

BEFORE THE NATIONAL GREEN TRIBUNAL
WESTERN ZONE BENCH, PUNE

ORIGINAL APPLICATION NO. 32 OF 2023

IN THE MATTER OF :-

Raju Alies Devavappa Shetty & Ors. Applicant

V/s.

M/s. Dutta India Pvt. Ltd & Ors. Respondents

**COMPLIANCE AFFIDAVIT ON BEHALF OF RESPONDENT NO. 2 -
MAHARASHTRA POLLUTION CONTROL BOARD.**

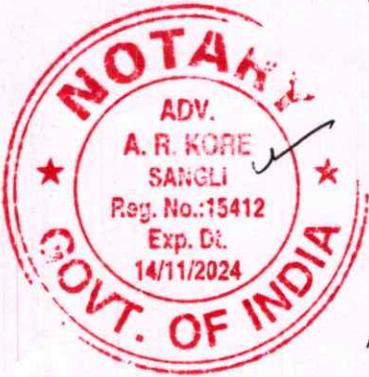
I, Navanath S. Awatade, aged about 54 years, occupation-service, the Sub Regional Officer, Maharashtra Pollution Control Board at Sangli having my office at Udyog Bhavan, Vishrambag, Sangli-416415. I am filing this affidavit on behalf of the Respondent-Maharashtra Pollution Control Board, do hereby solemnly affirm state as under.

I, am presently working as the Sub Regional Officer, Sangli with the Maharashtra Pollution Control Board since w. e. f. 19-07-2019. I say and submit that, I have gone through the records of the present application and thereafter made myself conversant with the facts and circumstances. I am filing the present affidavit-in-reply in response to the application after understanding the contents thereof. At the outset I deny all the averments, assertions and contentions, made in the application against Board and those which are not dealt with by me specifically in this reply may not be construed as having admitted the truthfulness thereof.

1. I say and submit that in compliance with the order passed by Hon'ble National Green Tribunal. The Respondent Board No. 2 has submitted the report of Environmental Compensation of Respondent industries and local body vide additional reply affidavit dtd. 28-11-2023 as per the Methodology recommended in "Report of the Central Pollution Control Board In-house Committee on Methodology for Assessing Environmental

Affidavit in O.A. No. 69/2022 and 32/2023.

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Noted & Registered
at Serial Numbers ... 339/2024
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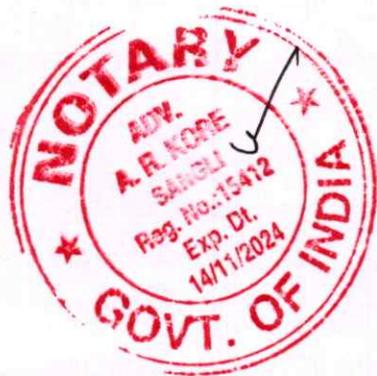
9 MAY 2024

Compensation and Action Plan to Utilize the Fund" which has also been referred by the Hon'ble National Green Tribunal in its order (para 14 to 16) dated 28/8/2019 in the matter of Original Application No. 593/2017 titled Paryavaran Suraksha Samiti & Anr. Versus Union of India & Ors., may be used to calculate Environmental Compensation on the unit for illegal untreated effluent discharge and without any treatment into the environment.

2. I say and submit that the Respondent No. 2 has taken the various actions time to time against the Respondent No. 3 - Sangli Miraj and Kupwad City Municipal Corporation; Sangli regarding continuous discharge of untreated sewage/domestic effluent is being discharged into Krishna River causing pollution of river water. The details of action taken report are as below-

Sr.No.	Subject	Ref. No. & Date.
1.	Direction u/s. 33A of the Water (Prevention and Control of Pollution) Act, 1974 and u/s 33A of the Air (Prevention and Control of Pollution) Act, 1981 read with Municipal Solid Waste (Management and Handling) Rules, 2000.	No.BO/P&L. Divn./B-3401, Dtd. 01-08-2015.
2	Warning Notice Non-compliance of Authorization conditions.	No. MPCB / SRS / TB / 712 / 18, Dtd. 25-07-2018.
3	Show Cause Notice under the Water (Prevention and Control of Pollution) Act, 1974.	No. MPCB/RO Kolhapur / TB / Sang /3823/2018, Dtd. 13-12-2018.
4	Directions under section 33A of the Water (Prevention and Control of Pollution) Act, 1974.	No. MPCB/JD(WPC)/B-1467, Dtd. 25-04-2019.
5	Directions under section 33A of the Water (Prevention and Control of Pollution) Act, 1974.	No. MPCB / JD(WPC) / B-3397, Dtd. 11-09-2019.

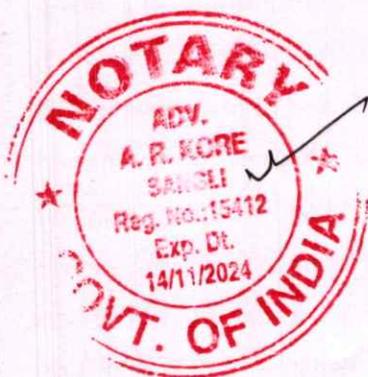
Affidavit in O.A. No. 69/2022 and 32/2023.



9 May 2024

Signature of A.R. KORE
Notary Public, Sangli

6	Letter regarding untreated effluent discharging into the Krishna River.	No. SROS/TB/1163/2019 , Dtd. 02-12-2019.
7	Non-compliance of Boards directions and Environmental Compensation u/s. of 5 of the Environment (Protection) Act, 1986 read with Solid Waste Management Rule 2016.	No. MPCB / RO(HQ)/B-35, Dtd. 03-01-2020.
8	Directions u/s. 18(1)(b) of the Water (Prevention and Control of Pollution) Act, 1974 for installation of Online Continuous Effluent Monitoring System (OCEMS)for self-surveillance of the Sewge Treatment Plants.	A-19014/43/06-UPC-1 4625-4672, Dtd. 07-08-2020.
9	Warning Notice for non-compliance u/s 33A of the Water (Prevention and Control of Pollution) Act, 1974, u/s. 31A, of the Air (Prevention and Control of Pollution) Act, 1981 and Municipal Solid Waste (Management and Handling) Rules. 2016	No. MPCB / SROS / WN-282, Dtd. 01-04-2022.
10	Proposed Directions u/s 33A, of the Water (Prevention and Control of Pollution) Act, 1974, and 31A, of the Air (Prevention and Control of Pollution) Act, 1981 & Hazardous Waste (M. H. & T) Rules, 2016 as amended and MSW Rules, 2016.	No. MPCB / RO / KOP / PD / 2209190002, Dtd. 19-09-2022.
11	Letter regarding Non-compliance observed during the Joint Inspection.	No. MPCB / SROS / WN / 2302010001, Dated. 01-02-2023.
12	Proposed Directions u/s 33A, of the Water (Prevention and Control of Pollution) Act, 1974, and 31A, of the Air (Prevention and Control of Pollution) Act, 1981 & Hazardous Waste (M. H. & T) Rules, 2016 as amended	No. MPCB / RO / KOP / PD / 2303100024, Dtd. 10-03-2023.



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3. I say and submit that the Respondent Board has collected Law Evidence Samples (LES) u/s. 21 of the Water (P&CP) Act, 1974. Accordingly, the Board has issued the prosecution notice u/s. 41 (2) / 44 read with Sec. 26 and 33 (A) of the Water (Prevention and Control of Pollution) Act, 1974 and the Air (Prevention and Control of Pollution) Act, 1981 to Sangli Miraj Kupwad Municipal Corporation vide letter No.MPCB/RO/KOP/PR/2405020003 Date 02-05-2024. The copies of action taken by Board (ATR) and prosecution notice are enclosed and marked as an Annexure-“I”.
4. I say and submit that as per the order passed by Hon'ble National Green Tribunal dated 19-02-2024 in the Original Application No. 32/2022 the Environmental Damage Compensation has been calculated. The details are as under-
- A) **Respondent No. 3 - Sangli Miraj and Kupwad City Municipal Corporation, Sangli.**
- The Environmental Damage Compensation has been recalculated as per the criteria prescribed vide order dated 08-09-2022 passed in the Original Application No. 606/2018. Accordingly this office has sought the required information from the Respondent No.3, vide this office letter No. 240314-FTS-0305 and in response to this letter, the Respondent No. 3 has submitted the desired information vide their letter No. 20/24-25, dated 18-04-2024 accordingly by giving an opportunity of personal hearing through video conferencing on dated 23-04-2024 and on the basis of information provided by the Respondent No.3, the Environmental Damage Compensation amounting Rs. 33.60 Crores has been recalculated on Respondent No.3. The details are as under-
- i) 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



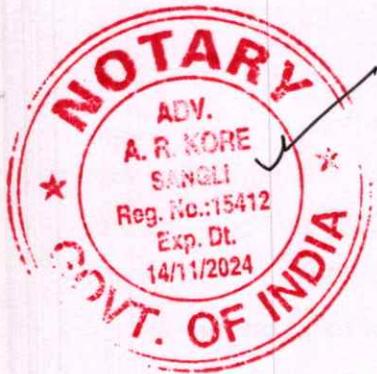
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(in terms of orders dated 28.08.2019 in O.A. No. 593/2017 and 06.12.2019 in O.A. No. 673/2018) w. e. f. 01.04.2020.

Name of Municipal Corporation	Nos. of Months w.e.f. 01.04.2020	No's of Drains	Environment compensation @ Rs. 5.0 Lakh per month per drain by concerned local bodies	Total Environmental Damage Compensation $e = (b \times c \times d)$ Rs.
a	B	c	d	e
Sangli Miraj and Kupwad City Municipal Corporation, Sangli.	48	4	5,00,000/-	9,60,00,000/-

- ii. 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.

Name of Municipal Corporation	Nos. of Months w.e.f. 01.04.2020	Environmental compensation is payable for failure to do so at the rate of @Rs. 5 Lakh per month per STP by concerned local bodies	Total Environmental Damage Compensation $d = (b \times c)$ Rs.
a	b	c	d
Sangli Miraj and Kupwad City Municipal Corporation, Sangli.	48	20,00,000/- (5 Lakhs x 4 STP/Month)	9,60,00,000/-



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- iii. 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.

Name of Municipal Corporation	Nos. of Months w.e.f. 01.04.2021	Environmental Compensation @ Rs. 10 Lakh per month per STP by concerned local bodies	Total Environmental Damage Compensation $d = (b \times c)$ Rs.
a	B	c	d
Sangli Miraj and Kupwad City Municipal Corporation, Sangli.	36	40,00,000/- (10 Lakhs x 4 STP/Month)	14,40,00,000/-

Therefore the total Environmental Damage Compensation applicable is -

Total EDC Rs. = 9,60,00,000/- + 9,60,00,000/- + 14,40,00,000/-
Rs. = 33,60,00,000/-

(Rs. Thirty-three Crore Sixty Lakhs only)

- iv. It is submitted that the Environmental Damage Compensation was calculated earlier amounting Rs.90.00 Crores as per Hon'ble Tribunal order dated 28.8.2018 in OA No 563 of 2017 titled Paryavaran Suraksha Samiti & Anr Vs Union of India on the unit for illegal untreated Effluent discharged into the Environment.

However, for local body the criteria prescribed vide order dated 08.09.2022 passed in OA No 606/2018 and based on the information sought from the Respondent-Sangli Miraj and Kupwad City Municipal Corporation, the earlier Environmental Damage Compensation has been reassessed by giving an opportunity of personal hearing by the Regional Officer, Kolhapur and Sub Regional Officer, Sangli on dated



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23-04-2024 to the Sangli Miraj Kupwad Municipal Council in compliance of Hon'ble NGT Order dated 19.2.2024 and accordingly revised EDC has been calculated by the Board. The copies of revised Environmental Damage Compensation and concerned letters and minutes of meeting are enclosed respectively and marked as an Annexure-"II".

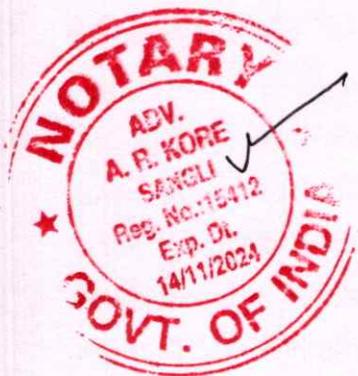
5. I say and submit that the Respondent No. 2 has already submitted the detailed report of Environmental Damage Compensation levied on Respondent No. 1 - M/s. Dutta India Pvt. Ltd., Sangli in original application no. 32/2023, based on the observations and conclusions made by the joint committee and its report submitted to the Hon'ble National Green Tribunal. I say and submit that Respondent No.1 has submitted the objections to reply affidavit of Respondent No.2-MPCB reply dated 16-02-2024. A copy of the objection is enclosed and marked as an Annexure-"III".

