

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

Original Application No. 119/2022 (WZ)

Shri. Sanjay D. Joshi & Anr

...Appellant

Versus

State of Maharashtra through the
Department of Environment & Ors.

...Respondent(s)

COMPLIANCE AFFIDAVIT ON BEHALF OF RESPONDENT NOS. 2 & 3
MAHARASHTRA POLLUTION CONTROL BOARD

I, J. S. Hajare , age about 56 years, Occupation-service, the Regional Officer of the Maharashtra Pollution Control Board at Kolhapur having my office at Maharashtra Pollution Control Board, Udyog Bhavan Building, Near Collectorate Office, Kolhapur - 416 002, do hereby state on solemnly affirmation as under :-

I, am presently working as the Regional Officer, Kolhapur with the Maharashtra Pollution Control Board, I have gone through the Hon'ble National Green Tribunal (WZ) Pune order dated 06.08.2024. I am submitting reply affidavit on behalf of Respondent No. 2 & 3 regarding MPCB to give details with respect to the status of criminal prosecution against the respondents Municipal Council.

1. I say and submit that in compliance of the order issued by Hon'ble Tribunal dated 06.08.2024, the Respondent Board has issued Prosecution Notice to Respondent 06 Municipal Councils on 30.09.2024 under section 41(2)/44 read with section 26 & 33 (A) of the Water (Prevention and Control of Pollution) Act, 1974 & Air (Prevention & Control of Pollution) Act, 1981. The copy of said Prosecution Notice is enclosed as an **Annexure-I**.
2. I say and submit that as per the directions of the Hon'ble National Green Tribunal on 06.08.2024. the Respondent Board has already calculated & submitted EDC from 01.04.2020 to 23.08.2023 before this Hon'ble Tribunal. In compliance of this Hon'ble Tribunal directions dated 06.08.2024 additional EDC has been calculated from 23.08.2023 to 30.09.2024 for defaulting Respondents Councils 4 to 9 & submitted as below:-



Local Body wise total Environmental Compensation to be levied as below for the period from 01.04.2021 to 23.08.2023 with additional period from 23.08.2023 to 30.09.2024.

Sr. No.	Name of Municipal council	No of Months w.e.f. 01.04.2021 to 23.08.2023	For additional period w.e.f. 23.08.2023 to 30.09.2024	Total Compensation Rs.
1	Ratnagiri Municipal Council, Tal & Dist. Ratnagiri.	17,25,00,000/-	5,85,00,000/-	23,10,00,000/-
2	Rajapur Municipal Council, Tal. Rajapur, Dist. Ratnagiri.	11,10,00,000/-	3,90,00,000/-	15,00,00,000/-
3	Sawantwadi Municipal Council, Tal. Sawantwadi, Dist. Sindhudurg.	11,10,00,000/-	3,90,00,000/-	15,00,00,000/-
4	Vengurla Municipal Council, Tal. Vengurla, Dist. Sindhudurg.	9,05,00,000/-	3,25,00,000/-	12,30,00,000/-
5	Malvan Municipal Council, Tal. Malvan, Dist. Sindhudurg.	11,10,00,000/-	3,90,00,000/-	15,00,00,000/-
6	Kankavali Nagarpanchayat, Tal. Kankavali, Dist. Sindhudurg.	11,10,00,000/-	3,90,00,000/-	15,00,00,000/-

It is submitted that the total Environmental compensation to be levied on all above local bodies is Rs. 95,40,00,000/- (Rs. Ninety-Five Crore Forty Lacs only). A copy of details of EDC calculation are enclosed herewith as an **Annexure-II**.

Solemnly affirmed on this 16th day of October 2024 at Kolhapur

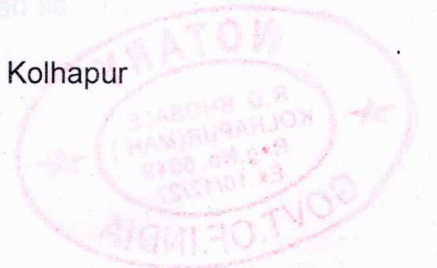
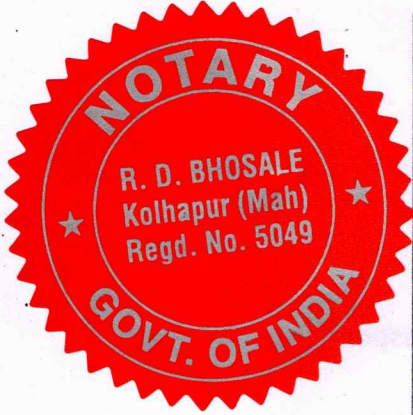
Notary/Sr./No.- 4548/2024
Solemnly affirm & Signed / L. H. T. I Before me
me by J. S. Hajare
& State that the Contents of the Affidavit are
true and correct. Who is identified by self

