

BEFORE THE NATIONAL GREEN TRIBUNAL

WESTERN ZONE BRANCH PUNE

ORIGINAL APPLICATION NO 69 OF 2022

Mr. Sunil Pharate Sangli District

head of Swatantra Bharat Paksh

Municipal

...Applicants

V/s

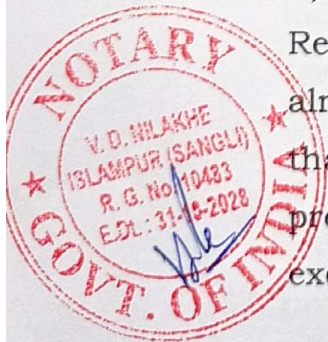
State of Maharashtra and others

...Respondents

**AFFIDAVIT IN REPLY ON BEHALF OF THE RESPONDENT
NO.18**

I, Manojkumar Sudhakar Desai aged about 48 years, Chief officer of Ashta Muncipal Council is filling present reply in respect of Affidavit dated 03.05.2023 filed by the Respondent No 4, 5 and 6 for computing environmental damage compensation before this Hon'ble Tribunal:

1. The Respondent No. 4, 5 and 6 has failed to substantiate that the cause of killing of fish was attributable to the activities of the respondent Nos. 18. The EDC levied by the Respondent No. 4, 5 and 6 does not attribute that the activities of the present Respondents led to the killing of fish. These Respondents had already filed the detailed reply before this Hon'ble Tribunal and that the contents of the same are adopted and affirmed in the present Reply and nothing shall be deemed to be admitted except so far they are expressly mentioned herein under.
2. The Respondent No. 4, 5 and 6 has undertaken an exercise of alleging that the present Respondents are liable to pay EDC.



Without giving the material or without producing the same before this Hon'ble Tribunal. If this Hon'ble Tribunal come to the conclusion that these Respondents are liable to pay the EDC. It is submitted that the Respondent No. 4, 5 and 6 has placed reliance upon the formula written by the In-house Committee of the CPCB and taking into consideration the factors has computed the said EDC. The Respondent No. 4, 5 and 6 has also failed to demonstrate the damage caused to the environment.

3. It is submitted that no justification has been given in the said formula. As matter of fact this Respondent does not have any chemical industry or any industry which could cause pollution in Krishna river which could cause killing of fish, This Respondent does not discharge any chemical or untreated hazardous waste directly in Krishna River. The water discharge in Krishna River is only Waste water which is produced during day to day household work like washing of clothes or utensils. There are no chemical factories in the premises of this Respondent which can produce hazardous Chemical waste which is responsible for dying of fish in River.
4. The Respondent submits that; this Respondent has F.S.T.P. (fecal Slug Treatment Plant) with capacity of 10 K.L.D. which is located at Karandwadi-Sangli Road. After desludging of septic tanks fecal sludge transported to F.S.T.P. Plant. The treated water of F.S.T.P. is used for irrigation purpose. The Dry waste is used as mixture with compost and sold to farmers as per requirement. The Ashta Municipal Council takes at most precaution for not to discharge fecal west of any kind in Krishna River. No fecal west is discharged directly or indirectly in Krishna River.

As the Krishna river is about 5 km away from the town, the area between town and river is used for sugarcane and other cultivation hence some farmers lift waste water from nala and also some farmers have diverted flow of nala to their well for irrigation purpose. Therefore this respondent submits that no untreated waste water is released directly into Krishna river

5. The Respondent submits that, as preliminary and urgent measures this Respondent has constructed Iron screen in RCC fitting in nala carrying domestic waste water whereby all the plastic bottles, plastic articles and other floating waste is prevented from entering in to River Krishna. The collected plastic and other floating waste is used for recycling by private vendors. Further this respondent also uses chlorination for disinfection of water. Further water purification is proposed in RCC canal by filtering through stone/pebbles, bricks, Coal, etc. Further this Respondent is going to grow plants like water hyacinth, water lettuce, duckweed and other natural aquatic plant species in canal / nala, thereby the waste water can be treated naturally. The photographs of the chlorination system and iron screen in canal / nala is hereby annexed and marked as Exhibit "A"
6. The Respondent submits that, the budgets of Rs. 7.83 Cr. Is sanctioned to erect S.T.P (Sewage Treatment Plant) for 6.7 M.L.D by Government of Maharashtra. This Respondent has no land for erection of S.T.P (Sewage Treatment Plant) and search regarding the land is in process, since there is no Government Land available for S.T.P this Respondent has planned to purchase private land and this Respondent has put proposal to that effect before the Hon'ble District Collector Sangli for