The point wise details of clarification/conclusions on the objections raised by the Respondent No. 1, on the Joint Committee Report / EDC calculated by the Board are as under-

Point No. 1 & 2 – That the averments made in para 1 & 2, are not correct as the joint committee constituted has made the facts and factual observations of the respondent industry w.r.t. pollution control systems, treatment and disposal of the effluent as well as observations made by the Board officials during the fish kill incident. Also the joint committee has pointed out the contributing industry M/s. Swapanapurti Sugar Ltd. and local body M/s. Sangli Miraj and Kupwad City Municipal Corporation, Sangli responsible for water pollution and fish kill incident of Krishna River.

Point No. 3- That the averments made in para 3, I say and submit that the Hon'ble National Green Tribunal has directed to implead M/s. Swapanapurti Sugar Ltd., as Respondent No.4 and accordingly impleaded as Respondent No.4. The Respondent Board has already

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9 MAY 2024



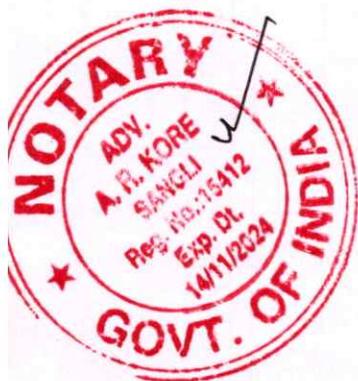
submitted the report of Environmental Damage Compensation levied on Respondent No.4.

Point No.4 & 5 - That the averments made in para 4 & 5 , I say and submit that the calculations of Environmental Damage Compensation has been carried out as per the Methodology recommended in "Report of the Central Pollution Control Board In-house Committee on Methodology for Assessing Environmental Compensation and Action Plan to Utilize the Fund" which has also been referred by the Hon'ble National Green Tribunal in its order (para 14 to 16) dated 28/8/2019 in the matter of Original Application No. 593/2017 titled Paryavaran Suraksha Samiti & Anr. Versus Union of India & Ors., may be used to calculate Environmental Compensation on the unit for illegal untreated effluent discharge and without any treatment into the environment.

Point No.6 & 7- That the averments made in para 6 & 7 , I say and submit that the calculations of Environmental Damage Compensation has been carried out as per the Methodology recommended in "Report of the Central Pollution Control Board In-house Committee on Methodology for Assessing Environmental Compensation and Action Plan to Utilize the Fund". However as per the order 19-02-2024 an opportunity of personal hearing has been given by Regional Officer, Kolhapur and Sub Regional Officer, Sangli to Respondent No.1, on 25-04-2024 through video conferencing wherein the details about levied Environmental Damage Compensation already submitted to the Hon'ble National Green Tribunal has been explained in brief to the Respondent No.1.

Hence nothing shall be deemed to be admitted as mentioned in their reply submitted dated 16-03-2024.

I say and submit that as per the order 19-02-2024 an opportunity of personal hearing has been given by Regional Officer, Kolhapur and Sub Regional Officer, Sangli to Respondent No. 4 - M/s. Swapnapurti Sugar Ltd., on 25-04-2024 through video conferencing wherein the details about levied Environmental Damage Compensation already submitted to the Hon'ble National Green Tribunal has been explained and upon the said Environmental Damage Compensation the Respondent No. 4 has stated



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that they have not filed any objections on the imposed Environmental Damage Compensation. A copy of minutes of hearing is enclosed and marked as an Annexure-“IV & V”.



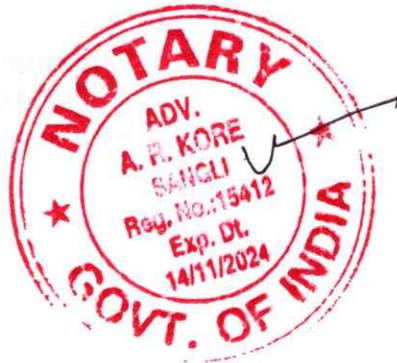
Solemnly affirmed on the day 9th May, 2024.

For and on behalf of Respondent No.2.

Awatade

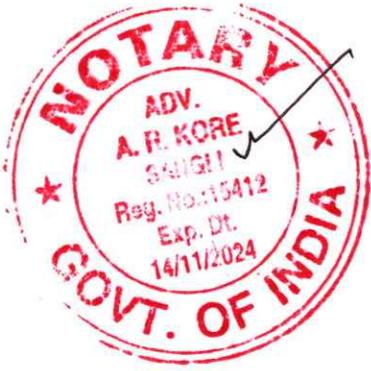
(Navanath S. Awatade)
Sub Regional Officer
Maharashtra Pollution Control Board, Sangli

9 MAY 2024



Solemnly affirmed before me by
.....
who is known to me and
whom personally known

ADV. A. P. KORE
NOTARY PUBLIC
GOVT. OF INDIA
SANGLI - 415 415 (M.S.)



VERIFICATION

I, Navanath Sambhaji Awatade, Age-54 Years, working as Sub Regional Officer, Maharashtra Pollution Control Board at Sangli having my office at Udyog Bhavan, Vishrambag, Sangli-416416 do hereby state on solemn affirmation what is stated in the forgoing affidavit in reply to my own knowledge and I believe the same to be true and correct.

Solemnly affirmed on the day 9th May 2024.

Identified by me
Amit Patil
Adv. A. M. Patil
19 MAY 2024

For and on behalf of Respondent No.2.

Awatade
(Navanath S. Awatade)
Sub Regional Officer
Maharashtra Pollution Control Board, Sangli



Solemnly affirmed before me by
Shri Navanath Sambhaji Awatade
Who is identified before me by Mr Sangli
Shri Amit M. Patil Adv.
whom personally known. Mr Sangli

Patil
21/5/2024

ADV. A. R. KORE
NOTARY REG. NO. 15412,
GOVT. OF INDIA
Kaveri Appt., Saraswatinagar
SANGLI - 416 416 (M.S.)

Annexure -I

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/PRI 2405020003

Date:-02/05/2024

To,

- 1) The Commissioner,
Sangli Miraj Kupwad City Municipal Corporation,
Gat No. 132, Bedag Road, Miraj,
Tal. Miraj, Dist. Sangli-416410
- 2) The Deputy, Commissioner,
Sangli Miraj Kupwad City Municipal Corporation,
Gat No. 132, Bedag Road, Miraj,
Tal. Miraj, Dist. Sangli-416410

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. 69 of 2022 filed by Sunil Pharate, Sangli District Head of Swatantra Bharat Paksh Vs State of Maharashtra & Ors. OA No. 32/2023 filed by Raju Shetty Vs Dutt India Pvt. Ltd. & Ors.
2. Hon'ble NGT was passed order in the matter of NGT OA No. 69 of 2022 on 15.02.2024.
3. Various Directions issued by the Board time to time.
4. Board Officials Visited to Sangli Miraj Kupwad Municipal Corporation time to time.
5. Proposal submitted by Sub Regional Office, Sangli through Legal Module on 30.04.2024.

.....

WHEREAS you are the administrator of Sangli Miraj Kupwad Municipal Corporation 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, 2008 as amended.

AND WHEREAS, it is obligatory on your part to obtain valid consent from the Board for your activity to provide full-fledged / adequate Sewage Treatment Plant / facility and air pollution control techniques for treatment & disposal of the sewage/ leachate and to operate it round o'clock so as to prevent any sort of pollution in the surrounding area and 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, 2008 & Environment (Protection) Act, 1986 & MSW Management Rules 2016 & also obtain the consent for the same .

AND WHEREAS, Board Officials visited to your Municipal Corporation time to time vide reference no. (4) & reported by SRO Sangli following are the non-compliances observed:-

- 1) The Municipal Corporation has directly discharged untreated domestic effluent into Krishna River through Sangliwadi Nalla, Sheri Nalla, Haripur Nalla, J.J. Maruti & Vaddi Nalla.



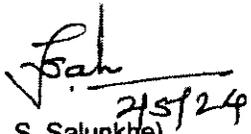
- 2) The Municipal Corporation failed to Operate 04 Nos. of electric pumps for lifting the Sheri Nalla effluent to Dhulgaon village scheme for further treatment. Also, said electric pumps were continuously not found in operation resulting into overflowing of untreated effluent into Krishna River with foaming & septic smell having slight black colour domestic effluent.
- 3) The collected LES samples of these nallas of Sangli Miraj Kupwad Municipal Corporation area u/s 21 of the Water (P& CP) Act, 1974 as well as JVS & environmental samples & observed that the analysis results of the samples are exceeding the consented limits.
- 4) The Municipal Corporation has failed to comply with Warning Notice & Directions issued by the Board time to time i.e. showing the total negligence towards protection of the environment & deliberately violating the various enactments under Environmental Protection Act.

AND WHEREAS , after examining the record of your case, the reports of the officers of the Board , I am satisfied that your organisation have 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 Corporation and persons who are responsible for day to day affairs of the Municipal Corporation 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 and why Environmental Damage Compensation cannot be applicable to your Municipal Corporation 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 shall be initiated against you further opportunity, which please note.

This is issued with the approval of competent authority.


 (J. S. Salunkhe)
 Regional Officer,
 M.P.C.B. 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, Sangli.

- He is directed to serve the above notice to the Sangli Miraj Kupwad Municipal Corporation and keep vigilance and report the compliance accordingly.



MAHARASHTRA POLLUTION CONTROL BOARD

Tel: 24010437/24020781/24014701
 Fax: 24023516/24024068/24044537
 Website: <http://mpcb.gov.in>
 E-mail: enquiry@mpcb.gov.in



Kalpataru Point, 2nd - 4th Floor,
 Opp. Cine Planet Cinema,
 Near Sion Circle, Sion (E)
 Mumbai- 400 022.

No. BO/P&L Divn/B-3401

Date: 01/08/2015

To
 The Municipal Commissioner, ...
 Sangli Miraj Kupwad Municipal Corporation,
 Sangli.

Sub: Directions u/s 33A of the Water (Prevention & Control of Pollution) Act, 1974 and u/s 31A of the Air (Prevention & Control of Pollution) Act, 1981 r.w. Municipal Solid Waste (Management & Handling) Rules, 2000.

- Ref: 1. Authorization granted by the Board vide No. BO/MSWA/B-324, dt. 22/01/2014 to SMKMC.
 2. Hon'ble NGT Order Dt. 26/3/2015 and 3/07/2015.
 3. Visit report of SRO, MPCB, Sangli Dt. 14/07/2015.
 4. Letter issued by SRO, MPCB, Sangli Dt. 14/07/2015.

WHEREAS, the Ministry of Environment and Forest, Govt of India has notified the Municipal Solid Wastes (Management and Handling) Rules, 2000 vide Notification No SO 908(E) dated 25th Sept 2000. AND WHEREAS, the responsibility of the Municipal Authorities is specified under Rule 4 of the said rules, which interalia provides that the Municipal Authorities within the territorial area of the municipal limits shall be responsible for implementation of the provision of the said Rules.

AND WHEREAS, the Board has granted Authorization under Municipal Solid Wastes (Management and Handling) Rules, 2000 to set up and operate Common Wastes Processing Wastes Disposal Facility at Gat No 121 to 132 Bedag Road, Miraj and Gat No 207/208 Sandoli Road, Sangli site on the terms and conditions vide Authorization no BO/MSWA/B-324 dated 22/1/2014 which is valid upto 31/10/2015.

AND WHEREAS, the Hon'ble National Green Tribunal, Pune has passed an orders dated 26/5/2015 and 3/7/2015 respectively in Application No 115 of 2014 filed by Sangli Sudhar Samiti Vs Municipal Commissioner, Sangli Miraj Kupwad Municipal Corporation directing you to immediate effective steps implementation of Municipal Solid Wastes (Management and Handling) Rules, 2000.

AND WHEREAS, the Sub Regional Officer, Sangli alongwith Field Officer had visited jointly alongwith Medical Health Officer of corporation on 14/7/2015 at Gat No 207,208 Samdoli Road, Sangli and Gat No 121 to 132, Bedag Road, Miraj and observed following non compliances on the existing sites :-

- a) Site at Gat No 121 to 132, Bedag Road, Miraj :- During the visit it has been observed that heaps of municipal solid wastes lying on the site. Further it has been observed that the burning of municipal solid wastes, resulting generation of smoke nuisance in the surrounding area as well as the municipal solid wastes was being dumped without segregation.
- b) Site at Gat No 207,208 Samdoli Road, Sangli: It was observed that large quantity of municipal solid wastes was lying at the site in haphazard manner without segregation. Further it has been observed that the burning of municipal solid wastes, resulting generation of smoke nuisance in the surrounding area as well as the municipal solid wastes was being dumped without treatment and disposal facility and without segregation.

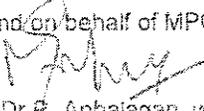
AND WHEREAS, the Board has issued directions u/s 33A of the Water (Prevention and Control of Pollution) Act, 1974 and u/s 31A of the Air (Prevention and Control of Pollution) Act, 1981 read with Municipal Solid Wastes (Management and Handling) Rules, 2000 from time to time to comply with the Municipal Solid Wastes (Management and Handling) Rules, 2000.