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

16 OCT 2024

For & on behalf respondent No. 2 & 3
Maharashtra Pollution Control Board

(J. S. Hajare)
Regional Officer- MPCB, Kolhapur



669

MAHARASHTRA POLLUTION CONTROL BOARD
REGIONAL OFFICE, KOLHAPUR.

<p>Tel. No. (0231) 2652952, 2660448 Fax No. (0231) 2652952. E-mail: rokolhapur@mpcb.gov.in</p>	 <p>“Your Service is Our Duty”</p>	<p>Udyog Bhavan, Near Collector Office, Kolhapur - 416 003. Website: http://mpcb.mah.nic.in</p>
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MPCB/RO/KOP/PR/ 24 09 300001

Date: 30/09/2024

To,
The Chief Officer,
Kankavali Nagar Panchayat,
Kankavali,
Tal, Sawantwadi, Dist. Sindhudurg.

Sub :- Prosecution Notice under section 41(2)/ 44 read with section 26 & 33 (A) of the Water (Prevention and Control of Pollution) Act, 1974 & Air (Prevention & Control of Pollution) Act, 1981.

- Ref :- 1. NGT Original Application No. 119 of 2022 filed by Sanjay D. Joshi & Ors. vs State of Maharashtra through the Department of Environment & Ors.
2. Hon'ble NGT has passed order in the matter of NGT OA No. 119 of 2022 on 19.03.2024 & 06.08.2024.
3. Show Cause Notice dated 16.01.2024.
4. Visit of Board Officials on 23.07.2024.
5. Legal Action Proposal vide no. MPCB-LEGAL_ACTIONS-110124030 submitted by SRO Ratnagiri on 06.08.2024.
6. Approval received from HQ, M.P.C. Board, Mumbai on 25.09.2024.

WHEREAS you are the administrator of Kankavali Nagar Panchayat in district of Sindhudurg and it is necessary to provide as well as operate the pollution control systems in "Pollution Prevention Area" declared under Water (Prevention & Control of Pollution) Act, 1974, Air (Prevention & Control of Pollution) Act, 1981 & Hazardous Waste (M & TM) Rules, 2016 as amended.

AND WHEREAS, it is obligatory on your part to obtain valid consent from the Board for your activity and to provide full-fledged / adequate Sewage Treatment Plant / facility with sewage collection system & treated sewage disposal system of the sewage. It is also obligatory on your part to operate it round o'clock so as to achieve the standards laid down under the provisions of Water (Prevention & Control of Pollution) Act, 1974, Air (Prevention & Control of Pollution) Act, 1981 & Hazardous Waste (M & TM) Rules, 2016 & Environment (Protection) Act, 1986 & MSW Management Rules 2016 & also obtain the consent for the same.

AND WHEREAS, Board Officials visited to your Municipal Council on 23.07.2024 vide reference no. (4) & reported following are the non-compliances:-

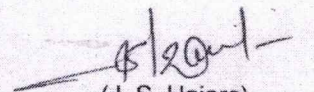
1. The Council has not obtained Consent to Establish/Operate for installation of Sewage Treatment Plant (STP).
2. The Council has failed to provide Sewage Treatment Plant (STP) to treat 2.4 MLD Sewage generation & now directly discharging untreated Sewage into local 3 Nallas/drains which finally meets to River Gad & Janavali.
3. The Council has failed to comply of Show Cause Notice dated 16.01.2024.

AND WHEREAS, after examining the record of your case, the reports of the officers of the Board, I am satisfied that after repeated follow up your organisation has failed to comply/follow various conditions/ directions issued by CPCB and MPCB and shows your negligence attitude towards Environment which causes grave injury to the Environment.

