

BEFORE THE NATIONAL GREEN TRIBUNAL
WESTERN ZONE BENCH, PUNE
ORIGINAL APPLICATION NO. 32 OF 2023

IN THE MATTER OF:-

Raju Alias Devavappa Anna Shetty & Ors. Applicant

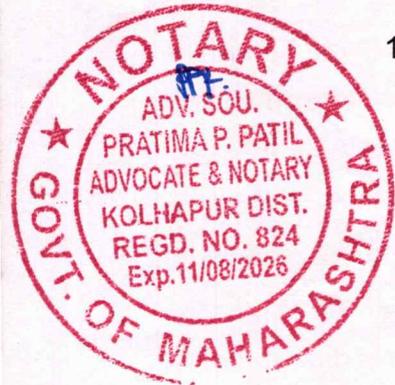
V/s.

Directors, M/S. Shri Dutta India Pvt.Ltd., & Ors. Respondents

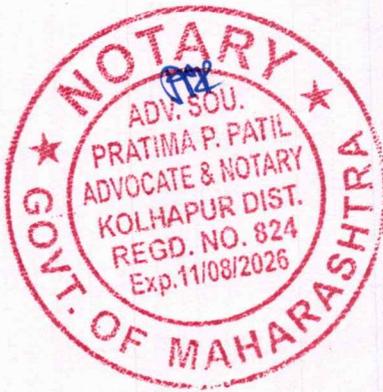
REPLY AFFIDAVIT ON BEHALF OF RESPONDENT No. 2.

I, Jagannath Shankar Salunkhe, aged about 54 years, occupation-service, the Regional Officer, Maharashtra Pollution Control Board at Kolhaur having my office at Udyog Bhavan, Near Collector Office, Kolhapur. I am filing this affidavit on behalf of the Respondent No – 2 do hereby solemnly affirm state as under.

1. That I, am presently working as the Regional Officer, Kolhapur with the Maharashtra Pollution Control Board. I say and submit that, I have gone through the records of the present application and thereafter made myself conversant with the facts and circumstances. I am filing the present affidavit-in-reply in response to the application after understanding the contents thereof. At the outset I deny all the averments, assertions and contentions, made in the application against Board and those which are not dealt with by me specifically in this reply may not be construed as having admitted the truthfulness thereof.
2. That the averments made in Para No. 1 & 2 is about the address & the profession of Applicant and Respondent no.1, hence no comments from this Answering Respondents no. 2.
3. That the averments made in Para No. 3 is about the present Respondents no.2 i.e. Maharashtra Pollution Control Board.



4. That the averments made in Para No. 4 are about the executive power, functions and responsibility of Respondent no. 3 i.e. Municipal Corporation of Sangli under the Maharashtra Municipal Corporation Act for maintaining the health standards and protecting the wholesome environment in the area in their jurisdiction. The same are matter of records and hence need no comments from this Answering Respondent.
5. That the averments made in Para No. 5 is about the origin and flowing path of Krishna River.
6. That the averments made in Para No. 6, it is true to say that the untreated sewage generated from the area of Sangli Miraj and Kupwad City Municipal Corporation, Sangli which is flowing the various natural nallas and finally mixed into Krishna River causing pollution of river water. The facts are already brought to the notice of concerned corporation at time to time from the Board. And accordingly notices and directions have been issued to Sangli Miraj and Kupwad City Municipal Corporation Sangli. **The copies of notices and directions are enclosed herewith and marked as an Annexure "A".**
7. That the averments made in Para No. 7 to 11, I say and submit that, on 10-03-2023 the news items were published on various electronic channel media as well as telephonic complaints have been received from various non-governmental organizations and citizens regarding incidence of fish kill happened at various locations on bank of Krishna River near Ankali Bridge, Tal-Miraj, Dist-Sangli.
8. Accordingly the team of Sub Regional Office, Maharashtra Pollution Control Board Sangli, immediately went to visit the spots for investigation of the fish kill incidents along with representative of Fishery Department, Sangli. On the basis visits and observations made on 10-03-2023 and 11-03-2023 accordingly the actions have been initiated by the Board against the defaulting industries and local bodies. The details are as under-



**A) M/s. Shri Dutta India Pvt. Ltd., Madhavnagar, Sangli. Sugar Unit.
(Operated of M/s. Vasantdada Shetkari Sahakari Sakhar Karkhana
Ltd., Sangli.)**

- Proposed Directions u/s. 33A of the Water (Prevention and Control of Pollution) Act, 1974 and u/s. of 31A of the Air (Prevention and Control of Pollution) Act, 1981 and under the Hazardous Waste (M & T M) Rules 2008 as amended have been issued on dtd. 11-03-2023.
- Closure Directions u/s. 33A of the Water (Prevention and Control of Pollution) Act, 1974 and u/s. of 31A of the Air (Prevention and Control of Pollution) Act, 1981 and under the Hazardous Waste (M & T M) Rules 2008 as amended have been issued on dtd. 12-03-2023.
- Accordingly the electricity and water supply have been disconnected by the M.S.E.D.C.L and Irrigation Department Sangli respectively till today.



