

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

ORIGINAL APPLICATION NO. 111 of 2024 (WZ)

[EARLIER ORIGINAL APPLICATION NO. 273/2024 (PB)]

News Item titled:" layer of toxic foam floats on surface of indrayani river in Pune" appearing in Hindustan times Dated 12.02.2024"

**ADDITIONAL AFFIDAVIT ON BEHALF OF
MAHARASHTRA POLLUTION CONTROL BOARD i.e.
RESPONDENT NO. 1.**

I, Babasaheb Kukade, aged adult years, occupation – Service, the Regional Officer of the Maharashtra Pollution Control Board at Pune Region, having office address at 2nd Floor, Jog Centre, Wakdewadi, Pune – 411003, do hereby state on solemn affirmation as under –

- (1) I say and submit that in Original Application No. 115 of 2024 (Earlier OA No. 530 of 2024)- a news item titled “Hundreds of Fish Found Dead in Indrayani River at Dehu” appearing in the Times of India on 15.03.2024, the Hon’ble NGT has already passed an order to calculate the Environmental Compensation to Dehu Nagar Panchayat, as per the order dated 25/11/2024. In compliance of the said order, the Respondent MPCB conducted a personal hearing on 20/01/2025 and subsequently calculated the Environmental Damage Compensation (EDC) amounting to ₹14,36,16,685/-. In this regard, an additional affidavit was

submitted on 14/05/2025 before this Hon'ble NGT, which was taken on record.

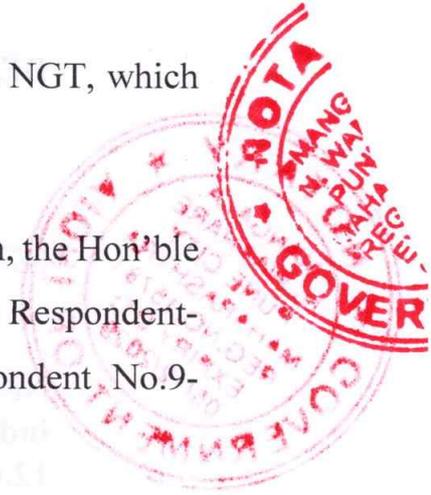
(2) I say and submit that in the present Application, the Hon'ble NGT vide Order dated 17/3/2025 directed the Respondent-MPCB to calculate the EDC to the Respondent No.9-Vadgaon Nagar Panchayat.

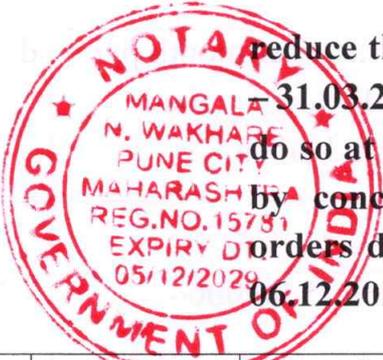
(3) I say and submit that in compliance of the order dated 17/03/2025 passed by this Hon'ble NGT, Respondent - MPCB has given an opportunity of personal hearing to the Respondent No. 9 -Vadgaon Nagarpanchayat on 23/05/2025. On the basis of discussion held in the personal hearing and action plan dated 22/05/2025 (Email Dated 28/05/2025) submitted by Respondent No.9-Vadgaon Nagarpanchayat, the Respondent Board has assessed the Environmental Damage Compensation as under:

Environmental Damage Compensation:

The Environmental Damage Compensation to be levied in case of failure of preventing the pollutants being discharged in water bodies resulting into damage to the environment i.e. into Indrayani River resulting in acute injury or damage to the environment. The prescribed criteria is used to calculate EDC on said **Vadgaon Nagarpanchayat, Vadgaon** for illegal untreated/partially treated sewage is being discharged into the river.

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.

Sr. No.	Name of Municipal Council	Nos. of Months w.e.f. 01.04.2020 to 31.04.2025	No. of Drains	Environment compensation Rs. 5 Lakh per month per drain by concerned local bodies	Total compensation Rs. e = (b x c x d)
	a	b	c	d	e
Vadgaon Nagarpanchayat, Vadgaon.					
1	Backside of Potobamah araj Mandir Nalla + Smashanbhumi Nalla	61 Months/ 1855 days	1	5,00,000/-	3,05,00,000
2	Vishal Lawns Nalla	61 Months/ 1855 days	1	5,00,000/-	3,05,00,000
Total					6,10,00,000

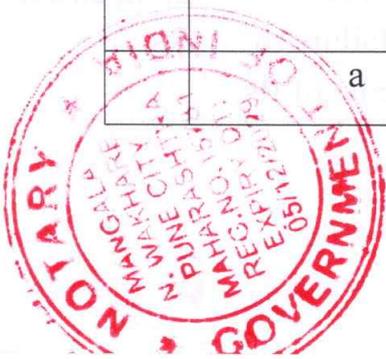
ii) **Commencement of setting up of STPs – 31.03.2020.**
Compensation is payable for failure to do so at the
rate of Rs. 5 lakh per month per STP by concerned
Local Bodies/States (in terms of orders dated
28.08.2019 in O.A. No. 593/2017 and 06.12.2019 in
O.A. No. 673/2018) w.e.f. 01.04.2020.

Sr. No.	Name of Municipal council	Nos. of Months w.e.f.	Environmental compensation is payable for failure to do so at the rate of Rs.	Total compensation Rs.
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		01.04.2020 to 31.04.2025	5 Lakh per month per STP by concerned local bodies	d = (b x c)
	a	b	c	D
1	Vadgaon Nagarpancha yat, Vadgaon for Backside of Potobamahara j Mandir Nalla + (Smashanbhu mi Nalla)	61 Months/ 1855 days	5,00,000/-	3,05,00,000
2	Vadgaon Nagarpancha yat, Vadgaon (Vishal Lawns Nalla)	61 Months/ 1855 days	5,00,000/-	3,05,00,000
	Total			6,10,00,000

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.