AND WHEREAS, you are hereby called upon to show cause as to why prosecution shall not be launched against your Municipal Council and persons who are responsible for day to day affairs of the council under section 41(2)/ 44 read with section 26 & 33 (A) of the Water (Prevention and Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981 & why Environmental Damage Compensation cannot be applicable to your Municipal Council and persons who are responsible for day to day affairs.

Your reply to the said Prosecution notice shall reach this office within a period of fifteen days from the date of receipt of this notice, failing which, necessary legal action will be initiated against you, which please note.

This is issued with the approval of competent authority.


(J. S. Hajare)
Regional Officer, Kolhapur

Copy submitted for favour of information to:

1. The Member Secretary, M.P.C. Board, Mumbai.
2. Joint Director (APC), M.P.C. Board, Mumbai.

Copy for information:

Law Officer, M.P.C. Board, Mumbai.

Copy to:

Sub-Regional Officer, M.P.C. Board, Ratnagiri.

- He is directed to serve the above notice to the Municipal Council and keep vigilance and report the compliance accordingly.

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MAHARASHTRA POLLUTION CONTROL BOARD REGIONAL OFFICE, KOLHAPUR.

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Website:
<http://mpcb.mah.nic.in>

MPCB/RO/KOP/PR/ 2403300002

Date: 30/09/2024

To,
The Chief Officer,
Malvan Municipal Council,
Malvan,
Tal. Malvan, Dist. Sindhudurg.

Sub :- Prosecution Notice under section 41(2)/ 44 read with section 26 & 33 (A) of the Water (Prevention and Control of Pollution) Act, 1974 & Air (Prevention & Control of Pollution) Act, 1981.

- Ref** :- 1. NGT Original Application No. 119 of 2022 filed by Sanjay D. Joshi & Ors. vs State of Maharashtra through the Department of Environment & Ors.
2. Hon'ble NGT was passed order in the matter of NGT OA No. 119 of 2022 on 19.03.2024 & 06.08.2024.
3. Proposed Direction dated 16.01.2024.
4. Visit of Board Officials on 25.07.2024.
5. Legal Action Proposal vide no. MPCB-LEGAL_ACTIONS-010724015 submitted by SRO Ratnagiri on 06.08.2024.
6. Approval received from HQ, M.P.C. Board, Mumbai on 25.09.2024.

WHEREAS you are the administrator of Malvan Municipal Council in district of Sindhudurg and it is necessary to provide as well as operate the pollution control systems in "Pollution Prevention Area" declared under Water (Prevention & Control of Pollution) Act, 1974, Air (Prevention & Control of Pollution) Act, 1981 & Hazardous Waste (M & TM) Rules, 2016 as amended.

AND WHEREAS, it is obligatory on your part to obtain valid consent from the Board for your activity and to provide full-fledged / adequate Sewage Treatment Plant / facility with sewage collection system & treated sewage disposal system of the sewage. It is also obligatory on your part to operate it round o'clock so as to achieve the standards laid down under the provisions of Water (Prevention & Control of Pollution) Act, 1974, Air (Prevention & Control of Pollution) Act, 1981 & Hazardous Waste (M & TM) Rules, 2016 & Environment (Protection) Act, 1986 & MSW Management Rules 2016 & also obtain the consent for the same.

AND WHEREAS, Board Officials visited to your Municipal Council on 25.07.2024 vide reference no. (4) & reported following are the non-compliances:-

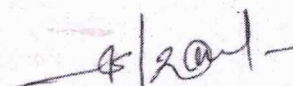
1. The Council has not obtained Consent to Establish/Operate for installation of Sewage Treatment Plant (STP).
2. The Council has failed to provide Sewage Treatment Plant (STP) to treat 2.5 MLD Sewage generation & now directly discharging untreated Sewage into local 3 Nallas/drains which finally meets to Arabian Sea.
3. The Council has failed to comply of Proposed Direction dated 16.01.2024.

AND WHEREAS, after examining the record of your case, the reports of the officers of the Board, I am satisfied that after repeated follow up your organisation has failed to comply/follow various conditions/ directions issued by CPCB and MPCB and shows your negligence attitude towards Environment which causes grave injury to the Environment.

