

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 16/2/2024 passed by this Hon'ble Tribunal.

I, Kiran Hasabnis, Aged-Adult, Occupation-Service, the Regional Officer of the Maharashtra Pollution Control Board at Thane i.e. Respondent No. 2, having office at Plot No. P 30, 5th Floor, Office Complex Building, Wagle Industrial Estate, Mulund Check Naka, Thane (West) 400604, do hereby solemnly affirm and state as under :

- (1) I am filing this Affidavit in Reply in compliance of the Order dated 16/2/2024 passed by this Hon'ble Tribunal.
- (2) I say and submit that Hon'ble NGT vide Order dtd.16/2/2024 directed the Respondent-MPCB to calculate the Environmental Compensation for the additional period from 1/9/2023 to 30/4/2024.
- (3) In compliance of this Hon'ble Tribunal Order dtd.16/2/2024, the Respondent-Board has calculated the Environmental Compensation for the additional period from 1/9/2023 to 30/4/2024 is Rs.80 Lakhs. Accordingly, the Respondent



Board has issued a letter dated 25/4/2024 and directed to the Respondent-Corporation to deposit an amount of Rs.80 Lakhs towards the Environmental Compensation for the additional period from 1/9/2023 to 30/4/2024 i.e. total amount of Environment Compensation of Rs.900 Lakhs. A copy of the letter dated 25/4/2024 is enclosed herewith and marked as an **Annexure-'I'**.

Solemnly affirmed on this 29th day of April 2024 at Thane.

For and on behalf of the Maharashtra Pollution Control Board,

(Kiran Hasabnis)
Regional Officer, Thane



BEFORE ME
NOTARY



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

NOTED & REGISTERED
Sr. No. 8379/2024

29 APR 2024



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MAHARASHTRA POLLUTION CONTROL BOARD

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

No. MPCB/ROT-1188

Date:- 25/04/2024

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

Sub: - To deposit Environment Compensation.

Ref: - 1) Hon'ble NGT Order dated 07.08.2023.

2) This office letter no. MPCB/ROT/368, dtd. 21.09.2023.

3) Hon'ble NGT Order dated 16.02.2024.

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 to calculate the Environment Compensation for non-compliance period.

In compliance of the Order dated 07.08.2023 and based on the non-compliance period, you were directed vide ref. at sr. no. 2, to deposit an amount of Rs- 820/- Lakh (Rupees Eight Hundred Twenty lakh only) towards the damage already caused to the environment and recovery of environment 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 the letter, however till date you have not deposited the environment compensation.

In the meantime Hon'ble NGT has passed an order dtd 16.2.2024 and directed MPCB to calculate EC for the additional period i.e. from 1.9.2023 to 30.4.2024, as per calculation it is Rs. 80 Lakh.

In view of above, you are directed to deposit total amount of EC i.e. Rs. 900 Lakh (Rs. Nine hundred Lakh only), 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

(Kiran N. Hasabnis)
Regional Officer, Thane

Copy submitted to :-

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

