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**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,
WESTERN ZONE BENCH AT PUNE
Original Application No. 26/2023(WZ)**

Vanashakti & Anr

... Applicant

v/s

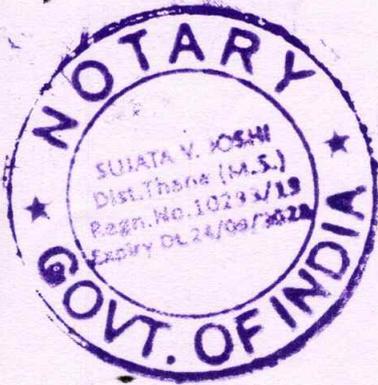
Thane Municipal Corporation & Ors.

... Respondents

Affidavit in Reply on behalf of the Respondent No. 05-MPCB in compliance of the Order dated 7/8/2023 passed by this Hon'ble Tribunal.

I, Ravindra Andhale, Age 55 years, Occupation-Service, the Regional Officer of the Maharashtra Pollution Control Board at Thane, having my office at 5th Floor, Office Complex Building, Near Mulund Check Naka, Wagle Estate, Thane-400 604, do hereby state on solemn affirmation as under:-

- (1) I am filing this Affidavit in Reply in compliance of the Order dated 7/8/2023 passed by this Hon'ble Tribunal.
- (2) I say and submit that Hon'ble NGT vide Order dtd.7/8/2023 directed to calculate the Environmental Compensation w.e.f. 1/12/2020 till the legacy waste is taken care of, in compliance of the Solid Waste Management Rules, 2016.
- (3) In compliance of this Hon'ble Tribunal Order dtd.7/8/2023, the Respondent-Board has calculated the Environmental Compesantion from 1/4/2020 to 31/8/2023 (total 41 months) is Rs.410 Lakhs for not adhering the timeline for the solid waste management and Rs.410 Lakhs for not commencing the





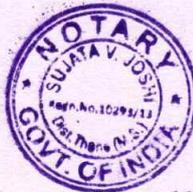
work of legacy waste site remediation i.e. Total Environmental Compensation is Rs.820 Lakhs. Accordingly, the Respondent Board has issued a letter dated 21.09.2023 to Respondent-Corporation to deposit the amount of Rs.820 Lakhs towards the Environmental Compensation. A copy of the letter dated 21.09.2023 is enclosed herewith and marked as an Annexure-'I'.

Solemnly affirmed on this 21st day of September, 2023 at Thane.

For and on behalf of the Maharashtra Pollution Control Board,

Ravi

(Ravindra Andhale)
Regional Officer, Thane



NOTARISED

SUJATA V. JOSHI
ADVOCATE & NOTARY
101/102, Vishal Bldg., Station Road,
Kaiwa (W), Thane-400 605.

NOTED & REGISTERED
Sr. No. 8034/2023

22 SEP 2023



MAHARASHTRA POLLUTION CONTROL BOARD

Tel: 25802272

Fax: 25805398

Visit us at:

Website : <http://mpcb.gov.in/>E-mail Id: rothane@mpcb.gov.in

Regional Office, Thane
5th Floor, Office Complex Bldg.,
Near Mulund Check Naka,
Wagale Estate,
Thane-400 604

No. MPCB/ROT-/ 368

To,

Deputy Municipal Commissioner (SWM),
Thane Municipal Corporation,
Panchpakhadi, Thane(W)

Date:- 21/9/23

Sub: - To deposit Environmental Compensation.

Ref: - Hon'ble NGT Order dated 07.08.2023 in OA No. 26/2023 (WZ).

Vanashakti & Anr. has filed an Original Application bearing No. 26/2023 (WZ) before the Hon'ble NGT against the illegal MSW dumping at Diva dumping ground.

In the aforesaid matter, the Hon'ble NGT vide order dated 07.08.2023 directed the board to calculate the Environmental Compensation for non-compliance period.

In compliance of the Order dated 07.08.2023 and based on the non-compliance period calculated, you are directed to deposit an amount of Rs- 820/- Lakhs (Rupees Eight Hundred Twenty lakhs only) towards the damage already caused to the environment and recovery of environmental compensation as per 'Polluter's Pay Principle' to the Maharashtra Pollution Control Board within a period of 15 days from the date of receipt of this letter, failing which, the Board will have no option than to initiate appropriate legal action against you, which please note.

This is issued with the approval of the competent authorities of the Board.

D.A. - As above

Ravi 21/9/23
(Ravindra Andhale)
Regional Officer, Thane

Copy submitted to :-

1. Assistant Secretary (Technical), MPCB, Mumbai- for information.
2. Law Officer, PMCB, Mumbai- for information.