AND WHEREAS, you are hereby called upon to show cause as to why prosecution shall not be launched against your Municipal Council and persons who are responsible for day to day affairs of the council under section 41(2)/ 44 read with section 26 & 33 (A) of the Water (Prevention and Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981 & why Environmental Damage Compensation cannot be applicable to your Municipal Council and persons who are responsible for day to day affairs.

Your reply to the said Prosecution notice shall reach this office within a period of fifteen days from the date of receipt of this notice, failing which, necessary legal action will be initiated against you, which please note.

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(J. S. Hajare)
Regional Officer, Kolhapur

Copy submitted for favour of information to:

1. The Member Secretary, M.P.C. Board, Mumbai.
2. Joint Director (APC), M.P.C. Board, Mumbai.

Copy for information:

Law Officer, M.P.C. Board, Mumbai.

Copy to:

Sub-Regional Officer, M.P.C. Board, Ratnagiri.

- He is directed to serve the above notice to the Municipal Council and keep vigilance and report the compliance accordingly.

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Website:
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MPCB/RO/KOP/PR/2409300005

Date: 30/09/2024

To,
The Chief Officer,
Rajapur Municipal Council,
Rajapur,
Tal. Rajapur, Dist. Ratnagiri.

Sub :- Prosecution Notice under section 41(2)/ 44 read with section 26 & 33 (A) of the Water (Prevention and Control of Pollution) Act, 1974 & Air (Prevention & Control of Pollution) Act, 1981.

- Ref** :- 1. NGT Original Application No. 119 of 2022 filed by Sanjay D. Joshi & Ors. vs State of Maharashtra through the Department of Environment & Ors.
2. Hon'ble NGT was passed order in the matter of NGT OA No. 119 of 2022 on 19.03.2024 & 06.08.2024.
3. Show Cause Notice dated 15.02.2024.
4. Visit of Board Officials on 23.07.2024.
5. Legal Action Proposal vide no. MPCB-LEGAL_ACTIONS-080224001 submitted by SRO Ratnagiri on 06.08.2024.
6. Approval received from HQ, M.P.C. Board, Mumbai on 25.09.2024.

WHEREAS you are the administrator of Rajapur Municipal Council in district of Ratnagiri and it is necessary to provide as well as operate the pollution control systems in "Pollution Prevention Area" declared under Water (Prevention & Control of Pollution) Act, 1974, Air (Prevention & Control of Pollution) Act, 1981 & Hazardous Waste (M & TM) Rules, 2016 as amended.

AND WHEREAS, it is obligatory on your part to obtain valid consent from the Board for your activity and to provide full-fledged / adequate Sewage Treatment Plant / facility with sewage collection system & treated sewage disposal system of the sewage. It is also obligatory on your part to operate it round o'clock so as to achieve the standards laid down under the provisions of Water (Prevention & Control of Pollution) Act, 1974, Air (Prevention & Control of Pollution) Act, 1981 & Hazardous Waste (M & TM) Rules, 2016 & Environment (Protection) Act, 1986 & MSW Management Rules 2016 & also obtain the consent for the same.

AND WHEREAS, Board Officials visited to your Municipal Council on 23.07.2024 vide reference no. (4) & reported by following are the non-compliances:-

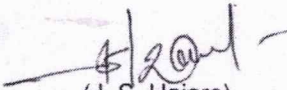
1. The Council has not obtained Consent to Establish/Operate for installation of Sewage Treatment Plant (STP).
2. The Council has failed to provide Sewage Treatment Plant (STP) to treat 1.00 MLD Sewage generation & now directly discharging untreated Sewage into local 3 Nallas/drains which finally meets to River Arjuna.
3. The Council has failed to comply of Show Cause Notice dated 15.02.2024.

AND WHEREAS, after examining the record of your case, the reports of the officers of the Board, I am satisfied that after repeated follow up your organisation has failed to comply/follow various conditions/ directions issued by CPCB and MPCB and shows your negligence attitude towards Environment which causes grave injury to the Environment.

AND WHEREAS, you are hereby called upon to show cause as to why prosecution shall not be launched against your Municipal Council and persons who are responsible for day to day affairs of the council under section 41(2)/ 44 read with section 26 & 33 (A) of the Water (Prevention and Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981 & why Environmental Damage Compensation cannot be applicable to your Municipal Council and persons who are responsible for day to day affairs.

