The compliance has been verified on 03.04.2025 and observed that the distillery is in operation and provided 45 KLPD molasses-based distillery with ETP for 450 CMD. Spent wash comprising bio-methanization followed by MEE and bio-composting on 13 acres of land with leachate collection system. ETP has been provided for 55 KLPD distillery for treatment of 690 CMD. Distillery has provided CPU, primary, secondary, and 3 stage RO. It has also provided incineration boiler with ESP followed by stack. OCEMS to Incineration Boiler & connected to M  
PCB & CPCB-Servers as per verification report of visit dated 3.4.25, which is at Annexure-XI of MPCB-Affidavit at Page- 985 to 990.
- v) Both the Sugar & Distillery Units of R.N.9 complied with the consent conditions. (Para-6 of MPCB-Affidavit at Page No.941.

B) CGWA- Affidavit – page-1056 to 1103

The Affidavit states that R.N. 9 obtained exemption from CGWA in 2017 & as per physical verification of industrial premises, it was observed that there does not exist any ground water abstraction structures. (Dug well/Borewell/Tube well) (Para-8 of CGWA-Affidavit) The Water supply is from nearby Mula Dam Right Bank Canal. (Para-9 of Affidavit at Page-1060)

- C) MoEF & CC, GoI Affidavit dated 19.5.25 concludes that the SEIAA, Maharashtra is the Nodal Authority for taking decision on violations of EC. (Para-9 of its Affidavit at Page-856/743)
- D) CPCB-Affidavit dated 05.03.2025- It just produce on record Report of the CPCB in-house Committee on Methodology for Assessing Environmental Compensation & Action Plan to Utilize the Fund. It concludes that the averments may suitably be replied by the respective Respondents & invites no further comments from it. (Para-9 continue on Pge-685)

4  
E) Affidavit in Reply of Excise Dept dated 15.04.2025 concludes that the no excess production of Rectified Spirit, Extra Neutral Alcohol, Absolute Alcohol/Ethanol was found. (Page-844, Para-14 of its Affidavit.)

Therefore, on the basis of above all Affidavits of the Respondents, the present application may kindly be disposed of without any cost with appropriate orders in this matter.

Dated this 10<sup>th</sup> July 2025 at Pune.



(Dattatraya Devale)

Advocate for the R.N.9.