

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

Original Application No. 879/2024

News Item titled "Threat to groundwater Belagavi sugar factory under lens" appearing in the Deccan Herald dated 01.07.2024

Date of hearing: 22.07.2024

**CORAM: HON'BLE MR. JUSTICE PRAKASH SHRIVASTAVA, CHAIRPERSON
HON'BLE MR. JUSTICE ARUN KUMAR TYAGI, JUDICIAL MEMBER
HON'BLE DR. A. SENTHIL VEL, EXPERT MEMBER**

Applicant: None Appeared

ORDER

1. This original application is registered *suo-motu* on the basis of the news item titled "**Threat to groundwater Belagavi sugar factory under lens**" appearing in the Deccan Herald dated 01.07.2024.

2. The news item relates to violations of environmental norms under the Environment Protection Act, 1986 by the Krishna Sahakari Sakkare Karkhane Niyamit (KSSKN) in Belgavi district in Karnataka, posing serious threat to groundwater. As per the news item, CPCB listed nine violations by the Krishna Sahakari Sakkare Karkhane Niyamit (KSSKN) and sought to know why the factory in Athani shouldn't be shut down till compliance is achieved.

3. The news item further states that Sugar factories are among the 17 industries classified as "highly polluting". The major violation identified by the CPCB was the factory diverting effluent to a lagoon instead of treating it in the effluent treatment plant. Around five acres were converted into a lagoon and filled with effluent, ash and press mud. Furthermore, the sample collected from the lagoon showed biochemical oxygen demand (BOD) at 976 mg per litre, Chemical Oxygen Demand

(COD) at 2856 mg/litre and Total Dissolved Solids (TDS) at 2949 mg/litre. The TDS, BOD and COD of the effluent stored in the earthen lagoon exceed the treated effluent standards, posing a potential threat of groundwater contamination.

4. It is also alleged that one of the three bagasse boilers was monitored during the inspection. The emission results indicated that the PM (particulate matter) value was 6,843.28 mg per cubic metre against the limit prescribed by the KSPCB (150 mg per cubic metre) The article also lists that the other violations included the failure to provide a designated storage area for hazardous waste, failure to maintain a log book of the quantity of used oil, fly ash, press mud, sludge/solids generated and non-operation of a flow meter to monitor the ETPS.

5. The news item raises substantial issue relating to compliance of provisions of Water (Prevention and Control of Pollution) Act, 1974 and the Environment Protection Act, 1986.

6. Power of the Tribunal to take up the matter *suo-motu* has been recognized by the Hon'ble Supreme Court in the matter of "*Municipal Corporation of Greater Mumbai vs. Ankita Sinha &Ors.*" reported in 2021 SCC Online SC 897.

7. Hence, we implead the following as respondents in the matter:

1. Krishna Sahakari Sakkare Karkhane Niyamit, through its Chairman, PO, Sankonatti, Taluk-Athani, District-Belgavi, Karnataka,
Phone No: 08289255000
E-mail: krishnasugar@gmail.com
2. Karnataka State Pollution Control Board, through its Member Secretary, Karnataka State Pollution Control Board, Parisara Bhavan, #49, 4th & 5th Floor, Church Street, Bangalore-560001,
Landline No: 25589112
E-mail: memsecy@kspcb.gov.in

3. Central Pollution Control Board,
Parivesh Bhawan, East Arjun Nagar, Delhi-110032
Phone No: 011-43102030
E-mail: mscb.cpcb@nic.in

4. Ministry of Environment, Forest and Climate Change, through its
Regional Office,
Integrated Regional Office, Kendriya Sadan, 4th Floor, E&F
Wings, 17th Main Road, Koramangala II Block, Bangalore-560034
Phone No: +91-9960332335
E-mail: rosz bng-mef@nic.in

5. Deputy Commissioner, Belgavi
Deputy Commissioners Office, DC Compound Belagavi - 590001
Phone No: 08312407200
E-mail: deo.belagavi@gmail.com

8. Issue notice to the above respondents for filing their response
before the appropriate Bench of the Tribunal at least one week before the
next date of hearing.

9. Since the matter falls within the jurisdiction of Southern Zonal
Bench of the Tribunal, therefore, the OA is transferred to the Southern
Zonal Bench, Chennai for appropriate further action. Let the original
record of the OA be transferred to Southern Zonal Bench, Chennai.

10. List before Southern Zonal Bench at Chennai on 23.09.2024.

Prakash Shrivastava, CP

Arun Kumar Tyagi, JM

Dr. A. Senthil Vel, EM

July 22, 2024
Original Application No. 879/2024
JG.