

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,**  
**WESTERN ZONE BENCH, PUNE, AT PUNE**

**EXECUTION APPLICATION NO.23 OF 2023 (WZ)**  
**(Earlier Misc. Application No.13 of 2023 (WZ) (LP)**  
**IN**  
**ORIGINAL APPLICATION NO.124 OF 2023 (WZ)**

Vrinda Basu ..... Applicant

Versus

State of Maharashtra & Ors. .... Respondents

**AFFIDAVIT ON BEHALF OF RESPONDENT NO. 9 i.e. MPCB**

I, Jagannath S. Salunkhe, Age 55 years, Occupation- Service, the Regional Officer, of Maharashtra Pollution Control Board at Kolhapur i.e. Respondent No. 9, having my office address at Udyog Bhawan, Near Collector Office, M.P.C. Board, Kolhapur -416002 do hereby state on solemn affirmation as under-

1. I am the Regional Officer of the Respondent No. 9 Board at Kolhapur and the area in which the Respondent No. 5 & 6 is situated comes under my jurisdiction as far as the implementation of the Water (Prevention & Control of Pollution) Act, 1974, the Air (Prevention & Control of Pollution) Act, 1981, the Environment (Protection) Act, 1986 and Solid Waste Management Rules, 2016 are concerned. I am filing this Affidavit on behalf of the Respondent No. 9.

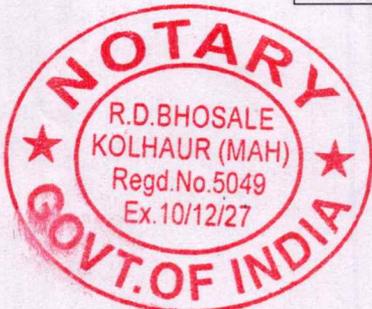


2. I say and submit that this Hon'ble Tribunal vide order dated 31/01/2024 has directed Board to calculate Environmental Damage Compensation (EDC) to be levied from Respondent No. 6 for the violations on their part, by filing an affidavit. Accordingly, as per the order dated 19.2.2024 passed by this tribunal in OA 32 OF 2023 opportunity of hearing given by the Board through a virtual meeting with Kolhapur Municipal Corporation & Ichalkaranji Municipal Corporation for calculating Environmental Damage Compensation (EDC) and same is verified by both Municipal Corporations i.e. Res. No 5 & 6. Copy of minutes of the meeting dated 03/04/2024 is attached herewith as an **Annexure - 1** The details of Environmental Damage Compensation (EDC) are as below:-

**Details of environmental compensation applicable Interim measures for phytoremediation/ bioremediation etc in respect of 100% sewage to reduce the pollution load on recipient water bodies - 31.03.2020. Compensation is payable for failure to do so at the rate of Rs. 5 lakh per month per drain by concerned Local Bodies/States (in terms of orders dated 28.08.2019 in O.A. No. 593/2017 and 06.12.2019 in O.A. No. 673/2018) w.e.f. 01.04.2020. Environmental Compensation in compliance with order Hon'ble NGT dated 31.01.2024.**

**Table -A**

Sr. No.	Name of Municipal council	Nos. of Months w.e.f. 01.04.2020	Nos of Drain	Environment compensation @ Rs. 5 Lakh per month per drain by concerned local bodies	Total Rs. (4 X 5)	Total compensation Rs. (6 X 3)
1	2	3	4	5	6	7
1	Kolhapur Municipal Corporation	48	6	5,00,000/-	30,00,000/-	14,40,00,000/-



2	Ichalkaranji Municipal Corporation	48	4	5,00,000/-	20,00,000/-	9,60,00,000/-
<b>Total Rs.</b>						<b>24,00,00,000/-</b>

**Details of environmental compensation applicable Commencement of setting up of STPs – 31.03.2020. Compensation is payable for failure to do so at the rate of Rs. 5 lakh per month per STP by concerned Local Bodies/States (in terms of orders dated 28.08.2019 in O.A. No. 593/2017 and 06.12.2019 in O.A. No. 673/2018) w.e.f. 01.04.2020. Environmental Compensation in compliance with order Hon'ble NGT dated 31.01.2024.**