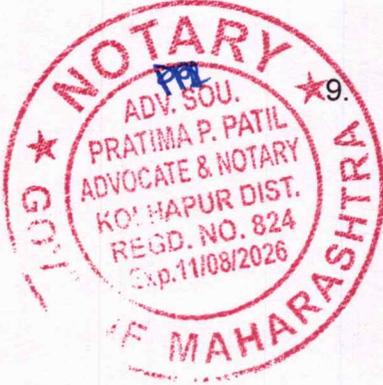
**B) M/s. Swapanpurti Sugar Ltd, Madhavnagar, Sangli Distillery unit
(Operated of M/s. Vasantdada Shetkari Sahakari Sakhar Karkhana
Ltd., Sangli.)**

- Proposed Directions u/s. 33A of the Water (Prevention and Control of Pollution) Act, 1974 and u/s. of 31A of the Air (Prevention and Control of Pollution) Act, 1981 and under the Hazardous Waste (M & T M) Rules 2008 as amended have been issued on dtd. 11-03-2023.
- Closure Directions u/s. 33A of the Water (Prevention and Control of Pollution) Act, 1974 and u/s. of 31A of the Air (Prevention and Control of Pollution) Act, 1981 and under the Hazardous Waste (M & T M) Rules 2008 as amended have been issued on dtd. 12-03-2023.
- Accordingly the electricity and water supply have been disconnected by the M.S.E.D.C.L and Irrigation Department Sangli respectively till today.

C) Sangli Miraj and Kupwad City Municipal Corporation, Sangli.

- Proposed Directions u/s. 33A of the Water (Prevention and Control of Pollution) Act, 1974 and u/s. of 31A of the Air (Prevention and Control of Pollution) Act, 1981 and under the Hazardous Waste (M & T M) Rules 2008 as amended have been issued on dtd. 11-03-2023.

The copies of actions as mentioned above are enclosed herewith and marked as an Annexure "B".

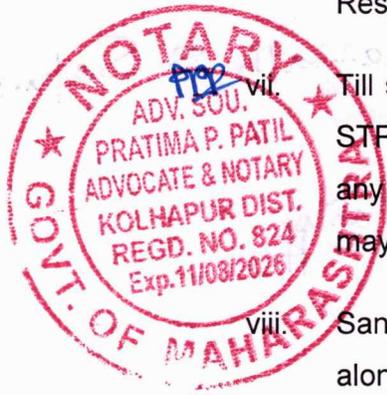


I say and submit that, as per the Hon'ble National Green Tribunal (WZ) Pune, order dtd. 31/03/2023, in the matter of O.A No. 32/2023, the Joint Committee has been constituted and accordingly joint inspection has been carried out on 29-05-2023. The joint committee has submitted its final report with following recommendation to the Hon'ble National Green Tribunal (WZ) Pune.

Recommendations.

- MPCB may amend the CTO of the distillery industry, dated 05/11/2020 w.r.t. conditions stipulated in s. no. 4 of the CTO dated 05/11/2020 i.e. conditions under the Water (Prevention and Control of Pollution) Act, 1974 for discharge of effluent – to impose applicable treatment system to the distillery industry for management of spent wash in line with treatment system being imposed for rest of the molasses based distilleries in Maharashtra.
- MPCB may amend the CTO of the sugar industry, dated 04/11/2020 w.r.t. conditions stipulated in s. no. 4 of the CTO dated 04/11/2020 i.e. conditions under the Water (Prevention and Control of Pollution) Act, 1974 for discharge of effluent – to impose applicable treatment system to the sugar industry for management of process condensate water in line with treatment system being imposed for rest of sugar industries in Maharashtra.

- iii. MPCB may ensure implementation of point no. i & ii, as above; till that time, MPCB may not permit the operation of both sugar & distillery industries during next season in 2023-24. Also, MPCB shall complete compliance verification of aforesaid industries w.r.t. closure directions issued u/s 33A of the Water (Prevention and Control of Pollution) Act, 1974 & 31A of the Air (Prevention and Control of Pollution) Act, 1981 (as given at Annexure-7), before considering for revocation of the said closure directions.
- iv. MPCB may carry out regular surveillance inspection of industries situated Along the Krishna River especially sugar & distilleries at least on monthly basis ensuring that there is no discharge of the effluent from these industries to the natural drains and to the Krishna River.
- v. The joint committee opined that 100% treatment of sewage may be ensured as directed by the Principal Bench of Hon'ble Tribunal vide order dated 28/08/2019 in O.A. No. 593/2017, Paryavaran Suraksha Samiti & Anr. Vs. Union of India & Ors.
- vi. Natural drains used as sewage canals should be stopped immediately and Restoration should be carried out.



- vii. Till such time where laying of sewerage network and its connectivity to STP is not yet started, in-situ bioremediation and/or phytoremediation or any other remediation measures for treatment of sewage at natural drains may be implemented as a primary treatment measures.
- viii. Sangli Municipal Corporation should submit a time bound action plan along with budgetary provisions for setting up of full-fledged STPs including laying of sewerage network & its connectivity to such STP's in the corporations/councils viz. Sangli, Miraj and Kupwad Municipal Corporation, Islampur municipal council, Islampur & Astha municipal council, Ashta. Also, Sangli, Miraj and Kupwad City Municipal Corporation may ensure implementation of its action plan expeditiously and regularly monitor the same ensuring that untreated sewage is not discharged into the natural drains and to the Krishna River.

ix. K.T. weirs constructed across the Krishna River, obstructs the minimum e-flow of the river. Hence, in order to ensure adequate dissolved oxygen and flow, irrigation Dept., to regulate the flow so as to maintain minimum e-flow in the Krishna River.

Also, I say and submit that the copy of factual and action taken report of joint committee inspection along with necessary documents, analysis results of water and soil samples, photographs etc. is submitted on the email ngt-pune@gov.in in the form of pdf separately.

Solemnly affirmed on 23rd the day August, 2023

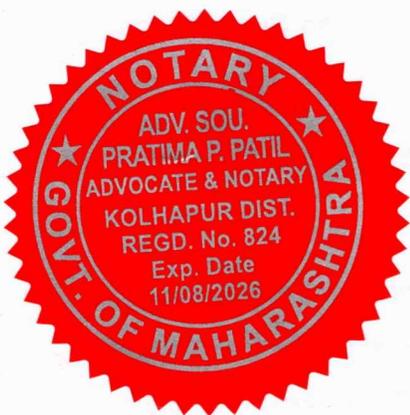
Identified by

For and on behalf of Respondent No. 2.

