

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI
ORIGINAL APPLICATION NO 48 OF 2019

Vinod Kumar Jaiswal.....Applicant

Vs

State of Maharashtra and others..... Respondents

SUBMISSION OF COMPLINACE REPORT AS PER ORDER DATED 13.02.2020

1. In compliance of this Hon'ble Tribunal order dated 13.02.2020, the Regional Director (I/c) CGWB, CR, Nagpur, CGWA, New Delhi has issued notice dated 18.02..2020 to M/s Haroon Mukati Foundation Water Bank to deposit an amount of Rs. 5, 86,368/- in account No 532702050000164 in Union Bank of India, IP Extension, Vikas Marg Extension, Delhi towards Environmental Compensation assessed on "Polluters Pay" Principal for illegal ground water abstraction for industrial use. A copy said notice dated 18.02.2020 issued by Regional Director (I/C), CGWB, CR, Nagpur, CGWA, New Delhi is enclosed and marked as an Annexure "A".
2. It is submitted that in order to ensure the compliance of CGWB direction dated 18.02.2020, the Regional Officer, Aurangabad has requested to M/s Haroon Mukati Foundation Water Bank to provide compliance of CGWB notice as well as details of Environmental Compensation deposited as per the notice of Central Ground Water Board. A copy of said letter dated 04.03.2020 is enclosed and marked as an Annexure "B".
3. It is submitted that till date M/s Haroon Mukati Foundation Water Bank has not deposited Environmental Compensation in compliance of the order dated 13.02.2020. The present status report submitted by officer of Sub Regional Office at Aurangabad is enclosed as an Annexure "C".

For and on behalf of Maharashtra
Pollution Control Board

(Dr Pravin M Joshi)

Regional Officer- Aurangabad

12/3/20

Regional Officer

Maharashtra Pollution Control Board,
Aurangabad.

AFFIDAVIT

Solemnly affirmed before me _____
by Shri / Smt. Pravin Manohar Joshi
Age: 56 Year's, Occu.: Service
R/o Chikal Hanu MIDC Abud.
Tq. Abud Dist. Abud.
Who identified by padmakar Hajare
Whom He/ She is personally Known

NOTED & REGISTERED

AT Sr. No. 2037 20 20

THIS DOCUMENT CONTAINS

01 PAGES

BEFORE ME

Pravin
VILAS DEVIDASRAO KADAM
Advocate Notary Govt. of India
AREA-AURANGABAD DIST.
(Mob):9890615899, 9403788324
Reg. No. 15094

13 MAR 2020

Government of India
Ministry of Jal Shakti

Department of Water Resources, River Development & Ganga Rejuvenation

केन्द्रीय भूमिजल बोर्ड
मध्य क्षेत्र
सिविल लाइन्स - 440 001
दूरभाष: (0712)-2565314
फैक्स: (0712)-2564391
ई-मेल: rdcr-cgwb@nic.inCentral Ground Water Board
Central Region
Civil Lines, Nagpur - 440 001
Phone: (0712)-2565314
Telefax: (0712)- 2564391
E-Mail: rdcr-cgwb@nic.in

No: 21-4/2023/MH/IND/2019 | 58

Date: 18.02.2020

NOTICE

Sub: Environmental Compensation by invoking the 'Polluter Pays Principle' for illegal ground water abstraction for industrial use.

Attention is invited to the NOTICE issued by this office vide letter of even file no. dated 18.10.2019 towards Environmental Compensation (EC) amount of Rs. 2,00,400/- (Rs. Two Lakh Four Hundred only) levied on your industry for illegal ground water withdrawal for industrial use.

And, consequent to the ORDER passed by the Hon'ble NGT, Principal Bench-New Delhi on dated 14.11.2019 in OA No. 48/2019 (WZ) and the directions contained therein, the Central Pollution Control Board (CPCB) was requested vide this office letter no. 7/28/1/CGWB/CR/Authority/1117 dated 27.12.2019 to validate the EC amount and convey the mode of payment.

And, subsequently, the CPCB, New Delhi validated the EC amount to Rs. 5,86,368/- (Rs. Five Lakh Eighty Six Thousand Three Hundred and Sixty Eight only) vide their letter no. A-14011/1/2019/WQM-I-10963 dated 10/01/2020. The CPCB, New Delhi has further communicated the account details for depositing the EC amount vide their letter no. A-14011/1/2020/WQM-I-12370 dated 07/02/2020 - 287.

Now, therefore, it is hereby directed to deposit an amount of Rs. 5,86,368/- within a period of 1 (One) month from the date of issue of this notice without fail in the bank account details mentioned below.

Name of the Account	: EC by CPCB
Account Number	: 532702050000164
Bank	: Union Bank of India, IP Extension, Vikas Marg Extension, Delhi
IFSC	: UBIN0553271

This notice stands deemed fit with the ORDER passed by the Hon'ble NGT on dated 13.02.2020 for final disposal of the OA. The compliance of the action should be submitted to this office within stipulated timeframe for final submission to the Hon'ble NGT.

