

**BEFORE THE NATIONAL GREEN TRIBUNAL
CENTRAL ZONE BENCH, BHOPAL**
(Through Video Conferencing)

Original Application No. 81/2021 (CZ)

Rammanohar Lodhi & Anr.

Applicant (s)

Versus

State of M.P. & Ors

Respondent(s)

Date of hearing: **11.01.2022**

**CORAM: HON'BLE MR. JUSTICE SHEO KUMAR SINGH, JUDICIAL MEMBER
HON'BLE DR. ARUN KUMAR VERMA, EXPERT MEMBER**

For Applicant(s)	:	Mr. Dharamvir Sharma, Adv.
For Respondent(s)	:	Mr. Sachin K. Verma, Adv. Ms. Parul Bhadoria, Adv. Ms. Samridhi Sharma, Adv. Mr. Yadvendra Yadav, Adv.

ORDER

1. The issue raised in this application is illegal operation of Kolhus (Jaggery Units) and Power Crushers operating in the District Narsinghpur Madhya Pradesh causing Air Pollutant Emission of obnoxious gases, Dust and also polluting ground water and operating in violation of guidelines issued by CPCB and MoEF&CC dtd. 13.06.2018.
2. The matter was taken up on 01.11.2021 and a committee consisting of Collector Nargisngpur and the representative of the State Pollution Control Board, was constituted with direction to submit the factual and action take report.
3. In compliance thereof the Joint Committee submitted the report which is as follows :

“About Jiggery Units Located at Narsinehour District:

The Jiggery is a natural, traditional sweetener made by the concentration of sugarcane juice. It is a traditional unrefined non-centrifugal sugar consumed, containing all the minerals and vitamins present in sugarcane juice. Sugarcane is processed in to sugar, gur (jiggery) and khandsari (cottage sugar). The methods of converting sugarcane and manufacturing sugar, gur and khandsari are different but a great value is added in the manufacturing of these consumable final products.

Generally roller mills are used for juice extraction. These are driven by electrical motor or diesel engine. Extraction of juice is in the range of 60 to 70% After extraction, suspended matters are removed by cotton cloth or fine mesh screen. After clarification, temperature of boiling mass is further increased to around 110-115°C. Boiling take place about 2 to 3 hours. After the striking point temperature and brix content are reached, the slurry (semi fluid, pasty concentrate) formed is tipped off and further cooled/ processed to reach the desired end form (moulding/ liquid granulation) The striking point/ brix content are different for the different forms of jiggery.

The Narsinghpur district is popular for Gur Manufacturing; generally farmers are involved in jiggery production. At present there are around 2110 jiggery units in the area as per information received from District Industries Center Narsinghpur as per Udyog Adhaar Registration system. The Jiggery production is mainly operated in mid of November to February month as per

availability of sugar cane. The jiggery units are installed and operational for temporary basis most of the jiggery units are situated in the agriculture field of the farmers. Location of jiggery units is also change according to their own suitability. This sector is food processing and un-organized.

As per information received from DIC Narsinghpur. The cost of the jiggery units is less than 10 lakh which is registered under micro level units.

The CPCB has issued Guidelines for Pollution Control in Kolhus vide letter No. 2541 dated 13.06.2018 as follows:-

1- The Kolhus shall not be allowed to set up at locations within 0.5 km distance from approved habitation schools, hospitals and the sensitive zones

2- Only dried bagasse, wood and the agricultural residues/ wastes shall be used as fuel. In no case rubber, used tyres, plastic etc. shall be fired in furnace.

3- Improved/energy efficient furnace shall be used by Kolhus. The furnace shall be made of masonry bricks or refractory bricks. Use of mud or soil in place of brick should be avoided. The furnace shall be constructed in such a way that it ensures multi-pan (more than one pan in series) heating as shown in Figure(s) below for utilization of heat contained by flue gases. The Pan 3 is used for evaporation of the juice to achieve the desired concentration for making Jaggeri/Gur. The hot flue gases further transfer heat to Preheat the Pan 2 and Pan 1. The number of Pans may range from 2 to 5 depending upon the design of furnace. As the flue gas transfer the heat to the Pan, its temperature reduces. The remaining heat in the flue gas is further utilized to preheat the juice in the subsequent Pans. The Kolhus with production capacity of up to 2 MT/day have a choice to adopt either single pan or multi-pan arrangement.

4- A flap shall be installed on fuel feed hole of furnace to control excess air. There shall be provision of fire grate for efficient burning of fuel in the furnace. The ash generated would be collected from bottom of the furnace. A provision of baffles in flue gas path leading to stack (chimney) should be made to contain the particulate matter.

5- The height of stack shall be prescribed by the State Pollution Control Board depending upon the local conditions, but it shall not be less than 10 m. The Kolhus without stack shall not be permitted.

6- The limit of particulate matter (PM) in flue gas shall be prescribed by the State Pollution Control Board depending upon the local conditions' but it shall not be more than 500 mg/Nm³.

from the Kolhus shall be reused or properly disposed. The bagasse shall be used as fuel in the furnace. Scum collected from pan and ash shall be utilized as soil conditioner in agricultural

7- The solid wastes generated land.

8- The washings of pans shall be disposed through soak pit.

9- The Kolhus shall ensure cleanliness and hygienic conditions in the premises.