Your reply to the said Prosecution notice shall reach this office within a period of fifteen days from the date of receipt of this notice, failing which, necessary legal action will be initiated against you, which please note.

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Regional Officer, Kolhapur

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2. Joint Director (APC), M.P.C. Board, Mumbai.

Copy for information:

Law Officer, M.P.C. Board, Mumbai.

Copy to:

Sub-Regional Officer, M.P.C. Board, Ratnagiri.

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MPCB/RO/KOP/PR/ 2409300006

Date: 30/09/2024

To,
The Chief Officer,
Ratnagiri Municipal Council,
Ratnagiri,
Tal. & Dist. Ratnagiri.

Sub : - Prosecution Notice under section 41(2)/ 44 read with section 26 & 33 (A) of the Water (Prevention and Control of Pollution) Act, 1974 & Air (Prevention & Control of Pollution) Act, 1981.

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2. Hon'ble NGT was passed order in the matter of NGT OA No. 119 of 2022 on 19.03.2024 & 06.08.2024.
3. Show Cause Notice dated 15.02.2024.
4. Visit of Board Officials on 23.07.2024.
5. Legal Action Proposal vide no. MPCB-LEGAL_ACTIONS-080224012 submitted by SRO Ratnagiri on 06.08.2024.
6. Approval received from HQ, M.P.C. Board, Mumbai on 25.09.2024.

WHEREAS you are the administrator of Ratnagiri Municipal Council in district of Ratnagiri and it is necessary to provide as well as operate the pollution control systems in "Pollution Prevention Area" declared under Water (Prevention & Control of Pollution) Act, 1974, Air (Prevention & Control of Pollution) Act, 1981 & Hazardous Waste (M & TM) Rules, 2016 as amended.

AND WHEREAS, it is obligatory on your part to obtain valid consent from the Board for your activity and to provide full-fledged / adequate Sewage Treatment Plant / facility with sewage collection system & treated sewage disposal system of the sewage. It is also obligatory on your part to operate it round o'clock so as to achieve the standards laid down under the provisions of Water (Prevention & Control of Pollution) Act, 1974, Air (Prevention & Control of Pollution) Act, 1981 & Hazardous Waste (M & TM) Rules, 2016 & Environment (Protection) Act, 1986 & MSW Management Rules 2016 & also obtain the consent for the same.

AND WHEREAS, Board Officials visited to your Municipal Council on 23.07.2024 vide reference no. (4) & reported following are the non-compliances:-

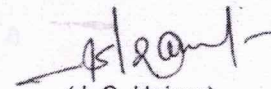
1. The Council has not obtained Consent to Operate for installation of Sewage Treatment Plant (STP).
2. The Council has failed to provide Sewage Treatment Plant (STP) to treat 14 MLD Sewage generation & now directly discharging untreated Sewage into local 6 Nallas/drains which finally meets to Arabian Sea.
3. The Council has failed to comply of Show Cause Notice dated 15.02.2024.

AND WHEREAS, after examining the record of your case, the reports of the officers of the Board, I am satisfied that after repeated follow up your organisation has failed to comply/follow various conditions/ directions issued by CPCB and MPCB and shows your negligence attitude towards Environment which causes grave injury to the Environment.

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MPCB/RO/KOP/PR/2409300003

Date: 30/09/2024

To,
The Chief Officer,
Sawantwadi Municipal Council,
Sawantwadi,
Tal. Sawantwadi, Dist. Sindhudurg.

- Sub** : - Prosecution Notice under section 41(2)/ 44 read with section 26 & 33 (A) of the Water (Prevention and Control of Pollution) Act, 1974 & Air (Prevention & Control of Pollution) Act, 1981.
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2. Hon'ble NGT was passed order in the matter of NGT OA No. 119 of 2022 on 19.03.2024 & 06.08.2024.
3. Show Cause Notice dated 15.02.2024.
4. Visit of Board Officials on 23.07.2024.
5. Legal Action Proposal vide no. MPCB-LEGAL_ACTIONS-310124013 submitted by SRO Ratnagiri on 06.08.2024.
6. Approval received from HQ, M.P.C. Board, Mumbai on 25.09.2024.