Sr. No	Name of Municipal council	Nos. of Months w.e.f. (01.04.2021 to 31.04.2025)	Environmental compensation Rs. 10 Lakh per month per STP by concerned local bodies	Total compensatio n Rs. d = (b x c)
	a	b	c	d



1	Vadgaon Nagarpanchayat, Vadgaon for Backside of Potobamaharaj Mandir Nalla + Smashanbhumi Nalla	49	5,00,000/-	2,45,00,000
3	Vadgaon Nagarpanchayat, Vadgaon (Vishal Lawns Nalla)	49	5,00,000/-	2,45,00,000
Total				4,90,00,000

Therefore, the Environmental Damage Compensation applicable is –

Sr. No.	Direction passed by the Hon'ble NGT	Environmental Compensation in Rs. as applicable, as on 30/11/2024
1	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.	6,10,00,000
2	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	6,10,00,000

	06.12.2019 in O.A. No. 673/2018) w.e.f. 01.04.2020.	
3	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.”	4,90,00,000
	Total EDC Rs.	17,10,00,000



(4) I say and submit that the total amount of Environment Damage Compensation is Rs. 17,10,00,000/-. Accordingly, the Respondent-MPCB vide letter dated 12/09/2025 informed to the Respondent No.9-Vadgaon Nagarpanchayat about the assessment of the Environment Compensation amount of Rs.17,10,00,000/-. A copy of the letter dated 12/09/2025 is enclosed herewith and marked as an **Annexure- 'I'**.

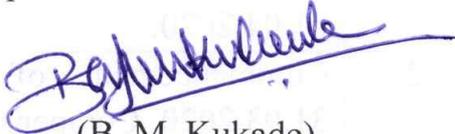
(5) Hence this affidavit.

Solemnly affirmed on this 17th day of September, 2025 at Pune.

I know the affiant

For and on behalf of Maharashtra Pollution Control Board i.e. Respondent No. 1.

ADVOCATE


(B. M. Kukade)
Sub-Regional Officer,
MPCB, Pune-II



BEFORE ME

MANGALA N. WAKHARE
ADVOCATE & NOTARY
GOVERNMENT OF INDIA

17 SEP 2025

 <p>Tel. No. 9423632901 SRO Off: 9422742901 E-mail: ropune@mpcb.gov.in Visit us at: www.mpcb.gov.in</p>	<p>MAHARASHTRA POLLUTION CONTROL BOARD REGIONAL OFFICE, PUNE</p>  <p>“Your Service Is Our Duty”</p>	 <p>Jog Center, Building, 3rd Flor, Wakadewadi, Mumbai-Pune Highway, Pune-411003, Maharashtra</p>
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MPCBPune /FTS NO. 2809/2-FTS-0197/

Date: - 12/09/2025

To,
 The Chief Officer,
 Vadgaon Nagarpanchayat,
 Vadgaon, Maval District- Pune

Sub- Environmental Compensation as Per the Order Passed Vide Dated 17/03/2025, By The Hon'ble National Green Tribunal (WZ), Pune, In Original Application No.111/2024(WZ) [earlier original application no.273/2024(PB)] News item titled: “layer of toxic foam floats on surface of indrayani river in pune” appearing in hindustan times dated 12.02.2024

- Ref -1) Order passed vide dated 17/03/2025, by Hon'ble National Green Tribunal (WZ) Pune, in OA No. 111 Of 2024 [Earlier OA No. 273 Of 2024 (PB)]
- 2) Personal Hearing extended to Vadgaon Nagarpanchayat on 23/05/2025
 - 3) Approval of EDC calculation from competent authority
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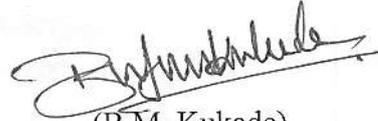
Sir,

The Hon'ble National Green Tribunal (WZ), Pune in Original Application No. No.111/2024(WZ) [earlier original application no.273/2024(PB)] News item titled: “layer of toxic foam floats on surface of indrayani river in pune” appearing in hindustan times dated 12.02.2024 has passed an order vide dated 17/03/2025 and directed MPCB “*calculate the amount of EDC in terms of the law laid down in Original Application No.606/2018, but the same has not been done so far. direct Respondent No.1 to calculate the EDC amount as directed earlier and file an affidavit in that regard within two weeks*”

Accordingly, in compliance of the order passed by the Hon'ble NGT on 17/03/2025 M.P.C. Board has assessed Environmental Compensation of Rs. 17,10,00,000/- (Rupees Seventeen Crores, Ten Lakhs, Only) towards the damage already caused to the Environmental and recovery of environmental compensation as per “Polluters Pay “principal

This is submitted for your information in compliance of the above-mentioned Hon'ble NGT order.

This is issued with the approval of the competent authority of the Board.



(B.M. Kukade)
Regional Officer,
M.P.C. Board Pune

Copy submitted for information to:

1. Member Secretary M.P.C. Board, Mumbai
2. Joint Director (APC), M.P.C. Board, Mumbai
3. Law Officer, M.P.C. Board, Mumbai
4. Sub Regional Office, M.P.C. Board, Pune 2

- You are instructed to take follow-up of the EDC order & submit compliance report in time without fail.