Filed Observation:-

The committee has visited the some villages like Surwari, Kathotia Gonglai, Dongidhana, Bahoripar and inspected the Kolhus (jaggery units) located in the are. During inspection it is found that the Jiggery unit takes baggas which is used as a fuel. Stack is made mud of soil in place of masonry bricks. Height of stack about 03 to 04 meters. All the jigger: units adopt Multi-pan (more than I pan in series) arrangements. The Capacity of all jiggery units is found less than 2 ton per day which is mostly located at Road Side. Following units is visited during inspection. Details and pollution control arrangements are as follows:-

N .	Name of owner of jaggery units	Location	No. of PAN	Height of stack	Distance from residential area
1	Shri Govind Prasad Slo of Shri Ram Charan Khemariya (02 Number of units)	Village Kathotia Tehsil- Kareli Dist Narsinghpur {Own Agriculture land)	03	03-04 Meter	100 meter
2	Shri Chatarsingh S/o Shri Narmada Prashad Kaurv	Village Gogabali Tehsil- Kareli Dist Narsinghpur	03	03-04 Meter	more than 500 meter

		(Own Agriculture land)			
3	Shri Ram Roop S/o of Shri Tilak Singh Patel	Village Pasi, Ghatmandari Tehsil-Narsinghpur Dist Narsinghpur (Own Agriculture land)	03	03-04 Meter	more than 500 meter
4	Shri Ritik Patel S/o Balram Patel	Village Dangidana Tehsil Narsinghpur Districtl Narsinghpur Own Agriculture land)	03	03-04 Meter	more than 500 meter
5	Shri Mahendra Patel S/o Hakam Singh Patel	Village Bahoripar Tehsil Narsinghpur Dist Narsinghpur Own Agriculture land))	03	03-04 Meter	more than 500 meter
6	Shri Arjun Patel	Village Bahoripar Tehsil Narsinghpur Dist Narsinghpur Own Agriculture land)	03	03-04 Meter	more than 500 meter

About Air Pollution: - During inspection all these units are not installed stack height as per the guideline of the pollution control. Some units are located less than 500 meters *om residential area. All the units are located at agriculture land which is their own land. During filed visit smoke was observed from stack during charging of fuel (Baggas). The committee has observed that the air pollution (Fugitive emmission) is localized.

About Water Pollution: - The water is use for washing of pan after some interval and disposed though soak pit in their own agriculture land. Committee has not found waterpollution problem in the area.

About Solid Waste: - The solid waste is generated from Kolhus (Jaggery unit) are baggas, scum collected from pan and ash. Baggas is used as a fuel in Kolhus and scum collected from pan and ash is utilized as a soil

conditional in agriculture land hence problem of solid waste is not observed.

The Ambient Air Monitoring has been conducted by MPPCB at village-Bahoripar & village-Dongerghat. Result was {bund more than prescribed standards, Monitoring Report is enclosed. Photographs along with coordinate recorded during inspection is enclosed.

Earlier Action Taken by authorities:-

The Jiggery units are un-organized sector which is changing their location to their suitability. The units are temporally and seasonal. Hence Board has issued letter to following organization regarding compliance of CPCB guidelines.

- I. The Regional office MPPCB has issued the letter to District Industries Center Food Department, SDM, and District- Narsinghpur regarding compliance of guideline issued by CPCB. Vide letter No. 782 dated 31/08/2021. Copy of letter is enclosed.
- II The Regional office MPPCB has issued the letter to Superintendent Engineer Madhya Pradesh Viduyat Vitran Company Limited District-Narsinghpur for not provide power supply compliance of CPCB guidelines. Vide letter No. 1288 dated 24/11/2021. Copy of letter is enclosed.
- III The Regional Office MPPCB has issued the letter to jiggery units as per survey carried out on dated 19/11/2020 to 26/11/2020. It is submitted that item no. 732 Gur Manufacturing unit (without boiler) comes under white category as per the Board order No. 1607 dated 10/12/2021. List is Enclosed.
- IV The list of jiggery units is received from DIC Narsinghpur which is registered in Udyog Adhaar System. Regional office MPPCB has issued the letter to the all jiggery units regarding compliance of CPCB guidelines. List is enclosed.

Recommendations:-

1. The Jiggery production is mainly operated in mid of November to February months per availability of sugar cane. The jiggery units are install and operational for temporally basis most of the jiggery units are situated in the agriculture field of the farmers. Location of jiggery units is also change

according to their own suitability. This sector is food processing and un-organized. It is very difficult for compliance of CPCB guidelines.

2. All the jiggery unit (without boiler) comes under micro scale (tiny unit) which are the self registered in MSME portal according to their suitability.
 3. The Action against the jiggery units may create law and order problem in the area however board has issued notice to all units for compliance of CPCB guidelines.
 4. The Sector is unorganized hence the local authorities, Food Department, & Agriculture Department shall take action against the units to their own level.”
4. Learned Counsel for the applicant has raised the issue of recommendations mentioned at point no.3 with regard to the compliance of the guidelines issued by the CPCB and the observation by the Sub Divisional Magistrate Narsinghpur on behalf of the Collector that any action against the jaggery units may create law and order problem. The Learned Counsel for the State has argued that the necessary direction be issued to the Chief Secretary for compliance of the guidelines issued by the CPCB.
5. Considering all above facts and recommendations of the committee, we direct the Chief Secretary, State of Madhya Pradesh to take necessary steps and develop mechanism that the guidelines issued by the CPCB in the matter of operation of jaggery units and recommendation of the Joint Committee must be strictly observed and complied with. Further, Collector Narsinghpur be directed to strictly enforce the guidelines issued by the Central Pollution Control Board. The State Pollution Control Board is directed to periodically monitor the units and compliance of the guidelines issued by Central Pollution Control Board and in case of any violation to take necessary legal action in addition to the assessment and realisation of environmental compensation.

The Original Application No. 81/2021 (CZ) is finally **disposed of** accordingly.

Sheo Kumar Singh, JM

Arun Kumar Verma, EM

11th January, 2022
OA No. 81/2021 (CZ)
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