Jaganath

(Jagannath Shankar Salunkhe)

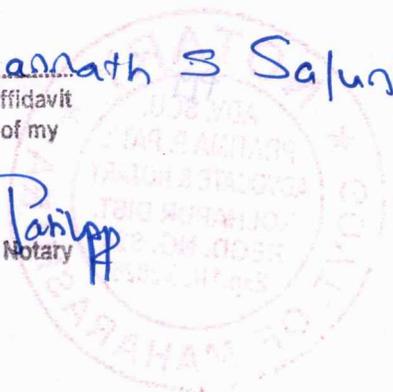
Regional Officer-Kolhapur.



I do solemnly affirm that Jaganath S Salunkhe is my name & I have signed the affidavit & put L.H.T.I. & that the contents of my affidavit are true

Jaganath S Salunkhe
Deponent

Pratima P
Notary



Pratima P
Sou. PRATIMA P. PATIL
Advocate & Notary
C.S.No.2335, Narayan Complex,
Near Shanivar Post Office, Kolhapur.
Mob. 9422047545/7385157876

Notary Regi. Sr. No. 1344
23/08/2023

NUMBER OF CORRECTIONS
ON THIS PAGE. *Nil*

**MAHARASHTRA POLLUTION CONTROL BOARD
REGIONAL OFFICE, KOLHAPUR.**

Tel. No. (0231) 2652952.
2660448
Fax No. (0231) 2652952
E-mail:
rokolhapur@mpcb.gov.in



Udyog Bhavan,
Near Collector Office,
Kolhapur - 416 003
Website <http://mpcb.mah.nic.in>

No. MPCB/RO/KOP/PD/2303100024

Date: 10/03/2023

To,
The Sangli, Miraj and Kupwad City
Municipal Corporation
Sangli, Tal. Miraj, Dist. Sangli.

Sub: Proposed Directions under section 33 A of Water (Prevention & Control of Pollution) Act, 1974, 31 A of Air (Prevention & Control of Pollution) Act, 1981 & Hazardous Waste (M, H & T) Rules, 2016 as amended.

Ref. 1. Complaint received from citizens as well as news published on electronic media regarding fish kill incidence in Krishna River at Ankali Bridge dtd. 10.03.2023.
2. Various Directions issued by the Board time to time.
3. Visit of Board Officials on 10.03.2023.
4. Proposal submitted by SRO Sangli.

WHEREAS, it was obligatory on your part to obtain valid consent/ Authorization and to provide full-fledged effluent treatment plant & proper disposal arrangements for effluent & MSW generated from the local body & to operate the same round the clock so as to meet the standards prescribed by the Board and to obtain consent under the Water (Prevention & Control of Pollution) Act, 1974 & under the Air (Prevention & Control of Pollution) Act, 1981.

AND WHEREAS, the Maharashtra Pollution Control Board has issued various Directions from time to time to your Corporation vide above ref. no. 2 and directed to implement measures for the treatment and disposal of domestic effluent generated through your local body and stopping the untreated effluent mixed into Krishna River through various nallas.

AND WHEREAS, the Board Officials visited various nallas on dtd. 10.03.2023 and observed following non-compliances.

1. You are discharging untreated domestic effluent into Krishna River through Sheri Nalla & Sangliwadi Nalla.
2. You have failed to provide Sewage Treatment Plant (STP) for Sangliwadi Nalla & Sheri Nalla which results into discharge of sewage directly into the Krishna River without any treatment. Which is causing the health issues of citizens depending on water supply schemes and also impact on aquatic animals down stream of nallas.
3. You have installed 04 electric pumps on Sheri Nalla for lifting of untreated domestic effluent to Village Dhulgaon irrigation scheme for further treatment but 02 nos of pumps were observed in non-operational condition due to which the untreated effluent found overflowing into Krishna River with foaming & septic smell having blackish colour domestic effluent.
4. You have failed to comply with the conditions of warning notice, show cause notice, proposed directions issued by the Board time to time.
5. And also failed to submit time bound action plan for 100% treatment of the generated sewage and achieving effluent discharge standards.

6. You have also failed to earmarked and amount of Rs. 3.6 lacs per day towards the cost of remediation/pollution control by keeping the said amount in a separate account to be operated by the Municipal Commissioner for remediation/pollution control in consultation with the Board.
7. You have also failed to comply with the directions of Hon'ble NGT's orders issued time to time in the various applications.

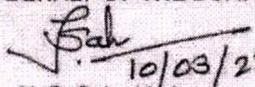
AND WHEREAS, after examining the record of your case, reports of officers of the Board & making necessary enquiries, I am satisfied that you have failed to comply with various Direction issued by the Board from time to time which shows your negligent attitude towards the control of pollution problems which are causing Environmental Pollution in the surrounding area and knowingly & wilfully causing grave injury to the environment thereby violating various Environment enactments.

NOW THEREFORE, in exercise of the powers conferred on the undersigned by the Board under section 33A of the by the Water (Prevention & Control of Pollution) Act, 1974 and section 31A of Air (Prevention & Control of Pollution) Act, 1981 it is proposed to issue the following directions (for avoidance of doubt, the directions include legal, closure, prohibition or regulation of your activities including filing of prosecution).

- i) Why further legal action shall not be initiate against you?
- ii) Why Prosecution shall not be filled against you?

You are directed to file your objection/reply to these proposed directions if any, within a period of 7 days from the receipt of this notice, failing which further stringent legal actions may be initiated in the matter, please note.

FOR AND ON BEHALF OF THE BOARD


10/03/23
(J. S. Salunkhe)
Regional Officer,
M.P.C. Board, Kolhapur

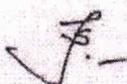
Copy submitted for information.