(Dr. P. K. Jain)
Regional Director (I/c)
CGWB, CR, Nagpur

To,
HAROON MUKATI FOUNDATION WATER BANK
CTS No. 12369/361, Plot No. 40, Ahinsa Nagar, Baljipura, Aurangabad - 431001 (Maharashtra)

Distribution:

1. The Hon'ble NGT, Principal Bench, New Delhi / WZ, Pune. (Mail: judicial-ngt@gov.in)
2. The Member (CGWA), Central Ground Water Authority, 18/11, Jamnagar House, Mansingh Road, New Delhi - 110011.
3. The Member Secretary, CPCB, Parivesh Bhawan, East Arjun Nagar, Delhi-110032.
4. The Member Secretary MPCB, Kalpataru Point, 3rd & 4th Floor, Sion, Mumbai - 400 022.
5. The Commissioner, Aurangabad Municipal Corporation, Town Hall, Aurangabad-431 001
6. The District Collector, Alamgir Colony, Maulana Azad Research Centre Road, Collector Office Campus, Aurangabad, Maharashtra 431003 Aurangabad.
7. The Administrator, Central Ground Water Authority, 18/11, Jamnagar House, Mansingh Road, New Delhi - 110011.
8. The Regional Officer, MPCB, Parivesh Bhawan, 4/4, MIDC Area, Chhatrapati

2/2/20
Sd/-
04.03.2020

RPAD

ANNEXURE "B"

MAHARASHTRA POLLUTION CONTROL BOARD

Tel.No. (0240) 2473462
Fax No. (0240) 2473461



Regional Office, Paryavaran Bhavan,
A-4/1, MIDC Area, Chikalthana,
Behind Daynik Lokpatra, Near Seth
Nandlal Dhoot Hospital, Jalna Road,
Aurangabad-431 210.
Date :- 04/03/2020.

RPAD

No. MPCB/ROA/ 540 /2020

To,
✓ M/s Haroon Mukati Foundation Water Bank,
CTS No. 12369/361, Plot No. 40, Ahnisa Nagar, Baijipura,
Aurangabad - 431 001,

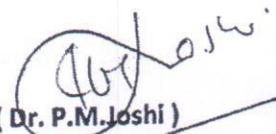
Sub: Details of Environmental Compensation paid regarding...

Ref.: 1. Hon'ble National Green Tribunal, Principal Bench, New Delhi Order in Original Application No. 48/2019 dtd. 13.02.2020.
2. Notice Issued by Regional Director, Central Ground Water Board, Nagpur, vide No. 21-4/2023/MH/IND/2019/58 dtd. 18/02/2020.

With ref. to above subject matter, this is to inform you that, Regional Director, Central Ground Water Board, Nagpur has issued you notice for deposition of environmental Compensation by invoking the polluters pay principal for illegal ground water abstraction for industrial use vide ref. 2 above. You have been directed to deposit an amount of Rs. 5,86,368/- in account No. 532702050000164 in Union Bank of India, IP Extension, Vikas Marg Extension, Delhi.

The Hon'ble National Green Tribunal, Principal Bench, New Delhi passed an Order in Original Application No. 48/2019 dtd. 13.02.2020 and asked the report regarding details of deposition of environmental Compensation amount. Hence, you are hereby requested to provide the details of environmental compensation deposited as per notice of Central Ground Water Board, as report in this regard is to be submitted in Hon'ble National Green Tribunal before 16th March 2020.

Please treat this as urgent and important.


(Dr. P.M. Joshi)
Regional Officer-Aurangabad.

D.A. : As above.

Copy submitted for information to :-
1. The Joint Director (APC), M.P.C. Board, Mumbai.
2. The Law Officer, MPCB Mumbai.

Copy to-
✳ Sub Regional Officer, Aurangabad - for information & necessary follow up.

4/3/2020

MAHARASHTRA POLLUTION CONTROL BOARD

Ph. No. 2473462 /0240 Fax No. 2473461 /0240 E-mail:- sroaurangabad1@mpcb.gov.in Website - www.mpcb.gov.in		Address:- Sub Regional Office, Aurangabad-1 Paryavaran Bhavan, A-4/1, MIDC Area Chikalthana, Aurangabad
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Visit Report

- 1] Name & Address of Industry :- M/s Haroon Mukati Foundation
Water Bank, CTS NO.- 12369
361, Plot NO.- 40, Ahinsa
Nagar, Baijipura, Aurangabad.
- 2] Date of visit :- 12/03/2020
- 3] Production details :- Mineral Water in Jars
- 4] Person Contacted :- Mr. Satish B. Waikar, Director
- 5] Name of Board Officials :- Dr. Gojanan Khadkikar, F.O.
Mr Raviraj Patil, F.O.
- 6] Observations during visit :-
 - During visit mineral water manufacturing activity not found in operation.
 - During visit entry gate found lock, also, inside the factory premises no representative observed.
 - Representative Contact telephonically (after he arrived at site (industry site) he informed that they have not carried out mfg. of mineral water (Jars) after directions of Hon'ble NGT.
 - As per Order of Hon'ble NGT (Principal Bench) order in Original Application NO. 48/2019 dtd. 13.02.2020 and as per Regional Director, CGWB, Nagpur dtd. 18/02/2020 Notice issued against industry for deposition of environmental Compensation i.e. Rs. 5,86,368/- Also, Regional Office, MPCB, Aurangabad issued Notice

- vide NO. - MPCB/ROA/540/2020 dtd. 04/03/2020 to deposit amount as per direction of Hon'ble NGT & CGWB. m.p.c.B., Aurangabad office communicated the said Notice through RPAD and also vide Email dtd. 04/03/2020. But, representative informed that till date they have not deposited Environmental Compensation, but under process at Present.
- Representative informed during visit that they have supplied free water in Jars to the poor OR needy people and not getting any profit therefore they are in the process to request to the Hon'ble Court (their submission) regarding actual situation.

Remarks :-

Industry shall not carried out mfg. unless obtain prior consent/permission from MPCB and also shall strictly comply all the Conditional directions, Orders issued by Hon'ble NGT from time to time.


(Satish B. Waikar)
Director
7507372525


(Raviraj Patil)
Field Officer


(Dr. Gajanan Khadki Kar)
Field Officer
12/03/2020