AND WHEREAS, you have failed to comply with the direction issued by the Board and you are violating the conditions of authorization granted by the Board. You have also failed to take effective steps to improve the existing site. AND WHEREAS, you have not submitted any proposal for improvement of existing site as well as proposed processing and disposal facility.

NOW THEREFORE, you are hereby directed to stop burning of municipal solid wastes at the existing site with an immediate effect and you are hereby called upon to show cause as to why appropriate legal action under the provisions of Water (Prevention and Control of Pollution) Act, 1974 and Air (Prevention and Control of Pollution) Act, 1981 read with the provisions of Municipal Solid Wastes (Management and Handling) Rules, 2000, shall not be initiated against you.

You are hereby called upon to submit your reply to this notice within 15 days from the receipt hereof to the undersigned failing which appropriate legal action shall be initiated against you without giving you further notice/ opportunity, which please note.

For and on behalf of MPCB,


(Dr P. Anbalagan, IAS)
Member Secretary

Copy submitted to :- The Additional Chief Secretary, Environment Deptt, Govt. of Maharashtra, Room No.217, 2nd Floor, Annex, Mantralaya, Mumbai -400 032 - for Bureau of Information

Copy to:

1. Law Officer(P&L Divn.), MPCB, Mumbai - for information.
2. Regional Officer(HQ), MPCB, Mumbai - for information and necessary action.
3. Regional Officer, MPCB, Kolhapur /Sub-Regional Officer, MPCB, Sangli - for information and necessary action. They are directed to take follow up with the SMKMC in compliance of orders passed by Hon'ble NGT, Pune dated 3/7/2015 regularly and submit the progress report of the same directly to RO(HQ).

MAHARASHTRA POLLUTION CONTROL BOARD
SUB REGIONAL OFFICE, SANGLI.

Tel. No. (0233) 2672032,
 2675932
 Fax No. (0233) 2672032
 E-mail: srosangli@mpcb.gov.in



Udyog Bhavan,
 Behind Tata Petrol Pump,
 Vishrambag, Sangli - 416 415.

No. MPCB/SRS/TB/ 712/18.
 To,
 The Commissioner,
 Sangli Miraj & Kupawad City Corporation,
 Hanumannagar STP, (23.5 MLD)
 Hanumannagar, 100 feet Road,
 Tal. Miraj, Dist-Sangli.

Date - 25 / 07 / 2018

Sub:- Warning Notice-Non-compliance of consent conditions.
 Ref:- Visit of board officials on 23/07/2018.

Sir,

Maharashtra pollution Control Board is implementing water (Prevention & control of Pollution) Act, 1974, Air (Prevention & Control of Pollution) Act, 1981 and Hazardous Waste (Management, Handling & Transboundary Movement) Rules, 2008 in state of Maharashtra. And is mandatory on every units/industry to obtain consent from MPC Board under above mentioned Acts and to provide adequate pollution control system to achieve Board standards.

Board officer has visited to your industry on 23/07/2018 for checking compliance of consent conditions & following Non-compliances are observed-

1. You have started your 23.5 MLD Hanumannagar STP, which is found under commissioning stage.
2. You have to apply for consent to operate for the same.
3. Chlorine Contact Tank of the unit was not completed in your STP.
4. As per instruction from the honorable Member Secretary, MPCB at the time of visit you have to provide online monitoring system for the STP.
5. You have to plant trees to form tree cover around the periphery of the STP.

In view of above it appears that, you are having negligent approach towards implementation of water (Prevention & Control of Pollution) Act, 1974, Air (Prevention & Control of Pollution) Act, 1981 and Hazardous Waste (Management, Handling & Transboundary Movement) Rules, 2008. Hence you are instructed to submit your say if any within 7 days after receipt of this letter as why your case will not recommended for legal action under water (Prevention & Control of Pollution) Act, 1974 & Air (Prevention & Control of Pollution) Act, 1981.

(L. S. Bhad)
 Sub-Regional Officer, Sangli

Copy submitted for information & necessary action, please.
 The Regional Officer, M. P. C. Board, Kolhapur

MAHARASHTRA POLLUTION CONTROL BOARD
Regional office-Kolhapur

Tel: 0231-2652952, 0231- 2660448		Udyog Bhavan
Fax: 0231-2652957		Near Collector Office
Website: http://mpcb.gov.in		Kolhapur
E-mail: rokolhapur@mpcb.gov.in		Kolhapur-416 003.

BY RPAD

No. MPCB/RO Kolhapur/TB/Sang/ 3088/2018
 To,
 The Commissioner,
 Sangli Miraj Kupwad Municipal Corporation,
 Tal. Miraj, Dist.: Sangli.

Date: - 15/12/2018.

Sub: - Show Cause Notice under the Water (Prevention & Control of Pollution) Act 1974.

- Ref: 1. Various directions issued by the M.P.C. Board regarding disposal
 2. Visit Of Board Officials dated 10.12.2018
 3. News appeared in the local News paper Dainik Pudhari, dated 11/12/2018.

.....
WHEREAS, it was obligatory on your part to obtain valid consent and to provide full fledged effluent/ sewage treatment plant & proper disposal arrangements for effluent generated from the local body & to operate the same round the clock so as to meet the standards prescribed by the Board and to obtain consent under the Water (Prevention & Control of Pollution) Act, 1974 & under the Air (Prevention & Control of Pollution) Act, 1981.

AND WHEREAS, you have not yet applied for the consent to Establish/ operate to you the Board under Water (Prevention & Control of Pollution) Act, 1974 & Air (Prevention & Control of Pollution) Act, 1981 and Hazardous Waste (M & H) Rules, 1989 as amended in 2003.

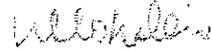
AND WHEREAS, there is a news appeared in daily News paper Pudhari' on 11/12/2018 regarding pollution of river Krishan due to discharge of untreated sewage effluent/ sherry nalla from the city.

AND WHEREAS, the Officials of the Board have visited to sherry nalla to investigate the same on dtd. 10/12.2018 and observed following non compliances.

1. You were not operating the three numbers of electric pumps provided to sherry nalla and Haripur nalla.
2. You are discharging the untreated sewage offluont in to river Krishan.
3. You are not operating Dhulgaon pumping station. All pumps of the same pumping station were not in operation.
4. You have not provided any 100% treatment to the sewage/ domestic effluent generated through the city.
5. You are not operating the STP already installed at 100 ft road.
6. You are discharging the domestic effluent of 100 ft road STP in to nearby Bhohe Gutier which further leads to Haripur nalla and finally meets to River Krishna causing grave enjury to the environment.

7. You have failed to comply various directions issued by the Board

You are hereby directed to comply with the aforesaid directions to control of pollution of Krishana River. In case you fail to comply with the above directions, the Board will have no option other than to initiate further legal action including filing a prosecution in the court against you which may be please be noted.



(Nagesh Lohalkar)
Regional Officer, Kolhapur

Copy submitted to:

The Member Secretary, M.P.C. Board, Mumbai.

Copy f.w.cs.to:

1. The Water Pollution Abatement Engineer, M.P.C. Board, Mumbai.

-- it is requested to extend hearing to the Sangli Miraj Kupwad Municipal Corporation at H.Q. level as Sangli Miraj Kupwad Municipal Corporation has failed to comply with directions issued from time to time.

2. The Sr. Law Officer (P&L Div.II), M.P.C. Board, Mumbai.

3. The Regional Officer (HQ), M.P.C. Board, Mumbai.

Copy to:

The Sub-Regional Officer, M.P.C. Board, Sangli.

- He is directed to keep vigil on the Local Body and report the compliance made time to time.

239 MAHARASHTRA POLLUTION CONTROL BOARD

Tel: 24010437/24020781/24014701
Fax: 24023516/24024069/24044531
Website: www.mpcb.org/



Kalpataru Point, 2nd - 4th Floor
Opp. Cine Planet Cinema,
Near Sion Circle, Sion (E)
Mumbai- 400 022.

W/MPCB/10/11/PD/E-1637

Date: 25/04/2018

To:
The Municipal Commissioner,
Sangli Mitra/Mupwad Municipal Corporation,
Sangli.

Subj: Directions under Section 33A of the Water (Prevention & Control of Pollution) Act, 1974.

1. Ref: 1. Directions issued by MPCB dtd. 28/11/2014 & 08/08/2017, 28/10/2018
2. Minutes of Workshop organised by Central Pollution Control Board on 08/01/2018 for Restoration of Polluted River Stretches
3. Office Order bearing No.28/2018 dated 10/04/2018 issued by the Maharashtra Pollution Control Board.
4. Order dated 13/12/2016 passed by the Hon'ble National Green Tribunal, Principal Bench, New Delhi in the Original Application, No.1038/2016 - in the matter of News Item published in "The Asian Age" authored by Sanjay Raw titled "CPCB to rank industrial units on pollution levels".
5. Hearing through video conference of Hon'ble NGT on 07/11/2017.

WHEREAS, the Maharashtra Pollution Control Board had issued vide order dtd. 28/11/2014, 08/08/2017 & 04/03/2018 to your Corporation and directed to undertake long term and short term measures for the treatment and disposal of sewage.

AND WHEREAS, the Central Pollution Control Board has organised a Workshop for Restoration of Polluted River Stretches on 08/01/2018. AND WHEREAS, as decided in the said workshop, a Committee has been constituted vide Office Order dtd. 10/04/2018 for "Preparation of Action Plan for Execution, Monitoring and Development of requisite Infrastructure for Management of Industrial Effluent as well as for Restoration of Polluted River Stretches". AND WHEREAS, the first Meeting of the aforesaid Committee was held on 02/11/2018.

AND WHEREAS, the Hon'ble National Green Tribunal vide order dated 20/03/2018 directed All States and Union Territories to prepare action plans within two months for bringing all the polluted river stretches to be fit at least for bathing purposes (i.e. BOD < 3 mg/L and FC < 500 MPN/100 ml) within six months from the date of finalisation of the action plans.

AND WHEREAS, you were also directed to maintain wholesomeness of the river water to achieve the standards of bathing purpose and stop all the discharges of untreated / partially treated sewage into the river.

AND WHEREAS, the Board has issued directions vide letter dated 26/10/2018 to your Corporation, wherein, you were directed to provide adequate Sewage Treatment Plant and to achieve the consented standards / prescribed by the Ministry of Environment, Forest & Climate Change, Govt. of India and implement short term & long term measures for the treatment of sewage and also restrict the untreated / partially treated sewage reaching to the Krishna river.

AND WHEREAS, the Hon'ble Supreme Court of India had imposed the responsibility of damages / restoration cost on the occupier, which is well-known principle laid down 'Polluter Pay Principle' vide its Judgement dtd 26/08/1989 in the Writ Petition (C) No.914/1981 filed by Vellore Citizens Welfare Forum Vs Union of India and Ors.

AND WHEREAS, 'Polluter Pays Principle' is laid down by the Hon'ble NGT in its Order dated 16/07/2017 in Original Application No.200/2014 filed by M.C. Mehta vs Union of India.

AND WHEREAS, the Hon'ble NGT in its order dated 13/12/2018 in Original Application No.727/2018 in the News Item dated 17/09/2018 in 'The Hindu' authored by Shri Jacob Koshy under the heading 'More River Stretches are now critically polluted', directed to each State is payable compensation for damage to the environment at the rate of Rs one crore per month for each of the Priority-I and Priority-II, Rs.50 Lakhs per month for stretches in Priority-III and Rs.25 Lakhs per month each for Priority-IV and Priority-V stretches.

AND WHEREAS, the Hon'ble National Green Tribunal, Principal Bench, New Delhi in the Original Application No.1038/2018 – in the matter of News Item published in 'The Asian Age' authored by Sanjay Kaw titled 'CPCB to rank industrial units on pollution levels' has passed an order dated 13/12/2018 and directed the SPCBs / Committees and CPCB to take coercive measures including recovery of compensation for the damage to the environment on 'Polluters Pays' principle as well as also to direct taking of such precautionary measures as may be necessary on the basis of 'Precautionary Principle'.

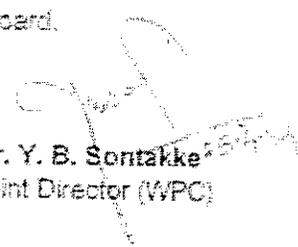
AND WHEREAS, the Hon'ble Green Tribunal in the hearing through video conferencing on 07/01/2018 directed to take immediate action on polluting establishment on the basis of Polluters Pay Principle.

AND WHEREAS, it has been observed that you have failed to comply with the directions issued by the Board from time to time and also not taken effective steps to implement the Action Plan within the stipulated period.

AND WHEREAS, it has been observed that your Corporation is generating sewage to the tune of 32.2 MLD out of that 35.2 MLD is treated or partially treated and 3.0 MLD of the sewage is discharging into the Krishna river without treatment.