- 1) Member Secretary, M.P.C. B, Mumbai.
- 2) Joint Director (Water Pollution Control) Mumbai

Copy to:

Sub-Regional Officer, M. P. C. Board, Sangli.

- He is directed to keep vigil on the Local Body and the compliance made time to time after issuance of these directions.



**MAHARASHTRA POLLUTION CONTROL BOARD
REGIONAL OFFICE, KOLHAPUR.**

Tel. No. (0231) 2652952,
2660448
Fax No. (0231) 2652952
E-mail:
rokolhapur@mpcb.gov.in



Udyog Bhavan,
Near Collector Office,
Kolhapur - 416 003
Website <http://mpcb.mah.nic.in>

Your Service is Our Duty

No. MPCB/RO/KOP/PDI/2303100023

Date: 10/03/2023

To,
M/s. Shri Dutt India Pvt. Ltd.
(Operator of M/s. Vasantdada SSK Ltd.)
A/p-Madhavnagar,
Tal. Miraj, Dist. Sangli.

Sub. Proposed Directions under section 33 A of Water (Prevention & Control of Pollution) Act, 1974, 31 A of Air (Prevention & Control of Pollution) Act, 1981 & Hazardous Waste (M, H & T) Rules, 2016 as amended.

Ref. 1. Complaint received from citizens as well as news published on electronic media regarding fish kill incidence at Krishna River Ankali Bridge dtd. 10.03.2023
2. Visit of Board Officials on 10.03.2023.
3. Proposal submitted by SRO Sangli

WHEREAS, you are operating your unit in 'Pollution Prevention Area' declared under Water (Prevention & Control of Pollution) Act, 1974 & Air (Prevention & Control of Pollution) Act, 1981 & Hazardous Waste (Management & TM) Rules, 2016 as amended

AND WHEREAS, it is obligatory on your part to provide adequate water and air pollution control devices and adequate health and safety & accidental precautionary measures and to operate it round o'clock so as to prevent any sort of pollution in the surrounding area and to achieve the standards laid down under the provisions of Environment (Protection) Act, 1986.

AND WHEREAS, The Board Officials has visited your unit on 10.03.2023 regarding investigation of the fish kill incidence as per reference no. (1) and observed following non-compliances

1. You have failed to operate & maintain the Effluent Treatment Plant round the clock. Thereby causing leakage of effluent carrying pipe line and also overflow from the storage well. The untreated effluent find its way to Karnal Road Nalia which further meets to Krishna River resulting into fish killing incidence in Krishna River.
2. You have failed to provide full-fledged leakage proof pipeline with safety & preventive measures as it was noticed that ETP pipeline leakage and untreated/partial treated pale yellow coloured effluent having pH 5 to 6 (by pH paper) is being observed discharging outside the factory premises. Thereby causing violation of consent conditions.
3. You have not operating existing Effluent Treatment Plant scientifically.
4. You have not provided Environmental, Health & Safety precautions to prevent the environmental issues, it may cause serious harm to Environment & to human being also.
5. You have discharged treated/partially treated effluent on 9th March 2023, night time to 10th March 2023 morning. This shows your negligent attitude towards Environment.

[Signature]

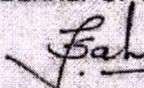
AND WHEREAS, after examining the record of your case, reports of officers of the Board & making necessary enquiries, I am satisfied that you are causing Environmental Pollution problems in the surrounding area and knowingly & wilfully causing grave injury to the environment thereby violating various Environment enactments.

NOW THEREFORE, in exercise of the powers conferred on the undersigned by the Board under section 33A of the Water (Prevention & Control of Pollution) Act, 1974 and section 31A of Air (Prevention & Control of Pollution) Act, 1981 it is proposed to issue the following directions (for avoidance of doubt, the directions include closure, prohibition or regulation of your activities).

- i) Why your industry shall not be closed down forthwith?
- ii) Why competent authorities shall not be instructed to disconnect your water/electricity supply due to the above fish killing incidence?

You are directed to file your reply to these directions if any immediately from the receipt of this notice, and to remain present for Personal Hearing on Monday, 13.03.2023 at 3.30 PM at Regional Office, Maharashtra Pollution Control Board, Udayog Bhavan, Kolhapur along with all relevant documents failing which Board shall consider issuance of appropriate final directions as may be deemed fit in your case, which may please be noted.

FOR AND ON BEHALF OF THE BOARD


 (J. S. Salunkhe)
 Regional Officer,
 M.P.C. Board, Kolhapur

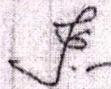
Copy submitted for information.

- 1) Member Secretary, M.P.C. B, Mumbai.
- 2) Joint Director (Water Pollution Control) MPCB, Mumbai
- 3) Joint Director (Air) MPCB, Mumbai
- 4) SLO, MPCB, Mumbai

Copy to:

Sub-Regional Officer, M. P. C. Board, Sangli

- He is directed to serve the directions to the above industry and submit the compliance Report along with clear cut remarks accordingly within stipulated period.



MAHARASHTRA POLLUTION CONTROL BOARD
REGIONAL OFFICE, KOLHAPUR.

<p>Tel. No. (0231) 2652952, 2660448 Fax No. (0231) 2652952. E-mail: rokolhapur@yahoo.com</p>	 "Your Service is Our Duty"	<p>Udyog Bhavan, Near Collector Office, Kolhapur - 416 003. Website: http://mpcb.mah.nic.in</p>
--	---	--

No. MPCB/RO/KOP/CD/ FTS-0015

Date: 13/03/2023.

To,
M/s. Shri Dutt India Pvt. Ltd.,
(Operator of M/s. Vasantdada SSK Ltd.,)
A/p. Madhavnagar, Tal. Miraj,
Dist. Sangli.