WHEREAS you are the administrator of Sawantwadi Municipal Council in district of Sindhudurg and it is necessary to provide as well as operate the pollution control systems in "Pollution Prevention Area" declared under Water (Prevention & Control of Pollution) Act, 1974, Air (Prevention & Control of Pollution) Act, 1981 & Hazardous Waste (M & TM) Rules, 2016 as amended.

AND WHEREAS, it is obligatory on your part to obtain valid consent from the Board for your activity and to provide full-fledged / adequate Sewage Treatment Plant / facility with sewage collection system & treated sewage disposal system of the sewage. It is also obligatory on your part to operate it round o'clock so as to achieve the standards laid down under the provisions of Water (Prevention & Control of Pollution) Act, 1974, Air (Prevention & Control of Pollution) Act, 1981 & Hazardous Waste (M & TM) Rules, 2016 & Environment (Protection) Act, 1986 & MSW Management Rules 2016 & also obtain the consent for the same.

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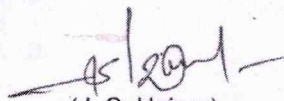
1. The Council has not obtained Consent to Operate for installation of Sewage Treatment Plant (STP).
2. The Council has failed to provide Sewage Treatment Plant (STP) to treat 2.4 MLD Sewage generation & now directly discharging untreated Sewage into local 3 Nallas/drains which finally meets to River Terekhol.
3. The Council has failed to comply of Show Cause Notice dated 15.02.2024.

AND WHEREAS, after examining the record of your case, the reports of the officers of the Board, I am satisfied that after repeated follow up your organisation has failed to comply/follow various conditions/ directions issued by CPCB and MPCB and shows your negligence attitude towards Environment which causes grave injury to the Environment.

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Regional Officer, Kolhapur

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Law Officer, M.P.C. Board, Mumbai.

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Sub-Regional Officer, M.P.C. Board, Ratnagiri.

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MPCB/RO/KOP/PRI/2409300004

Date: 30/09/2024

To,
The Chief Officer,
Vengurla Municipal Council,
Vengurla,
Tal. Vengurla, Dist. Sindhudurg.

Sub :- Prosecution Notice under section 41(2)/ 44 read with section 26 & 33 (A) of the Water (Prevention and Control of Pollution) Act, 1974 & Air (Prevention & Control of Pollution) Act, 1981.

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4. Visit of Board Officials on 25.07.2024.
5. Legal Action Proposal vide no. MPCB-LEGAL_ACTIONS-310124016 submitted by SRO Ratnagiri on 06.08.2024.
6. Approval received from HQ, M.P.C. Board, Mumbai on 25.09.2024.

.....
WHEREAS you are the administrator of Vengurla Municipal Council in district of Sindhudurg and it is necessary to provide as well as operate the pollution control systems in "Pollution Prevention Area" declared under Water (Prevention & Control of Pollution) Act, 1974, Air (Prevention & Control of Pollution) Act, 1981 & Hazardous Waste (M & TM) Rules, 2016 as amended.

AND WHEREAS, it is obligatory on your part to obtain valid consent from the Board for your activity and to provide full-fledged / adequate Sewage Treatment Plant / facility with sewage collection system & treated sewage disposal system of the sewage. It is also obligatory on your part to operate it round o'clock so as to achieve the standards laid down under the provisions of Water (Prevention & Control of Pollution) Act, 1974, Air (Prevention & Control of Pollution) Act, 1981 & Hazardous Waste (M & TM) Rules, 2016 & Environment (Protection) Act, 1986 & MSW Management Rules 2016 & also obtain the consent for the same.

AND WHEREAS, Board Officials visited to your Municipal Council on 25.07.2024 vide reference no. (4) & reported following are the non-compliances:-

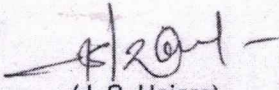
1. The Council has not obtained Consent to Operate for installation of Sewage Treatment Plant (STP).
2. The Council has failed to provide Sewage Treatment Plant (STP) to treat 2.5 MLD Sewage generation & now directly discharging untreated Sewage into local 3 Nos. Nallas/drains which finally meets to Arabian Sea.
3. The Council has failed to comply of Show Cause Notice dated 15.02.2024.

