



BEFORE HON'BLE NATIONAL GREEN TRIBUNAL
WESTERN ZONE BENCH, PUNE.

ORIGINAL APPLICATION NO. 43 OF 2025

Santosh Ningappa Bhurje .. Applicant

Versus

Maharashtra Pollution
Control Board & Ors. .. Respondents.

Affidavit on behalf of Respondent No.1 and 2 i.e. MPCB
(Maharashtra Pollution Control Board)

I, Nikhil Gharat Age 40, Occupation-Service, the Regional Officer, Kolhapur of the Maharashtra Pollution Control Board, Respondent No. 1 and 2 herein, having my office at Maharashtra Pollution Control Board, Udyog Bhavan Building, Near Collectorate Office, Kolhapur - 416 002, do hereby state on solemn affirmation as under :-

1. I say and submit that, as per this Hon'ble Tribunal order dated 6.11.2025 the Respondent Board has extended personal hearing to the industry on 2.12.2025. I say that the industry has firstly submitted their representation along with MSEB letter stating that the electric consumption from May 2008 to January 2017 for the said period was zero. Therefore, the industry has requested to consider initial date of starting of the unit starting as January 2017, therefore requested to consider 41 months of operation and 26 days per month i.e. period of violation will be $41 \times 26 = 1066$ days. Secondly the industry has further submitted that as per actual records of the workings days considering internal production records total days of operation of industry to be consider from January 2017 to December 2024 is 427 days.

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2. I say and submit that, since the present original application filed under section 14 & 15 of the NGT Act, 2010, instead of, considering multiple request made by the industry above, the Board has considered section 15 (3) of the NGT Act, 2010, "no application for grant of any compensation or relief or restitution of property or environment under this section shall be entertained by the Tribunal unless it is made within a period of 5 years from the date on which the cause for such compensation or relief first arose." The present original application is filed on 11.3.2025 therefore, as per sec 15(3), the Board has considered the period from 03.01.2020 to 31.12.2024.

The Environmental Damage Compensation is assessed as follows:

= (80 x 1825 x 250 x 0.5 x 1.0)

=Rs. 1,82,50,000/- (Rupees One Corer Eighty-Two Lakhs Fifty Thousand only.)

3. I say that the Board has already filed reply affidavit dated 24.6.2025 showing the compliance made by the industry.

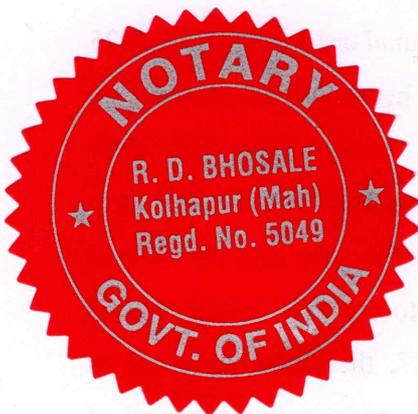
Solemnly affirm as on 11th date of Feb 2026.

For and on behalf of Maharashtra
Pollution Control Board



(Nikhil Gharat)

Regional Officer, Kolhapur.



Notary / Sr. / No.:- 447/2026

Solemnly affirmed & Signed / L.H.T.L. Before me
me by Nikhil Gharat
& State that the Contents of the Document are
true and correct. Who is identified Self



11 FEB 2026



Adv. R. D. Bhosale
Notary Public (Govt. of India)
Dist. Kolhapur, (Maharashtra).