Table-B

Sr. No.	Name of Municipal council	Nos. of Months w.e.f. 01.04.2020	No. of STPs proposed	Environmental compensation is payable for failure to do so at the rate of @Rs. 5 Lakh per month STP by concerned local bodies	Total Rs. (4 X 5)	Total compensation Rs. (6 X 3)
1	2	3	4	5	6	7
1	Kolhapur Municipal Corporation	48	4	5,00,000/-	20,00,000/-	9,60,00,000/-
2	Ichalkaranji Municipal Corporation	48	2	5,00,000/-	10,00,000/-	4,80,00,000/-
<b>Total Rs.</b>						<b>14,40,00,000/-</b>

**Details of environmental compensation applicable Commissioning of STPs – 31.03.2021. Compensation is payable for failure to do so at the rate of Rs. 10 lakh per month per STP by concerned Local Bodies/States (in terms of orders dated 28.08.2019 in O.A. No. 593/2017 and 06.12.2019 in O.A. No. 673/2018) w.e.f. 01.04.2021." Environmental Compensation in compliance with order Hon'ble NGT dated 31.01.2024.**



Table-C

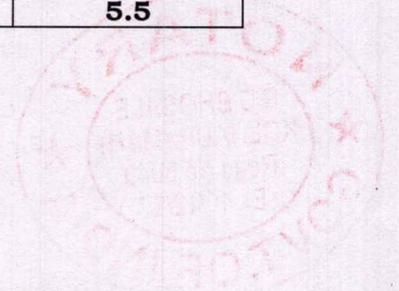
Sr. No.	Name of Municipal council	Nos. of Months w.e.f. (01.04.2021)	No of STPs proposed	Environmental compensation @ Rs. 10 Lakh per month STP by concerned local bodies	Total Rs. (4 X 5)	Total compensation Rs. (6 X 3)
1	2	3	4	5	6	7
1	Kolhapur Municipal Corporation	36	4	10,00,000/-	40,00,000/-	14,40,00,000/-
2	Ichalkaranji Municipal Corporation	36	2	10,00,000/-	20,00,000/-	7,20,00,000/-
<b>Total Rs.</b>						<b>21,60,00,000/-</b>

**Local Body wise total Environmental Compensation to be levied as below :-**

1. **Kolhapur Municipal Corporation – 38,40,00,000/-**
2. **Ichalkaranji Municipal Corporation – 21,60,00,000/-**

3. I further say and submit that this Hon'ble Tribunal has also directed that the MPCB shall clarify and disclose as to which Municipal Council is referred in the earlier affidavit filed so that it may be impleaded as one of the respondents in the present matter. However, following are the Municipal Councils attributed towards 5.5 MLD of generation of sewage.

Sr. No.	Name of Municipal Councils	Sewage Generation	Gap
1	Shirol Municipal Council	1.3	1.3
2	Kurundwad Municipal Council	1.5	1.5
3	Hupari Municipal Council	2.1	2.1
4	Hatkanangale Municipal Council	0.6	0.6
<b>Total</b>		<b>5.5</b>	<b>5.5</b>



Solemnly affirmed on this 15<sup>th</sup> day of April 2024 at Kolhapur.

I know the affiant.

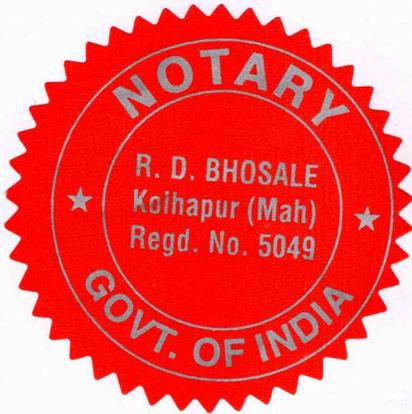
For and on behalf of  
Respondent No. 9 i.e. MPCB

(Jagannath S. Salunkhe)  
Regional Officer, MPCB Kolhapur

ADVOCATE

Notary Sr.No. 9440/2028  
**BEFORE ME**

**R. D. BHOSALE**  
Notary (Govt. Of India)  
Dist Court, Kolhapur (MAH)  
Kolhapur - 416 002  
**16 APR 2024**



**Minutes of Meeting**

The Regional Officer M P C Board Kolhapur has conducted the meeting through VC of Kolhapur Municipal Corporation, Ichalkaranji Municipal Corporation, Hupari Municipal Council, Hatkanangle Municipal Council, Shirol Municipal Council, Kurundwad Municipal Council w.r.t. Hon'ble NGT EA No. 23 of 2023 (WZ) (Earlier Misc. Application No. 13 of 2023) in OA No. 124 of 2023 (WZ) in the matter of Vrinda Basu Vs. State of Maharashtra & Others and Hon'ble NGT order in OA No. 124 of 2023 (WZ) dtd. 31.01.2024. for said meeting following representative were present.

