

# Vasai civic officials get 2 years in jail

'Did Not Act Against Pollutants Flowing Into Creek'

Sandhya Nair | TNN

**Mumbai:** Sending out an unmistakably strong message to government officials who do not implement anti-pollution norms, a Thane court has sentenced four officials of the Vasai-Virar Municipal Corporation (VVMC) to two years' simple imprisonment for failing to control pollutants streaming into the Vasai creek.

Thane chief judicial magistrate S M Bhosale held Vasai-Virar deputy municipal commissioners Govind Pawar, Vilas Dhage, Devidas Tekhale and Maruti Kodke guilty of failing to control the waste flowing into the creek. They were also held responsible for the civic agency's failure to set up a sewage treatment plant.

Advocate B M Jethani, counsel for the Maharashtra Pollution Control Board (MPCB), told TOI that it was the first time in recent memory that civic officials were prosecuted under the special law enacted to punish polluters.

The MPCB, in January 2009, lodged cases against the four under the Environment (Protection) Act and Water (Prevention and Control of Pollution) Act. Surveys found that suspended solid wastes in the creek were beyond the prescribed limits for coastal and marine areas. The biochemical oxygen demand in the waters left a lot to be desired.

The four officers, at that time, headed municipal councils of Vasai, Navghar-Manikpur, Nallasopara and Virar (had

## 'EXPLAIN DELAY IN DRUGS CASE'

Swati Deshpande | TNN

**T**he Bombay HC has sought an explanation from the Centre for the delay in filing an appeal against an acquittal in a drugs case, even as it indicated



that whoever was found guilty of the delay in moving court will have to pay Rs 1 lakh.

On Thursday, the court was hearing a case in which Yashodhan Wanage, zonal director of Narcotics Control Bureau, was present before a bench headed by Justice P B Majumdar. Ayaz Khan, lawyer for the accused, who in 2007 was acquitted of the charge of possessing 180 kg

mandrax said the government had been unable to explain the 6-month delay in challenging the acquittal despite having 6 months' time to do so.

Additional solicitor-general D Khambata said the appeal was indeed filed after a long time and was perhaps due to "departmental correspondence". P Kapoor, Centre's advocate for the law department, said he would like to file his reply, while Wanage said this "was the first case, where the public prosecutor and the law ministry advocate differed". The bench said, "Such submission is hardly convincing, but as Khambata has asked for time, we are adjourning the matter for 2 weeks, to enable the department to file affidavit explaining the delay."

not yet been unified into a municipal corporation). The councils were merged last July and the officers became deputy municipal commissioners.

The case goes back to 2005, when a PIL was filed by a Vasai-based NGO, Harit Vasai Surakshan Samiti, and a resident, Pannalal S S, in the Bombay high court against illegal constructions in Vasai. The MPCB was brought into the picture after the petitioners said the wastes generated in the region were being diverted into the Vasai creek and civic officials were doing nothing.

The MPCB filed its reply before the HC, saying the wastes were being discharged into

the creek without being treated by the four municipal councils. The HC had then asked the chief judicial magistrate to conclude the cases in six months. "We were instrumental in bringing the MPCB in the picture. We had told the court that there was violation of water pollution laws and asked why was the MPCB not acting," advocate for petitioners U Warunjikar, said. Harit Vasai president M Dabre said, "The judgment will now be a deterrent to civic officials who fail to carry out their basic responsibilities."

The court has stayed the judgment for 4 weeks to allow the officers to file an appeal.

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## 4 officials get jail for creek pollution

Sandhya Nair | TNN

**Mumbai:** Erin Brockovich may not quite be here, but a Thane court order has got greens grinning from ear to ear. Four officials of the Vasai-Virar Municipal Corporation have been sentenced to two years' simple imprisonment for their apathy in checking the flow of pollutants into the Vasai Creek.

In perhaps the first time that the new anti-pollution law has been used for prosecution, Thane chief judicial magistrate S M Bhosale found VVMC deputy municipal commission-

ers Govind Pawar, Vilas Dhage, Devidas Tekhale and Maruti Kodke guilty of dereliction of duty. He also held them responsible for the civic agency's failure to set up a sewage treatment plant in the taluka.

The four prosecuted officers were then heading the unmerged municipal councils of Vasai, Navghar-Manikpur, Nallasopara and Virar.

The MPCB has filed a number of cases against polluting industries. But this is the first time that a case has been made against public officials.

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