AND WHEREAS, after examining the record of your case, the reports of the officers of the Board, I am satisfied that after repeated follow up your organisation has failed to comply/follow various conditions/ directions issued by CPCB and MPCB and shows your negligence attitude towards Environment which causes grave injury to the Environment.

AND WHEREAS, you are hereby called upon to show cause as to why prosecution shall not be launched against your Municipal Council and persons who are responsible for day to day affairs of the council under section 41(2)/ 44 read with section 26 & 33 (A) of the Water (Prevention and Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981 & why Environmental Damage Compensation cannot be applicable to your Municipal Council and persons who are responsible for day to day affairs.

Your reply to the said Prosecution notice shall reach this office within a period of fifteen days from the date of receipt of this notice, failing which, necessary legal action will be initiated against you, which please note.

This is issued with the approval of competent authority.


(J. S. Hajare)
Regional Officer, Kolhapur

Copy submitted for favour of information to:

1. The Member Secretary, M.P.C. Board, Mumbai.
2. Joint Director (APC), M.P.C. Board, Mumbai.

Copy for information:

Law Officer, M.P.C. Board, Mumbai.

Copy to:

Sub-Regional Officer, M.P.C. Board, Ratnagiri.

- He is directed to serve the above notice to the Municipal Council and keep vigilance and report the compliance accordingly.

As per the directions of Hon'ble NGT MPCB Respondent No. 2 & 3 has calculated EDC of Municipal Council and same was submitted and Hon'ble NGT heard the matter on 06.08.2024. During hearing Hon'ble NGT observed that the calculation of EDC, which was made, was for earlier period and thereafter also, some period has elapsed for which violation is continued to be there, for which EDC is required to be calculated. So, Hon'ble NGT directed us to calculate the EDC for further period also and submit an affidavit in that regard before the next date. The matter is for a final hearing on 21.10.2024.

In the previous EDC Calculation, period of calculation was considered from 01-04-2020 to 23.08.2023. So now as per the directions of Hon'ble NGT additional period of violation is considered from 23.08.2023 to 30.09.2024. So considering the additional period the calculation of the EDC is as below,

A) 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 23.08.2023 with additional period from 23.08.2023 to 30.09.2024.

Sr. No.	Name of Municipal Council	No of Months w.e.f. 01-04-2020 to 23.08.2023	Nos of Drain	Environment compensation @Rs. 5 Lakh per month per drain by concerned local bodies	Total	Total compensation in Rs.	No of Months w.e.f. 23.08.2023 to 30.09.2024	Additional compensation per month – up to 30.09.2024 Rs.
					No of Drain X EC	No of Months x Total		
1	Ratnagiri Municipal Council,	41	6	5,00,000/-	30,00,000/-	12,30,00,000/-	13	30,00,000 x 13 = 3,90,00,000/-

2	Rajapur Municipal Council,	41	3	5,00,000/-	15,00,000/-	6,15,00,000/-	13	15,00,000 x 13 = 1,95,00,000/-
3	Vengurla Municipal Council,	41	2	5,00,000/-	10,00,000/-	4,10,00,000/-	13	10,00,000 x 13 = 1,30,00,000/-
4	Malvan Municipal Council,	41	3	5,00,000/-	15,00,000/-	6,15,00,000/-	13	15,00,000 x 13 = 1,95,00,000/-
5	Sawantwadi Municipal Council,	41	3	5,00,000/-	15,00,000/-	6,15,00,000/-	13	15,00,000 x 13 = 1,95,00,000/-
6	Kankavali Nagarpanchayat,	41	3	5,00,000/-	15,00,000/-	6,15,00,000/-	13	15,00,000 x 13 = 1,95,00,000/-

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 23.08.2023 with additional period from 23.08.2023 to 30.09.2024.