appropriate approvals, further this Respondent has prepared budget for S.T.P and DPR is prepared and is in process of technical sanction from Maharashtra Jivan Pradhikaran, therefore this Respondent begs before this Hon'ble Tribunal to consider all the facts and the practical difficulties and prays that this Respondent be kindly not penalised for EDC.

- 7. This Respondent will take due care for not to pollute the Krishna River with best of its ability and infrastructural capacity regarding this.

VERIFICATION

1, Manojkumar Sudhakar Desai aged about 48 years, Chief officer of Ashta municipal Council District Sangli on behalf of the Respondent No. 18 do hereby state on solemn affirm that whatever stated in the foregoing paragraphs is true and correct to the best of my knowledge, information and belief, which I believe to be true for which I sign hereunder.

Solemnly affirmed at Ashta
Dated this ___ day of June 2024

Identified by me,

[Signature]
Chief Officer
Ashta Municipal Council, Ashta
Respondent No 18

Advocate for the Respondent No 18)

Solemnly affirmed before Me
by Shri... *Affiant*
Who is identified by *Aadhar No.*
Whom / personally Know
5147 2838 0196



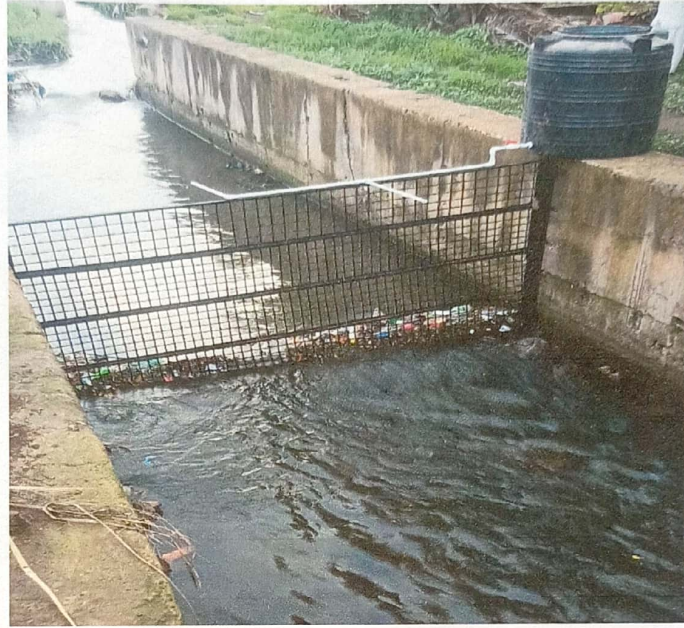
SIGN BEFORE ME
[Signature]
Vardhman Dhanpal Nilakhe
ADVOCATE & NOTARY
1775, Main Road, Islampur, - 415 409
Tal:-Walwa Dist:-Sangli Maharashtra
Mob:-93250 45322 ☎ (02342) 222209

NOTARY
NOTED & REGISTERED
At Serial No... *2083/2024*
DATE:..... *19/06/2024*
THIS DOCUMENT
Contain Pages..... *4+2=06*



NOTARY
V. D. NILAKHE
ISLAMPUR (SANGLI)
R. G. No. 10483
E. D. I. : 31-10-2028
INDIA

ANNEXURE-A
Ashta Municipal Council
Chlorination in nala



NOTARY
V. D. NILAKHE
ISLAMPUR (SANGLI)
R. G. No. 10483
E. D. I. : 31-10-2028
INDIA



Iron screen in Rcc nala



Handwritten signature
Chief Officer
Ashta Municipal Council, Ashta