Sub: Closure Direction u/s 33A of Water (Prevention & Control of Pollution) Act, 1974, 31 A of Air (Prevention & Control of Pollution) Act, 1981 and under the Hazardous Waste (M & TM) Rules, 2008 as amended.

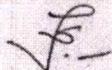
- Ref: 1. Fish kill incident at Krishna River dated 10.03.2023.
as well as News Published on Electronic media.
2. Visit of the MPCB Officials on 10.03.2023.
3. Proposed Directions issued by the MPC Board dated 10.03.2023.
4. Personal Hearing conducted on 13.03.2023.

WHEREAS you are operating your industry in 'Pollution Prevention Area' declared under Water (Prevention & Control of Pollution) Act, 1974, Air (Prevention & Control of Pollution) Act, 1981 & Hazardous Waste (M & TM) Rules, 2016 as amended.

AND WHEREAS it was obligatory on your part to obtain valid consent from the MPC Board and to provide and operate adequate and scientific water and air pollution control devices continuously, so as to prevent any sort of pollution in the surrounding area and to achieve the standards laid down under the provision of Environment (Protection) Act 1986.

AND WHEREAS, this office has issued Proposed Directions dated 10.03.2023 and issued and conducted Personal Hearing on 13.03.2023 based on the non-compliances observed during the visit of MPCB Officials dated 10.03.2023. Following are the non-compliances agreed by you during the Personal Hearing.

1. You have failed to operate and maintain the Effluent Treatment Plant scientifically round the clock.
2. You have failed to treat all generated sugar effluent as per consent condition and disposing untreated sugar effluent with distillery effluent, stored in kutchha lagoon which into Krishna river through natural nalla. You have failed to comply conditions imposed in consent and CREP conditions with CPCB norms and guidelines issued from time to time.
3. You have failed to provide full fledge leakage proof pipeline with safety and preventive measures. During the visit it was noticed that untreated sugar effluent (5 to 6 by pH paper) with leaked spent wash discharged in to Krishna river through natural nalla and resulting in to fish mortality causing grave injury to the Environment.
4. During visit it was observed that untreated effluent from the sugar factory with Distillery effluent was stored into Kutchha lagoon and finally disposed on 9th March 2023 & 10th March, 2023 into Krishna River through natural nalla and thereby violating the consent conditions and shows your negligent attitude towards Environment protection



5. You have failed to provide Environment, Health and Safety precautions to prevent the environmental issues which may cause serious harmful effects to the surrounding Environment.

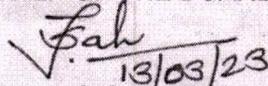
AND WHEREAS, considering the case of sudden incidence of fish kill due to attributed your industry effluent discharged into Krishna river. Due to this the chances of contamination of water there by finally causing pollution of river water could not be ruled out.

AND WHEREAS after examining the record of your case, reports and proposal of concerned officers of the Board & making necessary enquiries, I am satisfied that you are intentionally causing Environmental Pollution problems in the surrounding area and knowingly & willfully causing grave injury to the environment with aquatic life of Krishna river thereby violating various Environment enactments.

NOW, THEREFORE in exercise of the powers conferred upon me under Section 33A of the Water (Prevention & Control of Pollution) Act, 1974 & 31A of the Air (Prevention & Control of Pollution) Act, 1981, I, Jagannath Salunkhe, Regional Officer of the Maharashtra Pollution Control Board at Kolhapur hereby direct you to stop the manufacturing activity forthwith (within 72 hours) to avoid further damage to the surrounding environment and inform the same to this office immediately. The competent authorities are directed to disconnect the water/electricity supply to your unit immediately, which may please be noted.

It is issued with the approval of competent authority.

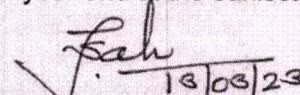
FOR AND ON BEHALF OF THE BOARD


13/03/23
(Jagannath Salunkhe)
Regional Officer,

Maharashtra Pollution Control Board, Kolhapur.

Copy for information & necessary action:

1. Superintending Engineer, MSEDCL Ltd., Sangli.
 2. Executive Engineer, MSEDCL Ltd. Sangli, Madhavnagar, Dist. Sangli.
 3. Executive Engineer, Irrigation Department. Sangli, Dist. Sangli.
- They are directed to disconnect electricity supply / water supply of above cited industry / unit immediately till further orders, and report the action taken from your end at the earliest.


13/03/23
(Jagannath Salunkhe)
Regional Officer,

Maharashtra Pollution Control Board, Kolhapur

Copy submitted for favour of information to:

1. The Member Secretary, M.P.C. Board, Mumbai.
2. The Joint Director (APC), M.P.C. Board, Mumbai.
3. The Joint Director (WPC), M.P.C. Board, Mumbai.

Copy for information:

The Law Officer, M.P.C. Board, Mumbai.

Copy to:

Sub-Regional Officer, M.P.C. Board, Sangli - He is directed to serve the direction to the concern industry, concern M.S.E.D. Co. Ltd / Local authority & keep vigil & report the compliance accordingly on priority basis.



**MAHARASHTRA POLLUTION CONTROL BOARD
REGIONAL OFFICE, KOLHAPUR.**

Tel No (0231) 2652952
2660448
Fax No (0231) 2652952
E-mail
rokolhapur@mpcb.gov.in



"Your Service is Our Duty"

Udyog Bhavan
Near Collector Office,
Kolhapur - 416 003
Website <http://mpcb.mah.nic.in>

No. MPCB/RO/KOP/PD/ 2303110001

Date: 11.03.2023

To,
M/s. Swapnapurti Sugar Ltd.
(Operator of M/s. Vasantdada SSK Ltd.)
Gat No. 173/156/167/188, A/p-Madhavnagar,
Tal. Miraj, Dist. Sangli.