Sr. No.	Name of Municipal council	No of Months w.e.f. 01.04.2020 to 23.08.2023	Environmental compensation is payable for failure to do so at the rate of @Rs. 5 Lakh per month STP by concerned local bodies	Total compensation Rs.	No of Months w.e.f. 23.08.2023 to 30.09.2024	Additional compensation per month – up to 30.09.2024 Rs.
1	Ratnagiri Municipal Council, Tal & Dist. Ratnagiri .	41	5,00,000/-	2,05,00,000/-	13	5,00,000 x 13

						= 65,00,000/-
2	Rajapur Municipal Council, Tal. Rajapur, Dist. Ratnagiri.	41	5,00,000/-	2,05,00,000/-	13	5,00,000 x 13 = 65,00,000/-
3	Sawantwadi Municipal Council, Tal. Sawantwadi, Dist. Sindhudurg.	41	5,00,000/-	2,05,00,000/-	13	5,00,000 x 13 = 65,00,000/-
4	Vengurla Municipal Council, Tal. Vengurla, Dist. Sindhudurg.	41	5,00,000/-	2,05,00,000/-	13	5,00,000 x 13 = 65,00,000/-
5	Malvan Municipal Council, Tal. Malvan, Dist. Sindhudurg.	41	5,00,000/-	2,05,00,000/-	13	5,00,000 x 13 = 65,00,000/-
6	Kankavali Nagarpanchayat, Tal. Kankavali, Dist. Sindhudurg.	41	5,00,000/-	2,05,00,000/-	13	5,00,000 x 13 = 65,00,000/-

C) 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 23.08.2023 with additional period from 23.08.2023 to 30.09.2024.

Sr. No.	Name of Municipal council	No of Months w.e.f. 01.04.2021 to 23.08.2023	Environmental compensation @ Rs. 10 Lakh per month STP by concerned local bodies	Total compensati on Rs.	No of Months w.e.f. 23.08.2023 to 30.09.2024	Additional compensation per month – up to 30.09.2024 Rs.
1	Ratnagiri Municipal Council, Tal & Dist. Ratnagiri.	29	10,00,000/-	2,90,00,000/-	13	10,00,000 x 13 =1,30,00,000/-

2	Rajapur Municipal Council, Tal. Rajapur, Dist. Ratnagiri.	29	10,00,000/-	2,90,00,000/-	13	10,00,000 x 13 =1,30,00,000/-
3	Sawantwadi Municipal Council, Tal. Sawantwadi, Dist. Sindhudurg.	29	10,00,000/-	2,90,00,000/-	13	10,00,000 x 13 =1,30,00,000/-
4	Vengurla Municipal Council, Tal. Vengurla, Dist. Sindhudurg.	29	10,00,000/-	2,90,00,000/-	13	10,00,000 x 13 =1,30,00,000/-
5	Malvan Municipal Council, Tal. Malvan, Dist. Sindhudurg.	29	10,00,000/-	2,90,00,000/-	13	10,00,000 x 13 =1,30,00,000/-
6	Kankavali Nagarpanchayat, Tal. Kankavali, Dist. Sindhudurg.	29	10,00,000/-	2,90,00,000/-	13	10,00,000 x 13 =1,30,00,000/-

D) Local Body wise total Environmental Compensation to be levied as below for the period from 01.04.2021 to 23.08.2023 with additional period from 23.08.2023 to 30.09.2024.

Sr. No.	Name of Municipal council	No of Months w.e.f. 01.04.2021 to 23.08.2023	For additional period w.e.f. 23.08.2023 to 30.09.2024	Total Compensation Rs.
1	Ratnagiri Municipal Council, Tal & Dist. Ratnagiri.	17,25,00,000/-	5,85,00,000/-	23,10,00,000/-
2	Rajapur Municipal Council, Tal. Rajapur, Dist. Ratnagiri.	11,10,00,000/-	3,90,00,000/-	15,00,00,000/-
3	Sawantwadi Municipal Council, Tal. Sawantwadi, Dist. Sindhudurg.	11,10,00,000/-	3,90,00,000/-	15,00,00,000/-
4	Vengurla Municipal Council, Tal. Vengurla, Dist. Sindhudurg.	9,05,00,000/-	3,25,00,000/-	12,30,00,000/-
5	Malvan Municipal Council, Tal. Malvan, Dist. Sindhudurg.	11,10,00,000/-	3,90,00,000/-	15,00,00,000/-

6	Kankavali Nagarpanchayat, Tal. Kankavali, Dist. Sindhudurg.	11,10,00,000/-	3,90,00,000/-	15,00,00,000/-
7	Total			95,40,00,000/-

Conclusion:- The total Environmental compensation to be levied on the all above local bodies is Rs. 95,40,00,000/-
(Rs. Ninety Five Crore Forty Lacs only)