NOW THEREFORE, in exercise of the powers conferred upon me under Section 33A of the Water (Prevention & Control of Pollution) Act, 1974, you are hereby directed to earmark an amount of Rs. 3.5 lakhs per day (i.e. one paise per lit.) towards the cost of remediation/pollution control and keep the said amount in a separate account to be operated by the Municipal Commissioner for remediation/pollution control in consultation with the Board within a period of 7 days from the date of receipt of these directions, failing which the Board will have no option than to initiate appropriate legal action against your Corporation, which please note.

This is issued with the approval of Hon'ble Chairman of the Board.


Dr. Y. B. Sontakke
Joint Director (WPC)

Copy submitted to :

1. Hon'ble Chairman, MPCB, Mumbai – for favour of information.
2. Hon'ble Divisional Commissioner, Pune Division - for favour of information.
3. Member Secretary, MPCB, Mumbai – for favour of information.

Copy to:

1. Joint Director(WPC)/Law Officer, MPCB, Mumbai – for information and necessary follow up.
2. Regional Officer, MPCB, Kolhapur / Sub-Regional Officer, Sangli - for information and necessary action.

MAHARASHTRA POLLUTION CONTROL BOARD

Tel: 24010437/24020781/24014701
 Fax: 24023516/24024068/24044601
 Website: www.mpcb.gov.in



Kaipetaru Point, 2nd - 4th Floor
 Opp. Cine Planet Cinema,
 Near Sion Circle, Sion (E)
 Mumbai- 400 022.

No.MPCB/ND(WPCWS)-9571/2019

Date: 11/09/2019

To
 The Municipal Commissioner,
 Sangli (Miraj) Municipal Corporation,
 Sangli.

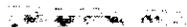
Subj: Directions under Section 31A of the Water (Prevention & Control of Pollution) Act, 1974

- Ref: 1. Hble NGT Order dated 09/08/2019 in Original Application no 569/2017 in P. vs. Union of India & Anr vs Union of India. And Order dated 10/01/2018 in the matter of Original Application no 710/2017.
2. Hble NGT Order dated 20/09/2018 and 19/12/2018 in Original Application No.673 /2016 in the News Item dated 17/09/2018 in 'The Hindu' authorised by Shri Jacob Koshy under the heading 'More River Stretches are now critically polluted'
3. Various Directions issued by the Maharashtra Pollution Control Board with regard to the compliance under the Prevention & Control of Pollution Act, 1974 (Concise Frame)

(WHEREAS, the Hon'ble National Green Tribunal vide order dated 09/08/2019 in the matter of Original Application no 569/2017 in P. vs. Union of India & Anr vs Union of India all the local Bodies and of the concerned department of the state Government have to ensure 100% treatment of the generated sewage and in default to pay compensation which is to be recovered by the State with effect from 01/04/2020. In absence of such collection, the State/LTs are liable to pay such compensation. The MPCB is to collect the same and utilise for the restoration of the environment)

AND WHEREAS, the Hon'ble National Green Tribunal vide order dated 28.08.2019 has discussed the methodology developed by MPCB for assessment of Environmental compensation in case of failure of preventing the pollutants being discharged in water bodies in the form of untreated /partially treated sewage by concerned individual/Authority.









AND WHEREAS, Hon'ble National Green Tribunal vide order dated 10/05/2019 in the matter of Original Application no. 710/2017, the State Pollution Control Boards are also authorised to recover the environmental compensation from the polluters or laying down their own scale which should not be less than the scale fixed by Central pollution Control Board.

AND WHEREAS, Hon'ble NGT, in various orders passed has clarified that, apart from prosecution, the statutory authorities under provision of the Environmental (Protection) Act, 1986, the Air (Prevention and Control of pollution) Act 1986 and the Water (Prevention and Control of pollution) Act 1974, must in exercise of their incidental powers, prescribed scale of compensation to be collected from the Polluters on 'Polluter Pays' Principle'

AND WHEREAS, the Hon'ble National Green Tribunal vide order dated 20/09/2018 in Original Application No.673 /2013 directed All States and Union Territories to prepare action plans within two months for bringing all the polluted rivers/streams to be fit at least for bathing purposes (i.e. BOD < 3 mg/L and FC < 500 MPN/100 ml) within six months from the date of finalisation of the action plans.

AND WHEREAS, you were also directed to maintain who discharges or of the river water to achieve the standards of bathing purpose and also all the discharges of untreated / partially treated sewage into the river.

AND WHEREAS, the Board has issued various directions to your Corporation, wherein, you were directed to provide adequate Sewage Treatment Plant and to achieve the effluent discharge standards (i.e. pH 6.5-9.5, BOD < 10 mg/l, COD < 50 mg/L, TSS < 20 mg/L, fecal Coliform < 100 MPN/100 ml, Total Nitrogen < 10 mg/L, Ammonical Nitrogen < 5 mg/L) of STPs prescribed by the Ministry of Environment, Forest & Climate Change, Govt. of India and implement short term & Long term measures and the treatment of sewage and also restrict the untreated / partially treated sewage reaching to the River/Stream.

AND WHEREAS, it has been observed that your Corporation is generating sewage to the tune of 82 MLD out of that 59.2 MLD is treated or partially treated and 22.8 MLD of the sewage is discharging into the River/Stream without treatment this is an illegal practice now become a threat to the environment.

AND WHEREAS, water quality monitoring reports of River/Stream as indicated that water quality has been affected because of disposal of untreated or partially treated sewage into the water bodies and as a result, there are high number of fecal bacteria making the water body unfit for human consumption or for other uses.

AND WHEREAS, your corporation is not having adequate system for sewage collection and its treatment and thus entirely untreated waste water either falls into rivers or lakes or remains inundated on land causing potential risk to the ground water contamination.

NOW THEREFORE, in view to the above stated facts and realizing that rivers and water bodies have been polluted and to prevent further deterioration of surface, sub-surface and coastal waters and in exercise of the powers conferred upon me under Section 33A of the Water (Prevention & Control of Pollution) Act, 1974, you are hereby directed to comply with the following directions:

- a) To submit the time bound action plan for 100% treatment of the generated sewage and achieving effluent discharge standards for STPs.
- b) Prepare and furnish action plan for utilization of Treated sewage.
- c) Why the Municipal Corporation shall not be taxed by MPCB Board the maximum amount of environmental compensation (Total capital cost component amount i.e. Rs. 10 Cr. as well as O & M cost component, i.e. Rs. 6 lacs per day), recommended for untreated/partially treated sewage discharge as mentioned in the Hon'ble NGT order dated 28/08/2019 in Original Application no. 19532/19 in Pongavaran & Ors vs. Santhi & anr w/s Union of India.

You shall submit your reply/ action plan within a period of 7 days from the date of receipt of these directions to this office if any, failing which the Board will be constrained to issue appropriate final directions including deposition of environmental compensation, as may deem fit in your case, which may please be noted.

For and on behalf of the
Maharashtra Pollution Control Board


(J. D. Karanth, J-4)
Member Secretary

Copy submitted to:

Hon'ble Chairman, MPCB, Mumbai - for record of information.

Copy to:

1. Joint Director (WFO)/Law Officer, MPCB, Mumbai - for information and necessary follow up.
2. Regional Officer, MPCB Kolhapur/ Sub-Regional Officer Sangli, MPCB. - They are directed to serve the copy and take necessary follow up action.

महाराष्ट्र प्रदुषण नियंत्रण मंडळ

उप प्रादेशिक कार्यालय, सांगली.

फोन नंबर (०२२३-२६९२०३२)

ई-मेल- saosangli@mppcb.gov.in



३००/२ उद्योग भवन,

शासकीय विश्रामघाम जवळ,

विश्रामदान, सांगली ४१६०१६

जा.क्र.समाकसा/तासा/११६३/२०१९

दि. ०२/१२/२०१९

महत्वाचे/तातडीचे

प्रति.

जल निस्काशन अभियंता,

सांगली निसव आणि कुपवाड राहण महानगरपालिका,

सांगली.

विषय:- सांगली शहरातील विनाप्रकिया केलेले सांडपाणी शेती नाल्याद्वारे कृष्णा नदीमध्ये निसळत असले बाबत

संदर्भ :- १. दि. ०१/१२/२०१९ रोजी दैनिक पुढारी मध्ये प्रसिद्ध झालेली बातमी.

२. दि. ०२/१२/२०१९ रोजी दैनिक महाराष्ट्र टाईम्स मध्ये प्रसिद्ध झालेली बातमी.

३. या कार्यालयाकडून दि. ०२/१२/२०१९ रोजी करण्यात आलेली प्रत्यक्ष पाहणी.

४. मा. सदस्य सचिव, मुंबई, यांचे आदेश क्र. व-३३१७ (३) दि. १५/०९/२०१९ रोजीचे आदेश.

सांगली शहरातील निसव हांगारे सांडपाणी कोणतीही प्रकिया न करता थेट शेतीनाल्याद्वारे कृष्णा नदीत निसळत असल्याने नदीचे पाणी प्रदुषित होऊन नागरिकांचे आरोग्य धोक्यात येत असून बाबावत सहापालिकाप्रशासनाचे दुर्लक्ष होत असले बाबतच्या वास्तव्या दैनिक वृत्तपत्रामध्ये प्रसिद्ध झालेल्या आहेत. सदर वास्तव्याचे काढण जोडले आहे. तसेच याबाबत वेगवेगळ्या इलेक्ट्रॉनिक मिडिआ चॅनेल्स द्वारेही वास्तव्या प्रसिद्ध झालेल्या आहेत.

सदर घटनेच्या अनुशंगाने या कार्यालयाकडून तात्काळ सदर ठिकाणी दि.०२/१२/२०१९ रोजी प्रत्यक्ष भेट घेऊन पाहणी केली असता खालील बाबी निदर्शनास आल्या.

१. शेतीनाल्यावरून धुळगाय योजनेकडे पाठविण्यात येणारे सांडपाणी उपसापंप बंद असल्याने तेथील विनाप्रकिया असलेले सांडपाणी थेट कृष्णा नदीमध्ये निसळत असल्याचे निदर्शनास आले.
२. शेतीनाल्यावरून नदीकाठाने चारीद्वारे वंचान्याच्या खालील बाजूस सांडपाण्यात येणारे सांडपाणी हे चारीमध्ये गाले, झाडेसुद्धे, नवत व टाकावू वस्तूचे प्रमाण वाढल्याने चारीमधील सांडपाणी सरकारी घाटाच्या खालील बाजूस ओढरफळी होऊन दुर्गंधीयुक्त वास व फेसालयुक्त सांडपाणी हे थेट नदीपात्रात निसळत असल्याचे दिसून आले.

अ.दि. ०१/१२/१९
5112/19
Rajendra
21/12/19

आजक दि. ०१/१२/१९
जिल्हाधिकारी कार्यालय, सांगली
21/12/19

३. सदर ठिकाणापासून नदीच्या खालील बाजूस अनेक गावच्या व शहराच्या पाणी पुरवठा योजना कार्यान्वीत असून त्याद्वारे नदीचे पाणी धिग्यासाठी वापरण्यात येत आहे. त्यामुळे सदरच्या दुषित पाण्यामुळे जलजग्य रोगांचा प्रादुर्भाव होऊन नागरिकांचे आरोग्य तसेच जलचरावर विपरीत परिणाम होण्याची शक्यता नाकारता येत नाही.

ना. राष्ट्रीय हरित लढाव यांचेकडील निर्देशानुसार महानगरपालिकेकड दि. ३१/०९/२०३१ सांगलीच्या पत्रान्वये मंडळाचे मा. सदस्य सचिव यांनी जल (प्रदुषण, प्रतिबंध व नियंत्रण) नियम १९७४ च्या कलम ३३ (अ) अन्वये निर्देश दिलेले असून त्याबाबत सांगली शहरातील निर्माण होणाऱ्या सांडपाण्यावर योग्यती प्रक्रिया करून सदरचे सांडपाणी शास्त्रोक्त पद्धतीने विल्हेवाट लावून कोणत्याही परिस्थितीमध्ये पक्रियाकृत/अप्रक्रियाकृत/अंगतः प्रक्रिया केलेले किंवा न केलेले सांडपाणी नदीनाल्यामध्ये न सोडणेबाबतच्या नृचना, देण्यात आल्या असून त्यावर तातडीने कायमदलदली उपाय योजना करण्याबाबत निर्देशित केले आहे. अन्यथा महानगरपालिकेवर पर्यावरण विपयक भरपाई का आकारण्यात येऊ नये? याबाबतची विचारणा केलेली आहे. सोबत सदर आदेशाची छायांकिन प्रत जांडकी आहे.