Sub: Proposed Directions under section 33 A of Water (Prevention & Control of Pollution) Act, 1974, 31 A of Air (Prevention & Control of Pollution) Act, 1981 & Hazardous Waste (M, H & T) Rules, 2016 as amended.

- Ref. 1. Consent granted by the Board.
2. Fish kill Incidence at Krishna River dtd. 10.03.2023. as well as news published on electronic media.
3. Visit of Board Officials on 11.03.2023.
4. Proposal submitted by SRO Sangli.

WHEREAS, you are operating your unit in 'Pollution Prevention Area' declared under Water (Prevention & Control of Pollution) Act, 1974 & Air (Prevention & Control of Pollution) Act, 1981 & Hazardous Waste (Management & TM) Rules, 2016 as amended.

AND WHEREAS, it is obligatory on your part to provide adequate water and air pollution control devices and adequate health and safety & accidental precautionary measures and to operate it round o'clock so as to prevent any sort of pollution in the surrounding area and to achieve the standards laid down under the provisions of Environment (Protection) Act, 1986.

AND WHEREAS, The Board Officials has visited your unit on 11.03.2023 regarding investigation of the fish kill incidence as per reference no. (1) and observed following non compliances.

1. You have carried out trial run of your distillery unit form 22-02-2023 to 05-03-2023 and produced 309115 Lit (Bulk) Rectified Sprit without provision of appropriate Pollution Control systems and waste disposal arrangements.
2. You have failed to operate the bio-composting as the composting process for the generated spent wash (Approximately 21.0 Lac Ltr) The Composting arrangements were yet not taken in operations
3. During the trial runs the spentwash carrying RCC pipeline from plant to 5 days was ruptured and leakages of spentwash find its way into nearby effluent storage lagoons of M/s. Shri Dutta India Pvt. Ltd. Resulting into deterioration of quality of sugar effluent and change in colour to pale yellow and the same effluent which is disposed by M/s. Shri Dutta India Pvt. Ltd., alongwith there contaminated sugar effluent into Krishna river through natural nalla, causing fish kill.
4. You have yet not provided Online monitoring system to the composting Yard and Boiler.
5. You have not provided APCS to the Boiler of capacity 12.0 TPH and provided dust collector. Which is not as per CPCB Norms.
6. You have not provided Environmental, Health & Safety precautions to prevent the environmental issues, it may cause serious harm to Environment & to human being also.

[Signature]

- 7 M/s Shri Dutta India Pvt Ltd (Sugar Unit) have discharged treated/partially treated effluent on 9th March 2023, night time to 10th March 2023 morning. This shows your negligent attitude towards Environment.
- 8 You have failed to comply the consent conditions imposed by the Board and CPCB Guidelines.

AND WHEREAS, after examining the record of your case, reports of officers of the Board & making necessary enquiries, I am satisfied that you are causing Environmental Pollution problems in the surrounding area and knowingly & wilfully causing grave injury to the environment thereby violating various Environment enactments.

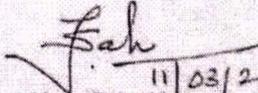
NOW THEREFORE, in exercise of the powers conferred on the undersigned by the Board under section 33A of the by the Water (Prevention & Control of Pollution) Act, 1974 and section 31A of Air (Prevention & Control of Pollution) Act, 1981 it is proposed to issue the following directions (for avoidance of doubt, the directions include closure, prohibition or regulation of your activities).

- I) Why your industry shall not be closed down forthwith?
- II) Why competent authorities shall not be instructed to disconnect your water/electricity supply due to the above fish killing incidence?

You are directed to file your reply to these directions if any immediately from the receipt of this notice, failing which Board shall consider issuance of appropriate final directions as may be deemed fit in your case, which may please be noted.

BOARD

FOR AND ON BEHALF OF THE


11/03/2023
(J. S. Salunkhe)
Regional Officer,
M.P.C. Board, Kolhapur

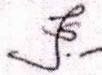
Copy submitted for information.

- 1) Member Secretary, M.P.C. B, Mumbai.
- 2) Joint Director (Water Pollution Control) Mumbai.

Copy to:

Sub-Regional Officer, M. P. C. Board, Sangli.

- He is directed to serve the directions to the above industry and submit the compliance Report along with clear cut remarks accordingly within stipulated period.



**MAHARASHTRA POLLUTION CONTROL BOARD
REGIONAL OFFICE, KOLHAPUR.**

<p>Tel. No. (0231) 2652952, 2660448 Fax No. (0231) 2652952. E-mail: rokolhapur@yahoo.com</p>	 <p>"Your Service is Our Duty"</p>	<p>Udyog Bhavan, Near Collector Office, Kolhapur - 416 003. Website:http://mpcb.mah.nic.in</p>
--	--	---

No. MPCB/RO/KOP/CD/

Date: 12 /03/ 2023.

To,
M/s. Swapnapurti Sugar Ltd. (Distillery unit)
(Operator of M/s. Vasantdada SSK Ltd.,)
Gat No. 173 / 156 / 167 / 188, A/p. Madhavnagar, Tal. Miraj,
Dist. Sangli.

230312 FTS 0002

Sub: Closure Direction u/s 33A of Water (Prevention & Control of Pollution) Act, 1974, 31 A of Air (Prevention & Control of Pollution) Act, 1981 and under the Hazardous Waste (M & TM) Rules, 2008 as amended.

- Ref: 1. Consent granted by M. P. C. Board.
2. Fish kill incident at Krishna river dated 10.03.2023 as well as News Published on Electronic media.
3. Visit of the MPCB Officials on 11.03.2023.
4. Proposal submitted by SRO, MPCB, Sangli based on the non compliances observed during the inspection.
5. Proposed Directions issued by the MPC Board dated 11.03.2023.

