

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

**ORIGINAL APPLICATION NO.115/2024(WZ)**

**[EARLIER ORIGINAL APPLICATION No. 530/2024 (PB)]**

News Item titled "Hundreds of fish found dead in Indrayani river at Dehu" appearing in 'The Times of India' dated 15.03.2024

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

I, Babasaheb Kukade, aged about 54 years, occupation – Service, the Sub-Regional Officer of the Maharashtra Pollution Control Board at Pune-II, having office address at 2nd Floor, Jog Centre, Wakdewadi, Pune – 411003, do hereby state on solemn affirmation as under –

1. I am filing this Additional Affidavit in compliance of the order dated 27/1/2025 passed by this Hon'ble National Green Tribunal, wherein this Hon'ble Tribunal directed to file an additional affidavit with respect to EDC is required to be levied to the Dehu Nagarpanchayat.
2. I say and submit that in compliance with the order passed by this Hon'ble NGT, Respondent No.1- MPCB has given an opportunity of personal hearing to the Respondents No.5- Dehu Nagarpanchayat on 20/01/2025 to verify the compliance



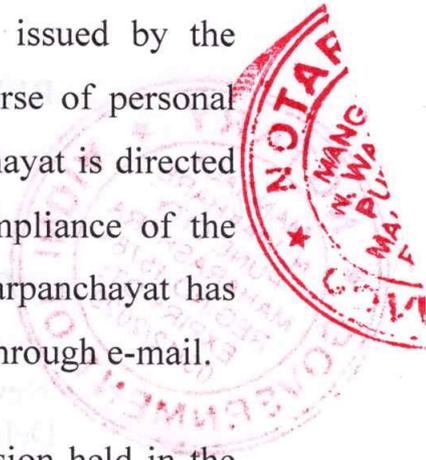
of the Interim Directions dated 19/7/2024 issued by the Respondent Board to them. During the course of personal hearing, the Chief Officer, Dehu Nagarpanchayat is directed to submit the Action Plan towards the compliance of the Interim Directions. Accordingly, Dehu Nagarpanchayat has submitted the Action Plan dated 22/01/2025 through e-mail.

3. I say and submit that on the basis of discussion held in the personal hearing and action plan dated 22/01/2025 submitted by Respondent No.5-Dehu 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 following prescribed criteria is used to calculate EDC on the said Dehugaon Nagarpanchayat, Dehugaon 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 30/11/2024	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
Dehugaon Nagarpanchayat, Dehugaon.					
1	Ghat Nalla	47 months 23 days (01.04.2020 to 24/03/2024-diverted to STP)	1	5,00,000/-	2,38,83,333/-
2	Kapur Nalla	55 months 29 days	1	5,00,000/-	2,79,83,343/-
Total					5,18,66,676/-

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. 01.04.2020 to 30/11/2024	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 compensation Rs. d = (b x c)
	A	B	C	D
1	Dehugaon Nagarpanchayat, Dehugaon, (For Ghat Nalla	47 months 23 days (01.04.2020 to 24/03/2024- diverted to STP)	5,00,000/-	2,38,83,333/-
2	Dehugaon Nagarpanchayat, Dehugaon, (For Kapur nalla)	55 months 29 days	5,00,000/-	2,79,83,343/-
	Total			5,18,66,676/-

- 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 30/11/2024)	Environmental compensation Rs. 10 Lakh per month per STP by concerned local bodies	Total compensation Rs. d = (b x c)
	A	B	C	D
1	Dehugaon Nagarpanchayat, Dehugaon. (Kapur Nalla)	44	5,00,000/-	2,20,00,000/-
2	Dehugaon Nagarpanchayat, Dehugaon, (Ghat Nalla)	35 months 23 days (01.04.2021 to 24/03/2024- diverted to STP)	5,00,000/-	1,78,83,333/-
Total				3,98,83,333/-

In view of the above, the Environmental Damage Compensation calculated as follows :-

Sr. No.	Direction passed by the Hon'ble NGT	Environmental Compensation in Rs. as applicable, as on 30/11/2024
1	<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</i>	5,18,66,676/-

	<i>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.</i>	
2	<i>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.</i>	5,18,66,676/-
3	<i>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.”</i>	3,98,83,333/-
Total EDC Rs.		14,36,16,685/00

4. I say and submit that the total amount of Environment Damage Compensation is Rs. 14,36,16,685/- Accordingly, the Respondent Board has informed vide letter dated 25/4/2025 to the Respondent No.5-Dehu Nagar panchayat about the amount of Rs.14,36,16,685/- towards the Environment Compensation. A copy of the letter dated 25/4/2025 is enclosed herewith and marked as an **Annexure-‘I’**.

5. Hence this Additional Affidavit.



Solemnly affirmed on this 14<sup>th</sup> day of May, 2025 at Pune.

I know the affiant

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

ADVOCATE

*Babasaheb Kukade*  
(Babasaheb Kukade)  
Sub-Regional Officer,  
MPCB, Pune-II



**BEFORE ME**

*Mangala N. Wakhare*  
**MANGALA N. WAKHARE**  
ADVOCATE & NOTARY  
GOVERNMENT OF INDIA

**14 MAY 2025**



120  
MAHARASHTRA POLLUTION CONTROL BOARD  
REGIONAL OFFICE - PUNE

Annexure - I

Phone No. 020-25816451  
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Jog Centre, 3<sup>rd</sup> Floor, Wakdewadi,  
Old Pune Mumbai Road,  
Pune- 411003

No. MPCB/ROP/EDC/ 2504240001

Date: 25/04/2025

To,  
The Chief Officer,  
Dehugaon Nagarpanchayat, Dehugaon,  
Tal:Haveli Dist:Pune,

Sub: Environmental Compensation as per the order passed vide dated 25/11/2024, by the Hon'ble National Green Tribunal (WZ), Pune, in Original Application No. 115/2024 (WZ) [earlier OA No. 530 of 2024 (PB)] w.r.t. the News Item Titled "Hundreds of Fish Found Dead in Indrayani River at Dehu", Appearing in the times of India, Dated 15.03.2024.

- Ref: 1) Order passed vide dated 25/11/2024, by the Hon'ble National Green Tribunal (WZ), Pune, in OA. No. 115/2024 (WZ) [earlier OA No. 530 of 2024 (PB)]
- 2) Interim Directions issued by the Board dated 19.07.2024.
- 3) Personal Hearing extended to Dehugaon Nagarpanchayat on 20.01.2025.
- 4) Approval of EDC calculation from competent authority

Sir,

The Hon'ble National Green Tribunal (WZ), Pune, in Original Application No. 115/2024 (WZ) [earlier Original Application No. 530 of 2024 (PB)] w.r.t. the News Item Titled "Hundreds of Fish Found Dead In Indrayani River At Dehu", Appearing in the times of India, Dated 15.03.2024 has passed an order vide dated 25/11/2024 and directed MPCB for the submission of reply affidavit as " Page 4 of 4 to what amount of EDC is required to be levied from the Dehu Nagarpanchayat " based on the observations of violations noted by the Board Officials.

Accordingly in compliance of the Order passed by the Hon'ble NGT on 25.11.2024, the M.P. C. Board has assessed Environment compensation of Rs. 14,36,16,685/00 (Rs. Fourteen Crores, Thirty-Six Lakhs, Sixteen Thousand, Six Hundred Eighty-Five Only) towards the damage already caused to the environment and recovery of environmental compensation as per 'Polluters Pay' Principle.

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.

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