सांगली येथील शरीनाल्याद्वारे कृष्णा नदीमध्ये सांडपाणी मिसळण्याच्या घटना या नियमित व चारवार घडत असल्याने त्याबाबतच्या तक्रारी या कार्यालयास जाणू होत असून त्यामुळे चारवार नागरिकांच्या रोगास लागणे जावे लागत आहे. तरी या पत्राद्वारे आपणास सुचना देण्यात येतात की, या सर्व बाबींचा विचार करून सदर घटनेची पुनरावृत्ती होऊ नये याबाबत तातडीने उपाय घेऊन योग्य त्या उपाय योजना राबविण्यात आल्यात व सध्यास्थितीमध्ये शरीनाल्यातून कृष्णानदीत मिसळणारे सांडपाणी नात्याची दुरुस्ती करून त्वरीत थांबविण्यात जावे व त्याचा पूर्तता अहवाल या कार्यालयास त्वरीत सादर करावा, अन्यथा जल (प्रदुषण, प्रतिबंध व नियंत्रण) नियम १९७४ मधील तरतुदी नुसार पुढील योग्य ती कार्यदर्शी कारवाही करण्यात येईल याची नोंद घ्यावी.

संज्ञक - कार्यालयाने

(स. प्र. नि. मंडळ)

राज्य प्रादेशिक अधिकारी, सांगली

सुत साहेबो व जेन्व त्या कार्यवाहीसाठी सविनय सादर -

१. मा. सदस्य सचिव, स. प्र. नि. मंडळ, मुंबई.
२. मा. जिल्हाधिकारी, सांगली.
३. मा. आयुक्त, सांगली, मिरज आणि कुपवाड शहर महानगरपालिका सांगली.
४. प्रादेशिक अधिकारी, स. प्र. नि. मंडळ, कोल्हापूर.

प्रत -

आयोग्य अधिकारी, सांगली, मिरज आणि कुपवाड शहर महानगरपालिका सांगली.

राज्य प्रादेशिक अधिकारी,
सांगली

३१/०९/२०३१
राज्य प्रादेशिक अधिकारी,
सांगली

MAHARASHTRA POLLUTION CONTROL BOARD

Tel: 24010437/24020781/24014701
 Fax: 24023516/24024068/24044531
 Website: www.mpcb.gov.in



Kalpataru Point, 2nd - 4th Floor
 Opp. Cine Planet Cinema,
 Near Sion Circle, Sion (E)
 Mumbai- 400 022.

NO.MPCB/RO(HQ)/B- 35

Date: 03/11/2020
 142/2019

To:
 The Commissioner,
 Sangli-Miraj & Kupwad Municipal Corporation,
 Sangli.

Sub: Non-compliance of Board's direction and Environmental Compensation u/s 5 of the Environment (Protection) Act, 1986 read with Solid Waste Management Rules, 2016.

Ref: 1. This office letters vide dated 27/08/2019.
 2. Show Cause Notice Dtd. 02/11/2019.

WHEREAS, the Ministry of Environment, Forest and Climate Change, Government of India in exercise of the powers conferred by Section 3, 6 & 25 of the Environment (Protection) Act, 1986 (29 of 1986) and in supersession of the Municipal Solid Waste (Management & Handling) Rules, 2000, has published the Solid Waste Management Rules, 2016 vide Notification bearing S.O.No.1357(E), dtd.8/4/2016.

AND WHEREAS, it is obligatory on the part of every Local Body, Operator of the Facility or any other Agency responsible for processing & disposal of solid waste, to comply with the provisions of the Solid Waste Management Rules, 2016.

AND WHEREAS, the Hon'ble National Green Tribunal, Principal Bench, New Delhi has issued various orders and directed towards Compliance of Solid Waste Management Rules, 2016.

AND WHEREAS, MPC Board has developed online web portal (<https://swm.ecmpcb.in>) for all Local Bodies to monitor management of Solid Waste at administrative ward level on daily basis. This portal will help in augmentation and allocation of resources for effective implementation of Solid Waste Management Rules, 2016. AND WHEREAS, it will bring in efficiency in process of solid waste management.

AND WHEREAS, you were communicated vide letter dated 27/08/2019 about submission of solid waste information at administrative ward/prabhag/zone level on web portal (<https://swm.ecmpcb.in>).

AND WHEREAS, Board has issued Show Cause Notice u/s 5 of the Environment (Protection) Act, 1986 read with Solid Waste Management Rules, 2016 was issued vide letter dated 02/11/2019 for non- submission of solid waste information at administrative ward/prabhag/zone level on web portal (<https://swm.ecmpcb.in>).

AND WHEREAS, it is observed that you have registered on web portal (<https://swm.ecmpcb.in>) by submitting contact details one time solid waste information. AND WHEREAS, you have not submitted daily solid waste information at administrative ward/prabhad/zone level on web portal (<https://swm.ecmpcb.in>) except for one day i.e. 10th Oct'19.

AND WHEREAS, after examining of all the reports & records available with this office, I have come to conclusion that you are knowingly and willfully violating the Board's directions.

NOW THEREFORE, in exercise of the powers conferred upon me under Section 5 of the Environment (Protection) Act, 1986, you are hereby directed to pay a fine of Rs. 12,10,000/- (Rupees Twelve Lakhs Ten Thousand) towards environmental compensation.



(Sudhir Shrivastava)
Chairman
Maharashtra Pollution Control Board

Copy to: Member Secretary, MPCB, Mumbai – for information.

Copy to:

1. RO(HQ)/JD(WPC)/Law Officer – for information.
2. Regional Officer, Kolhapur /Sub Regional Officer, Sangli – directed to serve this copy and submit compliance from time to time.


2019 OCT 10 11:00 AM
2019 OCT 10 11:00 AM
2019 OCT 10 11:00 AM
2019 OCT 10 11:00 AM

File No. A-19014/43/06-UPC-1 *L 625-4672*Date *07*/08/2020

To,

The Chairman,
All SPCBs/PCCs
(1st Enclosed)

Directions Under Section 18(1) (b) of the Water (Prevention and Control of Pollution) Act, 1974 for installation of Online Continuous Effluent Monitoring System (OCEMS) for self-surveillance of Sewage Treatment Plants.

WHEREAS, amongst others, under Section 16 of the Water (Prevention and Control of Pollution) Act, 1974, one of the functions of the Central Pollution Control Board (CPCB) constituted under the Water (Prevention & Control of Pollution) Act, 1974 is to coordinate activities of the SPCBs/PCCs and provide technical assistance and guidance to SPCBs/PCCs; and

WHEREAS, amongst others, under Section 17 of the Water (Prevention and Control of Pollution) Act, 1974, one of the functions of the State Pollution Control Boards (SPCBs) and Pollution Control Committees (PCCs), constituted under the Water (Prevention & Control of Pollution) Act, 1974, is to plan a comprehensive programme for prevention, control or abatement of pollution of streams and wells in the State/U.T. and to secure the execution thereof; and

WHEREAS, SPCBs and PCCs are empowered to prescribe stringent standards for discharge of environmental pollutants from industries including Sewage Treatment Plants (STPs) than those notified by the Central Government and ensure its compliance, under the Environmental (Protection) Act, 1986 and rules framed there under; and

WHEREAS, Central Pollution Control Board vide its letter No. B-29016/04/06PCI-1/5401 dated 05.02.2014 had already issued directions under section 18(1) (b) of the Water Act to the State Pollution Control Boards and Pollution Control Committees for directing 17 categories of highly polluting industries (such as Pulp & Paper, Distillery, Sugar, Tanneries, Power Plants, Iron & Steel, Cement, Oil Refineries, Fertilizer, Chloral Alkali Plants, Dye & Dye Intermediate Units, Pesticides, Zinc, Copper, Aluminum, Petrochemicals and Pharma Sector, etc.), Common Effluent Treatment Plants (CETP), Common Bio Medical Waste and Common Hazardous Waste Incinerators; for installation of online effluent quality and emission monitoring systems and;

WHEREAS, CPCB and SPCBs/ PCCs have installed necessary software and hardware in their headquarters for centralized data collection, analysis and corrective actions and industrial sectors as mentioned in the above para have installed OCEMS and established connectivity with servers of CPCB and SPCBs / PCCs. The industrial units which have failed to install OCEMS and establish connectivity have been issued directions for closure; and

WHEREAS, STPs are operated by State Public Health Engineering Departments, Municipal Authorities and other State or City level Agencies; and

WHEREAS, STPs have been discharging environmental pollutants directly or indirectly into the ambient water bodies which pose constant threat to cause adverse effect on the water quality and SPCBs and PCCs are also required to ensure installation of sewage treatment facilities and their regular operation in the areas under their jurisdiction; and

WHEREAS, continuous monitoring is essential to regulate and minimize inspection of STPs on routine basis and also to inculcate habit of self monitoring mechanism by the STPs to ensure compliance of prescribed standards and transmit data of effluent compliance to SPCB/PCCs and CPCB on continuous basis. This can be achieved by installing online effluent monitoring devices; and

WHEREAS, Central Pollution Control Board (CPCB) has already issued directions to all the SPCBs / PCCs under Section 18(1) (i) of the Water (Prevention and Control of Pollution) Act, 1974 to ensure treatment and utilization of treated sewage vide letter no. A-19014/43/06-Mon dated 21/04/2015; and

WHEREAS, Central Pollution Control Board (CPCB) has also issued direction to the Municipal Commissioners / Chief Executive Officers of 46 Metropolitan Cities and 26 State Capitals on 09.10.2015 under Section 5 of the Environmental (Protection) Act, 1986 to ensure treatment and utilization of treated sewage and installation of Online Effluent Monitoring Systems; and

WHEREAS, CPCB has developed guidelines for Online Continuous Monitoring System for effluents on 07/11/2014; and

WHEREAS, CPCB has developed Standard Operating Protocol for Verification of Installation and Calibration of UV-Vis Dual Beam Scanning & Multipoint calibration mechanism technology based OCEMS (Effluent) used in Sewage Treatment Plants (STPs); and

WHEREAS, the ground truthing of the values indicated by the online devices need to be done before bringing them in public domain for proper interpretation and such measures need to be taken at the level of SPCBs/PCCs; and

WHEREAS for regulatory purposes and for purposes of actions to be taken against non-complying STPs, existing methods of sampling, analysis and related procedures under the existing statutes need to be continued.

NOW THEREFORE, in exercise of the powers conferred under section 18 1 (b) of the Water (Prevention & Control of Pollution) Act, 1974 and keeping in view strengthening of monitoring mechanism for effective compliance through self-regulatory mechanism, SPCBs / PCCs are hereby directed to issue following directions to all Municipal Corporations OR concerned Body / Agency / Authority who is operating STP, for installation of OCEMS in following phase-wise manner;

1. All the STPs being operated in Million Plus Cities by Municipal Corporations or concerned Body shall install 'Online Effluent Monitoring Systems' for the parameters namely pH, TSS, COD, BOD and Flow Meter before 31.01.2021.
2. STPs being operated in remaining cities and towns by Municipal Corporations, Municipalities, Local Bodies or any other concerned Body shall install 'Online Effluent Monitoring Systems' for the parameters namely pH, TSS, COD, BOD and Flow Meter before 31.07.2021.
3. STP Operating Authority shall connect and upload the online effluent monitoring data with the servers of the concerned SPCB/PCC and CPCB in a time bound manner but not later than timelines as mentioned in 1 and 2 above, as the case may be.
4. STP Operating Authority shall ensure regular maintenance and operation of the online system with tamper proof mechanism with facilities for calibration;
5. STP operator should follow guidelines prescribed by CPCB for Online Continuous Monitoring System for effluents and Standard Operating Procedure (SOP) for Verification of Installation and Calibration of UV-Vis Dual Beam Scanning & Multipoint calibration mechanism technology based OCEMS (Effluent) used in STPs.

These directions are not applicable to STPs located in cities / towns in the catchment of river Ganga as listed in Annexure, as directions for installation of OCEMS for those STPs have already been issued earlier.

The State Board / PCC shall acknowledge receipt of these directions and communicate action taken report once every 30 days with first report submitted within 30 days from the date of issue of these directions.


[Shiv Das Mecna]
Chairman



Copy to:

1. The Secretary,
Ministry of Environment, Forests, & Climate Change
Indira Bhawan, Aliganj, Jorbagh Road,
New Delhi-110003
2. The Secretary
Ministry of Jal Shakti,
626, Shram Shakti Bhawan, Rafi Marg,
New Delhi 110001
3. The Secretary
Ministry of Housing and Urban Affairs
Mulana Azad Road, Rajpath Area
Central Secretariat, New Delhi- 110001
4. The Mission Director,
National Mission for Clean Ganga,
(Ministry of Water Resources, River Development & Ganga Rejuvenation),
Rear Wing, 3rd Floor, MIDS Building
O. C. K. Complex, Lodhi Road, New Delhi-110003
5. The Regional Director, CPCB (Bengaluru, Bhopal, Chandigarh, Chennai,
Lucknow, Kolkata, Pune, Shillong, Vadodara)
6. The DII-IT Division


[Prashant Gargava]
Member Secretary

MAHARASHTRA POLLUTION CONTROL BOARD

Phone 0233 - 2672032

300/2, Udyog Bhavan Building, Near
Government Rest House, Vishrambag,
Sangli-416415.