1. Shri. Harshajeet Ghatge, Hydraulic Engineer Kolhapur Municipal Corporation.
2. Shri. Sameer Vyaghrambare, Environment Officer Kolhapur Municipal Corporation.
3. Shri. Abhay Shirolkar, Sectional Engineer, Ichalkaranji Municipal Corporation.
4. Shri. Baji Kamble, Sectional Engineer, Ichalkaranji Municipal Corporation.
5. Shri. Vishal Patil, Chief Officer, Hatkanangle & Hupari Municipal Council.
6. Shri. Ashish Chavan, Chief Officer, Kurundwad Municipal Council.
7. Shri. Nishikant Prachandanath, Chief Officer, Shirol Municipal Council.
8. Shri. Aman Momin, Sanitary Inspector, Shirol Municipal Council.

During meeting the representative of respective Corporation & Councils are submitted the following information.

Sr No	Municipal Corporation/Council Name	Effluent Generation in MLD	Treatment in MLD	STP provided with capacity and commissioning Date	Gap	Nallas	Proposal of STPs
1	Kolhapur Municipal Corporation	149.1	106.7	3 Nos STP provided. 76 MLD – Dec 2014 17 MLD – 31.07.2018 4 MLD – 16.12.2023	42.4	06 Nallas yet not diverted to STP. 1. Lakshathirth 2. Rajhansh 3. Ramanmala 4. Dreamworld 5. Kasbabawda 6. Vitthatti	1 No STP having capacity of 6 MLD is under construction. Proposed 3 Nos STP with total 43.5 MLD capacity. 1. 19.5 MLD – Shingnapur, Uttareshwar Peth 2. 15 MLD – Kasba Bawda 3. 9 MLD – SSC Board, Samrat Nagar
2	Ichalkaranji Municipal	40	20	1 No STP	20	04 Nos Nalla	1 No STP having

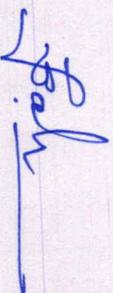
	Corporation			MLD - 1998			1. Kalla Odha 2. Chandur Odha 3. Laxmi Odha 4. Yashoda Nalla	capacity of 18 MLD is under construction. Proposed 29.5 MLD & 13 MLD STP proposed under Swacha Bharat Mission 2.0
3	Shirol Municipal Corporation	1.3	NIL	NIL	1.3	2 Nos Nalla 1. Wadi road Nalla 2. Sonmai Nalla	5.5 MLD & 1 MLD STP proposed under Swacha Bharat Mission 2.0 (work will be complete up to Dec 2026)	
4	Kurundwad Municipal Corporation	1.5	NIL	NIL	1.5	1 No Nalla Anwadi Nalla	1 No STP having capacity 4.1 MLD proposed under Swacha Bharat Mission 2.0 (work will be complete up to Dec 2026)	
5	Hupari Municipal Corporation	2.1	NIL	NIL	2.1	1 No Nalla Siddarthnagar Nalla	1 No STP having capacity 5.9 MLD	

							proposed under Swacha Bharat Mission 2.0 (work will be complete up to Dec 2026)
6	Hatkanangle Municipal Corporation	0.6	NIL	NIL	0.6	1 No Nalla Chotta Odha	1 No STP having capacity 2.5 MLD Proposed under Swacha Bharat Mission 2.0 (work will be complete up to Dec 2026)

The Regional Officer M P C board Kolhapur has discussed the various Hon'ble NGT order in connection to Domestic Effluent and their environmental damage cost calculation like OA No 32/2023 (WZ) & OA No 606/2018.



Sub Regional Officer  
M.P.C. Board, Kolhapur



Regional Officer  
M.P.C. Board, Kolhapur