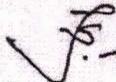
.....

WHEREAS you are operating your industry in 'Pollution Prevention Area' declared under Water (Prevention & Control of Pollution) Act, 1974, Air (Prevention & Control of Pollution) Act, 1981 & Hazardous Waste (M & TM) Rules, 2016 as amended.

AND WHEREAS it was obligatory on your part to obtain valid consent from the MPC Board and to provide and operate adequate and scientific water and air pollution control devices continuously, so as to prevent any sort of pollution in the surrounding area and to achieve the standards laid down under the provision of Environment (Protection) Act 1986.

AND WHEREAS, proposal was received to this office based on the non-compliances observed during the visit of MPCB Officials. Thereafter, M.P.C. Board office has issued Proposed Directions as per above ref. no. (5) and following are the non compliances communicated to this office based on the visit dated 11.03.2023.

1. You have carried out trial run of your distillery plant/ unit from 22.02.2023 to 05.03.2023 and produced 309115 Ltrs (Bulk) Rectified Spirit without provision of appropriate pollution control systems and waste disposal arrangements.
2. You have failed to operate the Bio-composting plant which is for the generated spent wash (approx. 21 Lakhs Ltrs). The composting arrangement and full-fledged treatment were not taken in operation.
3. During the trial operation the spent wash carrying RCC pipeline from plant to 5 days storage was ruptured and leaked spent wash find its way into effluent storage lagoons of M/s. Shri Dutta India Pvt. Ltd. resulting in to deterioration of quality of sugar effluent and change in colour to pale yellow and the same effluent along with the contaminated sugar effluent further meets to Krishna river through natural nalla and causing fish kill incident.
4. You have failed to provide online monitoring system for the composting yard and Boiler.
5. You have failed to provide the scientific air pollution control arrangement (dust collector) for Boiler (12 TPH) which is not according to the CPCB norms.

 :2:

- 160
6. You have failed to operate and maintain bio composting plant and failed to utilize generated spent wash for composting process, vice versa you are disposing same spent wash into Kutcha lagoon, its further find its way to Krishna river through natural nalla on 09th & 10th March, 2023 and causing fish kill incident and thereby violating the consent conditions, CREP conditions and CPCB norms issued from time to time.
 7. You have failed to comply conditions imposed in consent and CREP conditions with CPCB norms and guidelines issued from time to time.
 8. You have failed to provide Environment, Health and Safety precautions to prevent the environmental issues which may cause serious harmful effects to the surrounding Environment.

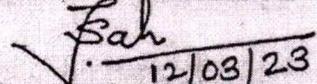
AND WHEREAS, considering the case of sudden incidence of fish kill due to attributed your industry effluent discharged into Krishna river thereby contaminating river Krishna and responsible for fish kill incident:

AND WHEREAS after examining the record of your case, reports and proposal of concerned officers of the Board & making necessary enquiries, I am satisfied that you are intentionally causing Environmental Pollution problems in the surrounding area and knowingly & willfully causing grave injury to the environment with aquatic life of Krishna river thereby violating various Environment enactments.

NOW, THEREFORE in exercise of the powers conferred upon me under Section 33A of the Water (Prevention & Control of Pollution) Act, 1974 & 31A of the Air (Prevention & Control of Pollution) Act, 1981, I, Jagannath Salunkhe, Regional Officer of the Maharashtra Pollution Control Board at Kolhapur hereby direct you to stop the manufacturing activity forthwith (within 48 hours) to avoid further damage to the surrounding environment and inform the same to this office immediately. The competent authorities are directed to disconnect the water/electricity supply to your unit immediately, which may please be noted.

This is issued with the approval of competent Authority.

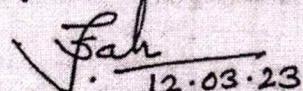
FOR AND ON BEHALF OF THE BOARD


12/03/23
(Jagannath Salunkhe)
Regional Officer,

Maharashtra Pollution Control Board, Kolhapur.

Copy for information & necessary action:

1. Superintending Engineer, MSEDCL Ltd., Sangli.
 2. Executive Engineer, MSEDCL Ltd. Sangli, Madhavnagar, Dist. Sangli.
 3. Executive Engineer, Irrigation Department. Sangli, Dist. Sangli.
- They are directed to disconnect electricity supply / water supply of above cited industry / unit immediately till further orders, and report the action taken from your end at the earliest.


12.03.23
(Jagannath Salunkhe)
Regional Officer,

Maharashtra Pollution Control Board, Kolhapur

Copy submitted for favour of information to:

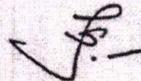
1. The Member Secretary, M.P.C. Board, Mumbai.
2. The Joint Director (APC), M.P.C. Board, Mumbai.
3. The Joint Director (WPC), M.P.C. Board, Mumbai.

Copy for information:

The Law Officer, M.P.C. Board, Mumbai.

Copy to:

Sub-Regional Officer, M.P.C. Board, Kolhapur. - He is directed to serve the direction to the concern industry, concern M.S.E.D. Co. Ltd / Local authority & keep vigil & report the compliance accordingly on priority basis.



MAHARASHTRA STATE ELECTRICITY DISTRIBUTION CO.LTD.

Tel.No. : (0233) 2374270 (O)
 : (0233) 2374778 (P)
 E-mail No. : sdo4068@gmail.com



(A Government of Maharashtra Undertaking)
 CIN : U40109MH2005SGC153645

Office of the Add. Executive Engineer
 O&M Central Zone Sub Division,
 Risala Road, Khanbhag,
 Sangli-416 416.

Web Site : www.mahadiscom.in

Ref.No.Add.EE/CZ/T/ 463

Date : 16 MAR 2023

To,
 Superintending Engineer,
 Circle Office
 MSEDCL Sangli.