Email srosangli@mpcb.gov.in

Visit At <http://mpcb.gov.in>

No. MPCB/SROS/WN/- 232

Date:- 01/04/2022

To,
The Dy. Commissioner,
Sangli, Miraj, Kupwad City Corporation,
Sangli, Tal. Miraj, Dist. Sangli.

(Warning Notice)

Sub: Warning Notice for non-compliances u/s 33 A of Water (Prevention & Control of Pollution) Act, 1974, u/s 31 A of Air (Prevention & Control of Pollution) Act, 1981 & Municipal Solid Waste (Management & Handling) Rules, 2016.

- Ref:
1. Consent issued by the MPC Board vide no. BO/JD(WPC)/UAN No. 000067994/co/cc-2001001528 dtd. 27/07/2020 valid up to 30.06.2022.
 2. Various directions issued by the Board in respect of pollution of River Krishna.
 3. Hunger strike of Shri. Datta Patil and News appeared in Daily Sakal Newspaper dtd. 22/02/2022.
 4. Legal Notice received from Adv. Omkar Wangikar dtd. 24/02/2022.
 5. Frequent news appeared in local News Papers w.r.t. Krishna river Pollution.
 6. Visit of Board officials at Krishna River K.T. Weir, Sheri Nala, Sangliwadi Nala on 23/02/2022 & 28/02/2022.

The Water (Prevention & Control of Pollution) Act, 1974 is applicable throughout the State of Maharashtra and it is to inform you that Sangli, Miraj, Kupwad Municipal Corporation comes under the area where the Water (Prevention & Control of Pollution) Act, 1974 is applicable. It is obligatory on your part to comply with the conditions stipulated under Water (Prevention & Control of Pollution) Act, 1974.

It is also an obligatory on your part to provide full-fledged Sewage Treatment Plant (STP) & proper disposal arrangements for the treated domestic waste water generated from Sangli, Miraj, Kupwad Municipal Corporation area & to operate the said STP round 'O' clock in a scientific manner so as to meet the consented standards prescribed by the

MPC Board. It is observed during the visit of the Board Officials that, you have failed to provide it and thereby discharging undertreated domestic effluent / sewage instead of provision of scientific and adequate capacity's Sewage Treatment Plant.

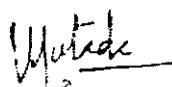
There are frequent complaints received to the MPCB Office, also several news are published in Daily News Papers as mentioned in above ref. no. 3, 4, & 5 regarding discharge of untreated domestic effluent / sewage through various nallas in city area thereby meeting with Krishna river.

This Officials of the Board visited the sites of Krishna River and it was noted that the Corporation has provided 04 nos of Electric pump having capacity 60.0 HP for lifting of untreated domestic effluent from Sheri Nalla to Dhulgaon Oxidation Ponds which are out of order. The said electric pumps was not found in operation and therefore total untreated domestic effluent from Sheri Nala is being directly discharged / mixed in to the Krishna river.

On the basis of earlier non compliances Maharashtra Pollution Control Board has already issued notices w.r.t. the various non-compliances due to violation of consent conditions. But it is noted that you have failed to comply with the various directions issued by Board office from time to time.

It is regretted to note that, in spite of number of directions issued by this office, you have failed to provide scientific and adequate STP and proper disposal arrangement for the treated domestic waste water generated from Sangli, Miraj, Kupwad city area till date.

Therefore, you are instructed to submit action taken report w.r.t. the measures taken by Corporation, also, to comply with the above points forthwith, failing which, this office will have no option than to initiate further actions as deem fit including prosecution against the Corporation, which may please, be noted.


(N. S. Awatade)
Sub-Regional Officer,
M. P. C. Board, Sagnli.

Copy submitted for information & necessary action to:-
The Regional Officer, M. P. C. Board, Kolhapur

**MAHARASHTRA POLLUTION CONTROL BOARD
REGIONAL OFFICE, KOLHAPUR.**

Tel. No. (0231) 2652952,
2660448
Fax No. (0231) 2652952
E-mail:
rokolhapur@mpcb.gov.in



Udyog Bhavan,
Near Collector Office,
Kolhapur - 416 003.
Website: <http://mpcb.mah.nic.in>

No. MPCB/RO/KOP/PDI/ 2203130002

Date : 13/03/2022.

To,
The Sangli, Miraj and Kupwad City
Municipal Corporation
Sangli, Tal. Miraj, Dist. Sangli.

Sub: Proposed Directions under section 33 A of Water (Prevention & Control of Pollution) Act, 1974, 31 A of Air (Prevention & Control of Pollution) Act, 1981 & Hazardous Waste (M, H & T) Rules, 2016 as amended.

- Ref:
1. Consent Granted by the Board.
 2. Various Directions issued by the Board vide dated 07-02-2019, 25-04-2019, 02-12-2019, 28-07-2019 and 26-11-2021.
 3. Frequent complaints regarding Krishna River Pollution due to Sheri Nalla and Sangliwadi Nalla and News published in various newspapers.
 4. Warning Notice issued by the SRO Sangli dtd. 01.04.2022
 5. Legal notice received from Adv. Omkar Wangikar against the SMKC Municipal Corporation.
 6. Complaints of Shri. Sunil Pharate, Swantra Eharat Palksh.
 7. Visit of Board Officials dtd. 02.09.2022.
 8. Proposal submitted by SRO Sangli.

WHEREAS, it was obligatory on your part to obtain valid consent/ Authorization and to provide full-fledged effluent treatment plant & proper disposal arrangements for effluent & MSW generated from the local body & to operate the same round the clock so as to meet the standards prescribed by the Board and to obtain consent under the Water (Prevention & Control of Pollution) Act, 1974 & under the Air (Prevention & Control of Pollution) Act, 1981.

AND WHEREAS, the Maharashtra Pollution Control Board has issued various Directions from time to time to your Corporation vide above ref. no. 2 and 4 and directed to implement measures for the treatment and disposal of domestic effluent generated through your local body and stopping the untreated effluent mixed into Krishna River through various nallas.

AND WHEREAS, the Maharashtra Pollution Control Board is in receipt of legal notice from Adv. Omkar Wangikar and Shri. Sunil Pharate regarding the water pollution of Krishna River is being caused by discharging untreated domestic effluent from the corporation area as well as news items also published in various newspapers regarding the same.

AND WHEREAS, the Board Officials visited various nallas on dtd. 02.09.2022 and observed following non-compliances.

1. You are discharging untreated sewage into Krishna River through Sheri Nalla, Sangliwadi and Haripur nalla (Kali vath).
2. You have failed to provide Sewage Treatment Plant (STP) for Sangliwadi Nalla & Sheri Nalla which results into discharge of sewage directly into the Krishna River without any treatment. Which is causing the health issues of citizens depending on water supply schemes and also impact on aquatic animals down stream of nallas.

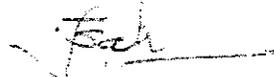
3. You have installed 04 electric pumps on Sheri Nalla for lifting of untreated domestic effluent to Village Dhulgaon irrigation scheme for further treatment but all the 04 nos of pumps having capacity 60 HP were observed in non-operational condition due to which the untreated effluent found overflowing through the nallas and mixed into Krishna River.
4. The analysis results of Joint Vigilance Samples of effluent mixed into river are exceeding the prescribed standards.
5. You have failed to comply with the conditions of warning notice, show cause notice, proposed directions issued by the Board time to time.
6. And also failed to submit time bound action plan for 100% treatment of the generated sewage and achieving effluent discharge standards.
7. You have also failed to earmarked and amount of Rs. 3.6 lacs per day towards the cost of remediation/pollution control by keeping the said amount in a separate account to be operated by the Municipal Commissioner for remediation/pollution control in consultation with the Board.
8. You have also failed to comply with the directions of Hon'ble NGT's orders issued time to time in the various applications.

AND WHEREAS, after examining the record of your case, reports of officers of the Board & making necessary enquiries, I am satisfied that you have failed to comply with various Direction issued by the Board from time to time which shows your negligent attitude towards the control of pollution problems which are causing Environmental Pollution in the surrounding area and knowingly & wilfully causing grave injury to the environment thereby violating various Environment enactments.

NOW THEREFORE, in exercise of the powers conferred on the undersigned by the Board under section 33A of the by the Water (Prevention & Control of Pollution) Act, 1974 and section 31A of Air (Prevention & Control of Pollution) Act, 1981 it is proposed to issue the following directions (for avoidance of doubt, the directions include legal, closure, prohibition or regulation of your activities including filing of prosecution).

You are directed to file your objection/reply to these proposed directions if any, within a period of 7 days from the receipt of this notice, failing which further stringent legal actions may be initiated in the matter, please note.

FOR AND ON BEHALF OF THE BOARD



(J. S. Salunkhe)
Regional Officer,
M.P.C. Board, Kolhapur

Copy submitted for information.

- 1) Member Secretary, M.P.C. B, Mumbai.
- 2) Joint Director (Water Pollution Control) Mumbai.

Copy to:

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

- He is directed to keep vigil on the Local Body and the compliance made time to time after issuance of these directions.

MAHARASHTRA POLLUTION CONTROL BOARD

Ph. No. (0233) 2672032 (0233) 2675932 E-mail:- srosangli@mpcb.gov.in Website – www.mpcb.gov.in		Address:- Sub Regional Office, Sangli Udyog Bhavan, Behind Tata Petrol Pump, Vishrambag, Sangli – 416415.  "Your service is our Duty"
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No. MPC/SROSNGLI/WN/2302010001

Date:- 01 / 02 / 2023.

To,
Sangli Miraj Kupwad City Corporation
(Miraj Odha, Miraj),
Tal. Miraj, Dist. Sangli.

Sub: Non Compliances observed during the joint inspection.

Ref: [1] Complaint received from Mr Tanaji Ruikar, Zilha Sangharsh Samiti,
Sangli dated 13.01.2023.
[2] Joint inspection dated 31.01.2023 to investigate the complaint.

.....

It is obligatory on your part to obtain valid consent/ Authorization and to provide full-fledged Sewage / Effluent Treatment Plant & proper disposal arrangements for treated effluent generated from the local body & to operate the same round the clock so as to meet the standards prescribed by the Board and to obtain consent under the Water (Prevention & Control of Pollution) Act, 1974 & under the Air (Prevention & Control of Pollution) Act, 1986.

Sub Regional Office, Maharashtra Pollution Control Board, Sangli received above referred complaint (ref. no.1) dated 13.01.2023 from Mr Tanaji Ruikar, Zilha Sangharsh Samiti, Sangli regarding untreated sewage waste water and industrial trade effluent directly mixed with Krishna river.

Accordingly, MPC Board Officials and Complainants visited to [a] Miraj Odha, Savali Bridge and [b] Miraj Odha, vakhar Bhag, Vetalba nagar Bridge on 31.01.2023 & observed that:-

1. Untreated domestic effluent from Miraj and surrounding sub urban area is directly disposed in to Miraj Odha which further meets with Krishna River and causing water pollution.
2. You have failed to provide Sewage Treatment Plant (STP) for the waste water generated from Miraj City and Sub urban area due to which untreated domestic effluent directly mixed into the Krishna River without any treatment.
3. During the visit it was observed that the waste water of Miraj Odha having Blackish – Whitish untreated effluent, septic condition and also have foul smell with decomposed sludge flows outside the Miraj City.
4. During the joint inspection in surrounding area it is observed that the untreated waste water is discharged from Pipelines directly into Miraj Odha in unscientific manner which further meets with Krishna river.

From the above non compliances / lacunas, it clearly indicates that you are not serious about the compliance of Environmental Rules and intentionally violating the provisions of Water (Prevention & Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981 and thereby causing damage to the surrounding environment knowingly and willfully.

In view of above, you are hereby instructed to submit your explanation w.r.t. the above non-compliances within 7 days period from receipt of this Notice. Failure the same further legal actions, will be initiated against your unit, which may be noted.


(N. S. Awatade)
Sub Regional Officer,
M.P.C. Board, Sangli

Copy submitted for information.
The Regional Officer, M. P. C. Board, Kolhapur.

**MAHARASHTRA POLLUTION CONTROL BOARD
REGIONAL OFFICE, KOLHAPUR.**

Office No. 201, JERANI
200040
Pin No. 416 013, 416 010
Email
kolhapur@mahpcb.gov.in



Office Bhanan
Near Collector Office
Kolhapur - 416 013
Website <http://mahpcb.mah.nic.in>

No. MPGB/RO/KOP/PD/2303100024

Date: 10/03/2023

To
The Sangli, Miraj and Kupwad City
Municipal Corporation
Sangli, Tal. Miraj, Dist. Sangli.

