



## COLLECTOR OFFICE

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No.MSC/2025/Vyshi/1741

Date: 27/03/2025

To,  
The Registrar,  
The National Green Tribunal,  
Western Zone Bench,  
Pune.

**Subject** : Submission of Report on behalf of Respondent No. 3, District Collector, Bharuch.

**Reference:** Original Application No. 186 of 2024 (WZ), Order dated 21/01/2025  
Manilal Dahyabhai Patel

v/s

Director, Shree Charbhujia Agro Fertilizer Co. &Anr.

Dear Sir,

With reference to the above-cited subject, the applicant, Shri Manilal Dahyabhai Patel, residing at village Motali, Taluka, Ankleshwar, District Bharuch, has filed the present petition against the Director, Shree Charbhujia Agro Fertilizer Company before the Hon'ble National Green Tribunal (WZ). This report on the calculation of personal compensation is being submitted in compliance with the order dated 21.01.2025 passed by the Hon'ble Tribunal.

The operative paragraph of the aforesaid order is as follows:

“4. Since it is stated that the matter of calculation of personal compensation to be paid to the applicant is in process which is going on before District Level Committee, we direct the District Collector, Bharuch to submit calculations of personal compensation within fifteen days from the date of uploading of this order.”

In light of the above, reports were sought from the following officers:

1. District Agriculture Officer, District Panchayat, Bharuch
2. Regional Officer, Gujarat Pollution Control Board (GPCB), Ankleshwar

Detailed reports were submitted by the District Agriculture Officer on 17.3.2025 and 21.3.2025. As per the reports, the affected agricultural land of the applicant, Shri Manilal

Dahyabhai Patel, is adjacent to the organic fertilizer production unit of M/s Charbhuja Agro Fertilizer Company. Rainwater from the unit, contaminated with urban waste and agro-waste stored in the company, flows into the applicant's farm. This contaminated water contains microelements such as iron, manganese, cobalt, zinc, copper, etc., which flow into the applicant's field with rainwater. As a result, the upper layer of the soil in the farm was found to be brown in colour and in powder form.

To assess the extent of pollution, a soil sample was taken for analysis and sent to the soil testing laboratory at Anand Agricultural University, Anand, to determine the levels of major elements, secondary elements, microelements, and heavy metals harmful to crops, soil, water, and the environment.

According to the laboratory report, the levels of major elements beneficial to crops, such as phosphorus and potash, were found to be very high. Additionally, microelements such as zinc, copper, cobalt, manganese, and iron were found in high concentrations, while heavy metals toxic to the environment, such as cadmium, chromium, and nickel, were also present in significant amounts. However, the level of lead was found to be within the safe environmental standards. Based on the analysis report, the high concentration of microelements suggests that crops cannot be grown in such soil.

The production unit of M/s Charbhuja Agro Fertilizer Company was approved in August 2022, and the applicant farmer has suffered crop damage since the Kharif crop of 2022. Therefore, the farmer has crop damage for three consecutive years: 2022, 2023, and 2024. To mitigate the pollution's impact on the agricultural land, it is necessary for the land to remain uncultivated for one year after the pollution issue is addressed. Consequently, the crop damage to the applicant must be considered for three years and one year additional compensation for the reclamation of land.

The petitioner has claimed the amount of Rs. 15,00,000/- for soil reclamation costs and Rs. 3,05,525/- for the cost of setting up a new water bore. However, the land can be reclaimed by keeping it uncultivated for one year. Additionally, the water bore does not need to be abandoned due to pollution, and it can be cleaned for continued use for irrigation. The petitioner has claimed Rs. 20,000/- for other expenses, which is sufficient for cleaning the bore.

The total loss of 7,960 kg of cotton production over four years is estimated at Rs. 6,25,000/- for compensation due to crop damage. The production of maize fodder after cotton harvesting is estimated to be worth Rs. 1,10,000/- per year, totalling Rs. 4,40,000/- for

four years. Thus, the farmer is estimated to have incurred a total loss of Rs. 10,65,000/- over the four years, which represents the gross income lost by the farmer. However, the total farming expenses of Rs. 7,00,000/- was not incurred, but Rs. 3,00,000/- was spent on farming and seed costs, (which is approximately 40% of total farming expenses). Therefore, the total loss suffered by the farmer is considered to be Rs. 6,85,000/-.

Below table summarizes the calculation.

**Table : A**

Sr.No.	Details of Damage Caused	Claimed by the Farmer (Rs.)	Recommended Compensation (Rs.)
1	Reclamation of land by filling soil	15,00,000/-	1,66,250/-
2	New water bore	3,05,525/-	20,000/-
3	Other expenses	20,000/-	--
4	Crop damage demand (2022-23 to 2024-25)	8,24,475/- (Five years)	4,98,750/- (Three years)
<b>Total</b>	<b>Damage</b>	<b>26,50,000/-</b>	<b>6,85,000/-</b>

Regional Officer, GPCB, Ankleshwar submitted his report on 11.3.2025. As per the report,

- Production plant found not in operation & all the plant machineries are found in non-operative condition. No any wastewater discharge is observed.
- Heaps of different types of waste in huge quantity (Around quantity 500- 600 MT) is observed lying in open premises of the unit in haphazard manner within premises of unit. Further one excavation machine (Hitachi machine) observed working for accumulation of waste material to make proper big heaps.
- There is a Borewell in the farm Shri Manibhai Patel. Sample of water could not be collected for analysis purpose as pump has been removed from said Borewell since December - 2023.
- Agriculture farm of Shri Manibhai Patel is located beside of this unit. Farm of Shri Manibhai Patel found in uncultivable condition. Remnant (in dry condition) of earlier seepage observed in Farm of Shri Manibhai Patel.

Further, followings actions have been taken against the company,

- GPCB has issued Notice of Direction to unit under section 33-A of the Water Act- 1974 vide letter dated 12/03/2024.

- Later on, GPCB has issued Closure Direction under section 33-A of the Water Act – 1974 to unit vide letter dated 11/07/2024 with immediate effect based on non-compliances.
- Power supply of unit disconnected by DGVCL.

In compliance with the order of Hon'ble Tribunal a meeting of District Level Committee ( DLC) was convened on 21.3.2025. The reports of District Agriculture Officer, Bharuch and RO, GPCB and various aspects were discussed and considered by the DLC in detail and personal compensation amount as mentioned in Table:A was agreed upon by the committee.

In view of the above facts, I humbly submit the report.



(Gaurang Makwana)  
Collector and District Magistrate  
Bharuch