Sub: - Temporary Disconnection of M/s Datta India Pvt Ltd
 (Consumer No – 279949010630)

Ref: - 1. MPCB/RO/KQP/CD/FTS-0015 Dated-13.03.2023
 2. E-mail received from SE Office MSEDCL Sangli. Dated- 14.03.23
 3. Add.EE/CZ/T/ 460 Dated – 15.03.2023

In Connection with above subject it is to inform you that as per ref no-01 , 02 & 03 , 24 Hours' notice issued to M/s Datta India Pvt Ltd on dated 15.03.23 as per reference no 03 today notice period is over and no any NOC received from M/s Datta India Pvt Ltd . Hence today connection is temporary disconnected.

Reading is as follows

KWH Total – 248105 Kwh Dated – 16.03.2023

This for your information Please.


 Add. Executive Engineer
 M.S.E.D./C.L.
 Central Zone S/Div, Sangli

Copy To :-

1. Executive Engineer Division office Sangli.
2. M/s Datta India Pvt Ltd . (Consumer No – 279949010630)



दुरध्वनीक. (०२३३) २३०२९२५
फॅक्स क्र. (०२३३) २३०२७५०



महाराष्ट्र शासन
जलसंपदा विभाग

कार्यकारी अभियंता, सांगली पाटबंधारे विभाग, सांगली

वारणाली वसाहतसांगली, विश्रामबाग, पिन ४१६ ४१५.

ईमेल: eesidsangli@gmail.com



जलसंपदा विभाग

जलसंपदा विभागाच्या संकेतस्थळास कृपया भेट द्या: <https://wrd.maharashtra.gov.in>

जा.क्र.सांपावि/प्रशा-१/१०५९/२०२३

दिनांक :- २१/०३/२०२३

प्रति,

मा. अधीक्षक अभियंता,

सांगली पाटबंधारे मंडळ, सांगली

विषय - २४ तासात पाणी पुरवठा खंडीत करणेबाबत...

मे. दत्त इंडीया प्रा. लि. (ऑ. वसंतदादा एस.एस.के. लि.) माधवनगर, ता. मिरज, जि. सांगली.

संदर्भ - १. या कार्यालयाचे पत्र जा.क्र. सांपावि/प्रशा-१/१७४ दि. १०.०३.२०२३.

२. महाराष्ट्र प्रदुषण नियंत्रण विभाग, कोल्हापूर यांचे पत्र क्र. MPCB/RO/KOP/CD/ FTS-००१५ दि. १३.०३.२०२३.

३. या कार्यालयाची मे. दत्त इंडीया प्रा. लि. यांना दिलेली नोटीस जा.क्र. सांपावि/प्रशा-१/१०२६ दि. १६.०३.२०२३.

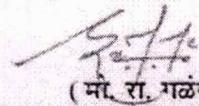
४. सहाय्यक अभियंता श्रेणी-१, सांगली पाटबंधारे विभाग, सांगली यांचे पत्र जा.क्र. पाउविसा/२८८ दि. १७/०३/२०२३.

उपरोक्त संदर्भिय विषयास अनुसरून दि. १०/०३/२०२३ रोजी निम्न स्वाक्षरीकार यांनी प्रत्यक्ष केलेल्या क्षेत्रीय पहाणी मध्ये अंकली पुलानजिक कृष्णा नदीपात्रात असंख्य मासे मृत झालेचे निदर्शनास आले होते. सिचन व बिगर सिचन कारणासाठी नदीपात्रातील पाण्याचा उपयोग होतो. पिण्याचे पाणी दूषित झाले असल्यास नागरिकांचे आरोग्य धोक्यात येऊ शकते. त्यामुळे तातडीने संदर्भिय पत्र क्र.१ अन्वये कृष्णा नदीतील पाण्याची तपासणी करून केले कार्यवाहीचा अहवाल सादर करणेबाबत महाराष्ट्र प्रदुषण नियंत्रण मंडळ, उपप्रादेशिक कार्यालय, सांगली यांना कळविण्यात आले होते.

संदर्भिय पत्र क्र. २ अन्वये प्रादेशिक अधिकारी, महाराष्ट्र प्रदुषण नियंत्रण मंडळ, कोल्हापूर यांचेकडून मे. दत्त इंडीया प्रा. लि. (ऑ. वसंतदादा एस.एस.के. लि.) माधवनगर, ता. मिरज, जि. सांगली यांना नदीचे प्रदुषणाबाबत नोटीस बजावण्यात आलेली असून त्यांचा पाणीपुरवठा खंडीत करणेबाबत या कार्यालयास विनंती केली आहे. त्यानुसार संदर्भ क्र. ३ अन्वये सदर विगरसिचन ग्राहकास नोटीस बजावण्यात येवून दि. १७.०३.२०२३ रोजी पाणीपुरवठा खंडीत करण्यात येवून मीटर सिल करण्यात आलेले आहे.

हे आपले माहितीसाठी सविनय सादर.

स्थळ प्रत मा. का.अ. यांना मान्य.


(मो. रा. गळंगे)

उपकार्यकारी अभियंता,
सांगली पाटबंधारे विभाग, सांगली.

- प्रत - प्रादेशिक अधिकारी, महाराष्ट्र प्रदूषण नियंत्रण मंडळ, प्रादेशिक कार्यालय, कोल्हापूर यांना माहितीसाठी सविनय सादर.
- प्रत - सहाय्यक अभियंता श्रेणी-१, पाटबंधारे उप विभाग सांगली यांना माहितीसाठी व आवश्यक कार्यवाहीसाठी रवाना.
- प्रत- मं. दत्त इंडीया प्रा. लि. (ऑ. वसंतदादा एस.एस.के. लि.) माधवनगर, ता. मिरज, जि. सांगली यांना माहिती व पुढील कार्यवाहीसाठी.