S/O Proposed Directions under section 33 A of Water (Prevention & Control of Pollution) Act, 1974, 31 A of Air (Prevention & Control of Pollution) Act, 1986 & Hazardous Waste (M. H & T) Rules, 2016 as amended

- Ref:
1. Complaint received from citizens as well as news published on electronic media regarding fish kill incidence in Krishna River at Ankali Bridge dtd. 10.03.2023
 2. Various Directions issued by the Board time to time.
 3. Visit of Board Officials on 10.03.2023
 4. Proposal submitted by SRO Sangli

WHEREAS, it was obligatory on your part to obtain valid consent, Authorization and to provide full-fledged effluent treatment plant & proper disposal arrangements for effluent i.e. M&W generated from the local body & to operate the same round the clock so as to meet the standards prescribed by the Board and to obtain consent under the Water (Prevention & Control of Pollution) Act, 1974 & under the Air (Prevention & Control of Pollution) Act, 1986.

AND WHEREAS, the Maharashtra Pollution Control Board has issued various Directions from time to time to your Corporation vide above ref. no. 2 and directed to implement measures for the treatment and disposal of domestic effluent generated through your local body and stopping the untreated effluent mixed into Krishna River through various nallas.

AND WHEREAS, the Board Officials visited various nallas on dtd. 10.03.2023 and observed following non-compliances.

1. You are discharging untreated domestic effluent into Krishna River through Sheri Nalla & Sangliwadi Nalla.
2. You have failed to provide Sewage Treatment Plant (STP) for Sangliwadi Nalla & Sheri Nalla which results into discharge of sewage directly into the Krishna River without any treatment. Which is causing the health issues of citizens depending on water supply schemes and also impact on aquatic animals down stream of nallas.
3. You have installed 04 electric pumps on Sheri Nalla for lifting of untreated domestic effluent to Village Dhulgaon irrigation scheme for further treatment but 02 nos of pumps were observed in non-operational condition due to which the untreated effluent found overflowing into Krishna River with foaming & septic smell having blackish colour domestic effluent.
4. You have failed to comply with the conditions of warning notice show cause notice proposed directions issued by the Board time to time.
5. And also failed to submit time bound action plan for 100% treatment of the generated sewage and achieving effluent discharge standards.

...to be installed to emit a maximum amount of 1000 BTU per day towards the ... of environmental pollution caused by ... a separate ... operated by the ... of ... with the Board ... failed to comply with the directions of Hon'ble M.P.C.B's orders issued ...

AND WHEREAS after examining the record of your case, reports of officers of the ... I am satisfied that you have failed to comply with various ... from time to time which shows your negligent attitude towards ... problems which are causing Environmental Pollution in the surrounding ... leading grave injury to the environment thereby violating various ...

NOW THEREFORE in exercise of the powers conferred on the undersigned by the ... of the by the Water Pollution Control Act, 1974 and ... of Prevention & Control of Pollution Act, 1986 it is proposed to issue the ... the directions include legal notices, prohibition or ... (including filing of prosecution)

- () Why further legal action shall not be initiate against you?
- () Why Prosecution shall not be filled against you?

You are directed to file your objection reply to these proposed directions if any, within ... days from the receipt of this notice, failing which further stringent legal actions ... may be taken in the matter, please note.

FOR AND ON BEHALF OF THE BOARD

[Signature]
U. S. Sahasrabudhe
Regional Officer
M.P.C. Board, Kolhapur

For submission of information
To: Member, Secretary M.P.C.B. (Kolhapur)
20, 21st Cross, Water Pollution Control Board, Kolhapur

Copy to:
The Regional Office, M.P.C. Board, Sangli

You are directed to keep vigil on the Local Body and the compliance made time to time after issuance of these directions

Revised Report on Environmental Damage Compensation to be levied on Sangli Miraj and Kupwad City Municipal Corporation, Sangli, Tal-Miraj, Dist-Sangli, Maharashtra, in compliance with order of Hon'ble National Green Tribunal in the matter of Original Application No. 69/2022 (WZ). And Original Application No. 32/2023 (WZ).

1. Background:

In the matter of Original Application No. 69/2022 (WZ), titled Sunil Pharate, Sangli District Head of Swatantra Bharat Paksh vs State of Maharashtra & Ors, as per order dated 24/08/2022 of the Hon'ble NGT is about pollution of River Krishna by discharge of untreated effluent into the said river by several industries situated near Mouje Digraj, Palus to Sangli area in District Sangli. Also, mentioned regarding the news about death of fishes and damage to biodiversity on account of the said untreated effluent being discharged into the said river & in compliance of the order of the Hon'ble National Green tribunal (WZ) vide dated 24/08/2022, the Joint Committee has visited & inspected the industry on 30/09/2022 & submitted the joint committee report to Hon'ble National Green Tribunal.

In the matter of Original Application No. 69/2022 and also in the matter of Original Application No. 32 of 2023 (WZ), titled Raju alias Devavappa Anna Shetty & Ors. Vs M/s Shri Dutt-India Pvt. Ltd. & Ors. As per order dated 29-11-2023 of the Hon'ble NGT pointed out by the learned counsel that the Joint Committee has not made any calculation of the EDC with respect to the pollution by respondent i.e. Sangli Miraj and Kupwad City Municipal Corporation, Sangli.

Considering the above non-compliances recorded in the matter of Original Application No. 69/2022 (WZ) and in the Original Application No. 32 of 2023 (WZ), regarding non provision of Sewage Treatment Plant for treatment of sewage for Sangliwadi Nalla and Sheri Nalla and discharge of untreated sewage into Krishna River accordingly MPCB has issued the Direction under section 33A of the Water (Prevention & Control of Pollution) Act, 1974, 31A of the Air (Prevention and Control of Pollution) Act, 1981 and Hazardous Waste (Management, Handling and Transboundary) Rules 2016 and Municipal Solid Waste Rules 2016 on 19/09/2022 and 10-03-2023.

The earlier Environmental Damage Compensation amounting of Rs. 90.00

Creore (Rs. Ninety Crore only) has been calculated and submitted to the Hon'ble National Green Tribunal vide affidavit dated 17-02-2024 by following the guidelines/principle laid down as per the order dated 12-03-2019 passed in the Original Application No. 593/2017 titled Paryavaran Suraksha Samiti & Anr. Versus Union of India & Ors., and in the matter of Original Application No. 710/2017 the Board has issued Directions under Section 33A of the Water (Prevention and Control of Pollution) Act, 1974 vide letter No. MPCB/JD (WPC)/B-3397(3), Dated 11-09-2019 and directed to comply with the following directions.

- a. To submit the time bound action plan for 100% treatment of the generated sewage and achieving effluent discharge standards for Sewage Treatment Plant (STP).
- b. Prepare and furnish action plan for utilization of treated sewage.
- c. Why the Municipal Corporation shall not be levied by Maharashtra Pollution Control Board the maximum amount of Environmental Compensation (Total Capital Cost Component Amount i.e. Rs. 10 Crore as well as O & M. cost component i.e. Rs. 5 Lakh per day) recommended for untreated/partially treated sewage discharge as mentioned in the Hon'ble National Green Tribunal in Original Application No. 593/2017 titled Paryavaran Suraksha Samiti & Anr. Versus Union of India & Ors. **A copy of the directions are collectively enclosed Annexure-I.**

However during the course of hearing in the matter of Original Application No. 32/2023 the Hon'ble NGT has passed an order dated 19-02-2024 directed to Respondent No.2-MPCB that to follow the the prescribed criteria passed by the order dated 08-09-2022 of the Tribunal passed in Original Application No.606/2018 for calculations of Environmental Damage Compensation as follows:

**(d) The compensation regime already laid down for failure of the Local Bodies and/or Department of Irrigation and Public Health/In-charge Department to take action for treatment of sewage in terms of observations in para 33 above will result in liability to pay compensation as already noted above which is reproduced for ready reference:*

- i. *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.*
- ii. *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.*

- iii. *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.**

In accordance with the order of Hon'ble NGT this office has collected the required information vide letter No. MPCB/SRS/TB/NGT O.A. 69 of 2022 & 32 of 2023/240314-FTS-0305 and accordingly the said Municipal Corporation has submitted the information vide their Marathi letter No. 20/24-25, Dated 18-04-2024. **The copies of the letters are enclosed and marked as an Annexure-IV.**

A) Details of Source of water and water consumption

Name of Municipal Corporation	Class	Population	Source of water	Quantity of water consumption in MLD
Sangli Miraj and Kupwad City Municipal Corporation, Sangli. Tal-Miraj, Dist-Sangli.	D	502697 (As per the 2011 census)	Krishna River	106.00

B) Details of Sewage generation, Treatment and disposal.

Quantity of Domestic Effluent in MLD	Generating untreated sewage discharge	Sewage Network	STP Status with Capacity.	No. of Drains/Nallas meeting to Krishna River.
68.00	16.00	60% completed.	1. Hanumannagar STP-23.5 MLD. 2. Dhulgaon Oxidation pond- 27.00 MLD. 3. Miraj Bedag Rd. Oxidation pond- 9.00 MLD. 4. Proposed at Miraj Bedag Rd. - 22.5 MLD.	04

2. Environmental Compensation:

The Environmental Compensation to be levied in case of failure of preventing the pollutants being discharge in water bodies resulting into damage to the environment i.e. into Krishna River resulting in acute injury or damage to the environment. The prescribed criteria is used to calculate Environmental Compensation on said Municipal Council for illegal untreated/partially treated sewage being discharged into the environment.

- i) 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.

Name of Municipal Council	Nos. of Months w.e.f. 01.04.2020	No's of Drains	Environment compensation @ Rs. 5.0 Lakh per month per drain by concerned local bodies	Total Environmental Damage Compensation $e = (b \times c \times d)$ Rs.
a	b	c	d	e
Sangli Miraj and Kupwad City Municipal Corporation, Sangli.	48	4	5,00,000/-	9,60,00,000/-

- ii) 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.

Name of Municipal Council.	Nos. of Months w.e.f. 01.04.2020	Environmental compensation is payable for failure to do so at the rate of @Rs. 5 Lakh per month per STP by concerned local bodies	Total Environmental Damage Compensation $d = (b \times c)$ Rs.
a	b	c	d
Sangli Miraj and Kupwad City Municipal Corporation, Sangl.	4 8	20,00,000/- (5 Lakhs x 4 STP/Month)	9,60,00,000/-

- iii) 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.

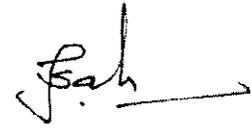
Name of Municipal Corporation	Nos. of Months w.e.f. 01.04.2021	Environmental Compensation @ Rs. 10 Lakh per month per STP by concerned local bodies	Total Environmental Damage Compensation $d = (b \times c)$ Rs.
a	b	c	d
Sangli Miraj and Kupwad City Municipal Corporation, Sangli.	36	40,00,000/- (10 Lakhs x 4 STP/Month)	14,40,00,000/-

Therefore the Environmental Compensation applicable is -

$$\begin{aligned} \text{Total EDC Rs.} &= 9,60,00,000/- + 9,60,00,000/- + 14,40,00,000/- \\ &= 33,60,00,000/- \text{ (Rs. Thirty-three Crore Sixty Lakhs } \\ &\text{ only)} \end{aligned}$$

Conclusions:

The total Environmental Compensation to be levied on M/s. Sangli Miraj and Kupwad City Municipal Corporation, Sangli. Tal-Miraj, Dist-Sangli is Rs. 33.60 Crore (Rs. Thirty-Three Crore Sixty Lakhs only).


(J. S. Salunkhe)
Regional Officer,
M.P.C. Board, Kolhapur.

 LIFE Lifestyle for Environment	265 MAHARASHTRA POLLUTION CONTROL BOARD SUB REGIONAL OFFICE, SANGLI  "Your Service is our Duty"	 300/2, Udyog Bhavan, Gov Rest House, Vishrambag, SANGLI-416 416.
दूरध्वनी क्र. ०२३३-२६७२०३२ Visit us at: http://mpcb.gov.in Email: srosangli@mpcb.gov.in		

No. MPCB/SRS/TB/NGT O.A. 69 of 2022 & 32 of 2023/ **240314-FTS-0305**

NGT MATTER/MOST URGENT.

To,
The Commissioner,
Sangli Miraj and Kupwad Municipal Corporation,
Sangli.

Sub :- Regarding calculation of Environmental Compensation.
Ref. :- Orders passed by Hon'ble NGT (WZ) Pune, in the matter of O.A.
No. 69 of 2022 and 32 of 2023.

The Hon'ble National Green Tribunal (WZ) Pune has passed an orders in the matter of O.A. No. 69 of 2022 and 32 of 2023 wherein directed to the Maharashtra Pollution Control Board to calculate and submit the Environmental Compensation of Sangli Miraj and Kupwad City Municipal Corporation as Respondent No. 7 in the matter of O.A. No. 69 of 2022 and Respondent No. 3 in the matter of O.A. No. 32 of 2022.

In view of above you are requested to provide the following information in tabular format at the earliest.

Sr. No.	Name of Municipal Corporation	Class	Population	Source of water Quantity of water consumption MLD
1	2	3	4	5
Quantity of Domestic Effluent in MLD	Generating untreated sewage discharge	Sewage Network	STP Status	No. of drains meeting to Krishna River.
6	7	8	9	10

Please treat as **MOST URGENT.**


(Navanath S. Awatade)
Sub Regional Officer, Sangli.

Copy submitted for information to :
The Regional Officer, M. P. C. Board, Kolhapur.



सांगली शहर आणि कुपवाड तालुका महानगरपालिका

पिन कोड : ४२२३३३
 पो.क्र. मलपा/पलपि/सा. / ४२३ / २४-२५

प्रति,
 या. उप प्रादेशीक अधिकारी,
 महाराष्ट्र राज्य प्रदूषण नियंत्रण मंडळ, सांगली.

विषय :- पर्यावरणीय नुकसान धरपाड्याचा बाबत.

- संदर्भ :- १) O.A. च्या बाबतीत मा. NGT (WZ) पुणे यांनी पारित केलेला आदेश.
 २) आपले कार्यालयाने या क्र. MPOB/SRS/TB/NGT O.A. ११ of २०२२/ २४०३१४
 -N/S-०३०२ व ३०७ चे प्रमाणात अनुषंगाने आपणाकडून विचारलेले आलेली माहिती.

संदर्भ :- विषयाकित संदर्भित प्रकास अनुसृत. सांगली शहर आणि कुपवाड तालुका महानगरपालिकेच्या माहिती यावरील संपादित आलेली प्रमाणे.

Sr.No.	Name of Municipal Council	Class	Population	Source of Water
1	2	3	4	5
1	सांगली शहर आणि कुपवाड तालुका महानगरपालिका	ब	502697 (सन् 2011 च्या आकडाने सुवात)	कृष्णा नदी 106 MLD
Quantity of Domestic Effluent 5 MLD	Generating Unreated Sewage Discharge	Sewage Network	STP Status	No. of Drains Meeting to Krishna River
6	7	8	9	10
10 MLD	18 MLD	80%	1) हुनुमानगर STP यांपकी 23.5 MLD क्षमता 2) कुल्मान ऑक्सिडेशन पीट 27 MLD क्षमता 3) शिरज रोड पीट ऑक्सिडेशन पीट 9 MLD क्षमता 4) शिरज रोड पीट STP 23.5 MLD क्षमता (In a Testing & Trial)	सांगली शहराज्यासहित कृष्णा नदीमध्ये साहबनगर, बुधवाडी, कुपवाड, बायणपोली या नावाचे साहबनगर रोड, तसेच या नावाची नाला, हरिणर नावा, ये. ये. मारुती व इ. इ. जेव्हा शिरजपासिल साहबनगर कृष्णा नदीमध्ये विसळते.

(सी.एस. कुरणे)
 कार्यकारी अधिकारी,
 या. उप प्रादेशीक विभाग,
 महाराष्ट्र राज्य प्रदूषण नियंत्रण मंडळ, सांगली.

Minutes of Meeting dated 23/04/2024 conducted in compliance with order passed by the Hon'ble NGT in the matter of OA No. 69/2022 & 32/2023

The Regional Officer M. P. C. Board, Kolhapur has conducted the meeting on 23/04/2024 through VC of Sangli Miraj and Kupwad City municipal Corporation Sangli, Islampur Municipal Council, Islampur & Ashta Municipal Council, in compliance of the Hon'ble NGT order dated 15/02/2024 in OA No. 69/2022 (WZ) & order dated 19/02/2024 in OA No. 32/2023 (WZ). The following representatives were present.

1. Shri. Ravikant Adsul, Additional Commissioner, Sangli Miraj and Kupwad City, Municipal Corporation, Sangli.
2. Shri. C. S. Kurane, Executive Engineer, Water Supply & Drainage, Sangli Municipal Corporation, Sangli.
3. Adv. Suriya Dangare, Advocate for Respondent-Sangli Municipal Corporation, Sangli.
4. Shri. Yogesh Salunkhe, HOD of Health Dept. Islampur Municipal Council, Islampur.
5. Shri. Sharadchandra Patil, Water Supply Engineer, Ashta Municipal Council, Ashta.

During the meeting the Shri. J.S. Salunkhe, Regional Officer, MPCB, Kolhapur & Shri. N.S. Awatade, Sub Regional Officer, MPCB, Sangli has explained the details of Environmental Damage Compensation (EDC) calculated by the Board as per the order passed by the Hon'ble NGT in the matter of OA No. 69/2022 & 32/2023 based on the information provided by each municipal corporation & municipal council. The details of EDC calculated is as under –

Sr No.	Name of the Municipal Corporation/Council	Information submitted by the local body vide letter dated.	EDC amount calculated as per the order dated 08/09/2022 passed by Hon'ble NGT in Original Application No. 606/2018 Rs.
1	Sangli Miraj and Kupwad City Municipal Corporation, Sangli.	18/04/2024	Rs. 33.60 Crores

J.S.

2	Islampur Municipal Council, Islampur.	08/04/2024	Rs. 10.80 Crores
3	Ashta Municipal Council, Ashta	04/04/2024	Rs. 08.40 Crores

The details of the EDC calculations are made available to all representatives of the local bodies. The meeting ended with a vote of thanks to all participants.

Awatade
23/04/24
(N.S. Awatade)
Sub Regional Officer
M.P.C. Board, Sangli

Salunkhe
(J.S. Salunkhe)
Regional Officer
M.P.C. Board, Kolhapur

Objections on behalf of M/s Dutt I P Ltd to Reply Affidavit of MPCB-Reply dated 16th February, 2024
for imposition of E.C.in O. A. No. 32/23

BEFORE THE NATIONAL GREEN TRIBUNAL, WESTERN ZONE BENCH, PUNE, AT -- PUNE.

Original Application No. 32 of 2023WZ

Raju Alias Devavappa Anna Shetty & Others

.....} Applicant.

VERSUS

M/s Shri Dutt India P. Ltd. & Others.

..... } Respondents.

Objections to the Reply filed by the R.N.2- MPCB dated 16-2-24 for imposition of E.C. without following Principles of Natural Justice by Not Extending Opportunity of Hearing & providing details of Assessment.

I, Sharad Suresh More, General Manager of Shri Dutt India P. Ltd. Having my office at post-Madhavnagar, Taluka-Miraj, District-Sangali -416406, do hereby state on solemn affirmation and filing strong objections against the imposition of Environmental Compensation of Rs. 42,30,000/- without following Principles of Natural Justice by Not Extending Opportunity of Hearing & providing details of Assessment. A copy of the EDC- Assessment Letter dated 15-02-2024 is enclosed herewith & marked as an Annexure-I. The Objections thereto are filed on the following grounds:

1. At the outset, it is submitted most respectfully that the Respondent No.1 has already filed its objections and detailed affidavit in reply to the Application dated 10th August, 2023 specifically pointing out that we do not have any provision or arrangement for discharge of untreated /or treated or undertreated effluent outside disposal area or into environment nor have done intentionally done it at any time, no unpowered effect on crops due to disposal, which is depicted by increased yield for the crop area irrigated. On the contrary, no adverse impact on crops have been shown either in the Joint Committee Report or MPCB-Reports. The R.N.1 would like to rely up on the Affidavit in Reply dated 10-08-2023.
2. The Applicant has deliberately concealed material fact of Fishkill occurred from the activity of M/s Swapnapurti Sugar Ltd, which is operated by high profile leader, whom both the Applicant & the R.N.2 had tried to protect or not brought on record its non-compliance discharge of untreated effluent for reasons best known to them. The R.N.1 has specifically pointed out in Para-11 (b) ii & iv of earlier Affidavit in Reply dated 10-08-2023 that some adjoining Distillery's disposal & non-compliance of other contributing industries & local bodies not taken into consideration. (Page-34 of Earlier our Affidavit dated 10-08-23)
3. This Hon'ble Tribunal also by its order dated 29-11-2023 observed that the occurrence of Fishkill occurred at Krishna River first arose from the activity of M/s Swapnapurti Sugar Ltd, Distillery, which has not been impleaded as Respondent in the present application by the applicant and asked the Applicant to do needful , then only applicant impleaded it. MPCB also pointed out the Joint Committee has not made calculation of EDC & therefore the R.N.2-MPCB to make

calculation of EDC & submit report within a period of 2 weeks to file objection against the same. A copy of the Order dated 29-11-2023 is already enclosed to the MPCB-Reply dated 16th February, 2024.

4.

Unfortunately, MPCB though calculated the EC against M/s Swapnapurti Sugar Ltd, which has been stated to be main first responsible for Fishkill , very nominal compensation EDC of Rs. 3,60,000/- just for the sake of showing EC imposed that too because of Joint Committee Observation and because of actual non-compliance by disposal of highly polluted effluent observed by it.

5. It is surprising that in spite of knowing well that the effluent of M/s Swapnapurti Sugar Ltd found its way into the R.N. 1's industry, the Applicant & R.N.2 are trying to make escape of M/s Swapnapurti Sugar Ltd either by way of first not making it as the necessary Respondent first or then by imposition of nominal EDC.

6. The R.N.2 has recently imposed unreasonable EDC of Rs. 42,30,000/- without extending any opportunity of hearing by violating principles of natural justice and not making available details of any calculations in what manner and for which non-compliances & period EDC of Rs.42,30,000/- assessed. The R.N.1 has already communicated its objections to the MPCB vide Letter dated 15th February, 2024. A copy of the said Reply is enclosed & marked as an Annexure-II.

7. Hence, it is prayed that the MPCB may kindly be directed to review its EDC-Assessment by providing details of how & in what manner assessment is being done & by granting an opportunity of hearing and then to do fresh assessment. For this act of kindness, the R.N. 1 remains grateful forever.

Solemnly affirmed on this 16th day of 2024 at Mumbai/Miraj.

For Respondent No.1

Authorized Signatory.

VERIFICATION

The contents of para 1 to 6 of the above affidavit are true & correct to the best of my knowledge & belief. All Annexures thereto are true office copies.

Authorized Signatory,

Minutes of Meeting dated 25/04/2024 conducted in compliance with order passed by the Hon'ble NGT in the matter of OA No. 32/2023

The Regional Officer M. P. C. Board, Kolhapur has conducted the meeting on 25/04/2024 through VC of Sangli Miraj and Kupwad City municipal Corporation Sangli, Islampur Municipal Council, Islampur & Ashta Municipal Council, in compliance of the Hon'ble NGT order dated 15/02/2024 in OA No. 69/2022 (WZ) & order dated 19/02/2024 in OA No. 32/2023 (WZ). The following representatives were present.

1. Shri. Sharad More, General Manager, M/s. Shri Dutt India Pvt. Ltd. Sangli.
2. Shri. Vikram More, Legal Officer, M/s. Shri Dutt India Pvt. Ltd. Sangli.
3. Shri. Sunil Bhate, Consultant, M/s. Shri Dutt India Pvt. Ltd. Sangli.
4. Shri. S.N. Mendhe, Distillery Manager, Swapnapurti Sugar Ltd. Sangli.
5. Shri. Shrikant Jadhav, OSD, M/s. Swapnapurti Sugar Ltd. Sangli.

During the meeting Shri. J.S. Salunkhe, Regional Officer, MPCB, Kolhapur & Shri. N.S. Awatade, Sub Regional Officer, MPCB, Sangli has explained the details of Environmental Damage Compensation (EDC) calculated & submitted by the Board as per the order passed by the Hon'ble NGT in the matter of OA No. 32/2023 based on the observations & information noticed to joint committee. The details of EDC calculated is as under –

Sr No.	Name of the Industry	EDC amount calculated & submitted to the Hon'ble NGT in Original Application No. 32/2023 Rs.
1	M/s. Shri Dutt India Pvt. Ltd. Sangli.	Rs. 42.30 Lakhs.
2	M/s. Swapnapurti Sugar Ltd. Sangli.	Rs. 03.60 Lakhs.

In the meeting the representatives of M/s. Shri Dutt India Pvt. Ltd., has explained the non-compliances observed during the fish kill incidence which are for short period of time & after that the industry has made the compliances of the same immediately & also the operations of sugar industry are also stopped due to stoppage of crushing season. Therefore, he has requested the Board to consider

the short period for calculation of EDC instead of total crushing season as considered earlier for amounting Rs. 42.30 Lakhs.

The representatives of M/s. Swapnapurti Sugar Ltd., have 03.60 Lakhs. The details of EDC calculations are made available to all representatives of the industries.

The meeting ended with a vote of thanks to all participants.

Awatade
25/04/24
(N.S. Awatade)
Sub Regional Officer
M.P.C. Board, Sangli

Salunkhe
(J.S. Salunkhe)
Regional Officer,
M.P.C. Board, Kolhapur