

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

EXECUTION APPLICATION NO. 04/2026 (WZ)

IN

ORIGINAL APPLICATION NO. 08/2025 (WZ)

Hirwai Paryavaran Sangh

... Applicant

Versus

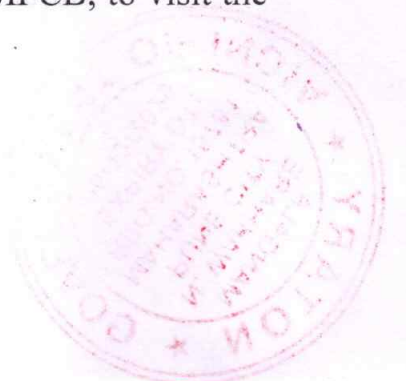
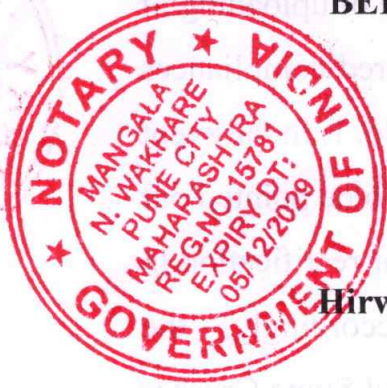
M/s Atul Stone Crusher & Anr.

... Respondents

**AFFIDAVIT ON BEHALF OF MAHARASHTRA
POLLUTION CONTROL BOARD i.e. RESPONDENT NO. 2**

I, Navanath Awatade, aged about 55 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 Affidavit in compliance of the order dated 04/06/2026 passed by this Hon'ble National Green Tribunal, regarding compliance of the order 04/08/2025 passed by this Tribunal in Original Application 08 of 2025 (WZ) Hirwai Paryavaran Sangh V/s Atul Stone Crusher and Ors.
2. I say and submit that, this Hon'ble NGT vide Order dated 04/08/2025 directed the Respondent No. 2- MPCB, to visit the



site in question within two weeks from the date of uploading of the said order and to verify whether the required compliances have actually been carried out by Respondent No. 1. In the event that any violations are observed, the same are to be pointed out to Respondent No. 1, the Project Proponent, for rectification in accordance with the said direction. Accordingly, the Respondent Board conducted a visit to M/s Atul Stone Crusher on 26/09/2025. During the visit, it was observed that all the compliances pointed out during the previous visit had not been carried out by the M/s Atul Stone Crusher. A copy of the visit report dated 26/09/2025 is attached herewith as **Annexure – I**.

3. I say and submit that, in compliance of the order dated 04/08/2025 passed by this Hon'ble Tribunal in Original Application No. 08 of 2025, Respondent No. 2 – MPCB conducted a personal hearing on 30/12/2025. As per the discussions held during the personal hearing, the Respondent Board assessed the Environmental Damage Compensation as follows: -

Environment Damage Compensation-

Methodology recommended in "Report of the CPCB 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 NGT in its order dated 28.08.2019 in the matter of Original Application No. 593 / 2017 titled Paryavaran Suraksha Samiti & Anr. Versus Union of India and Ors may be used



to calculate Environmental Compensation on the unit for above non compliances.

Environmental Compensation (EC) in Rupees =

$PI \times N \times R \times S \times LF$

The unit is under Orange category No. O-160 as per the Modified Directions of CPCB issued vide dated 12/02/2025.

Where,

PI = Pollution Index of Industrial Sectors

The unit falls under the Orange Category, Hence, **PI = 50**

N = Number of days violation took place

Number of Days are calculated from the date when complaint was made by the applicant i.e. on 31/10/2023, pursuant to which the site visit was conducted by the officials of the MPCB on 30/11/2023 to the date of visit of the Board Officials i.e. on 26/09/2025. (30/11/2023 to 26/09/2025)

N = 666 days

R = is a factor in Rupees, which may be minimum of 100 and maximum of 500. The aforesaid report also suggests considering R as 250 as the Environmental Compensation in cases of Violation. Hence, **R = 250 minimum.**

S = factor for the scale operation the unit being Small Scale Unit,

S = 0.5

LF = Location Factor -LF is presumed as 1 for cities / town having population less than one million, **LF = 1.0**



Therefore, Environmental Compensation (EC) in Rupees

$$= PI \times N \times R \times S \times LF$$

$$= 50 \times 666 \times 250 \times 0.5 \times 1.0$$

= Rs. 41,62,500/- (Rs. Forty-One Lakhs, Sixty-Two Thousand, Five Hundred Only)

4. I say and submit that the total Environmental Damage Compensation to be levied on M/s Atul Stone Crusher, Gat No. 2307, Mahalunge Padwal, Tal- Ambegaon, Dist -Pune is Rs. 41,62,500 (Rs. forty-one lakhs sixty-two thousand five hundred only). Accordingly, the Respondent Board directed the Respondent No.1-M/s. Atul Stone Crusher to deposit an amount of Rs. 41,62,500 (Rs. forty-one lakhs sixty-two thousand five hundred only) vide letter dated 07/07/2026. A copy of the said letter dated 07/07/2026 is enclosed herewith and marked as an **Annexure-II**.

5. Hence this Additional Affidavit.

Solemnly affirmed on this 07th day of July 2026 at Pune.

I know the affiant

For and on behalf of Maharashtra

Pollution Control Board i.e.

Respondent No. 2

ADVOCATE

(Navanath Awatade)
Sub-Regional Officer,
MPCB, Pune-II

BEFORE ME

MANGALA N. WAKHARE
ADVOCATE & NOTARY
GOVERNMENT OF INDIA

07 JUL 2026





Maharashtra Pollution Control Board

महाराष्ट्र प्रदूषण नियंत्रण मंडळ

Visit Report

General Information

IMIS ID : 98743000

Industry Name : Atul Stone Crusher (Mahalunge Padwal)

Address : gat No. 2307, Mahalunge padwal, Tal. Ambegaon, Pune

Pincode : 410510

Category : Orange (SSI)

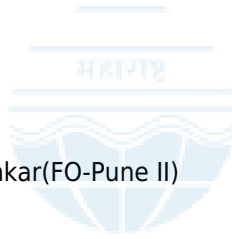
Email :

Phone :

Visit Scheduled On : 26/09/2025

Last date of visit : 26/09/2025

Visited by : Shri Sandeep Manohar Motegaonkar(FO-Pune II)



Visited On

Visited Industry on :26/09/2025

Email Address of Unit :karalegroup@gmail.com

Telephone Number of Unit :9860204935

Siting Criteria

Siting Criteria : No

Location

Notified Industrial area : No

Detail : Grampanchayat mahalunge padwal

Planning Authority : Grampanchayat mahalunge padwal

Visit For

Visit For : Unconsented

Previous Consent Detail

Consent UAN No.	Date	Validity	Capital Investment	Verified By
NA			0	NA

Environment Clearance

Is EC Applicable : Yes Is EC Obtained : No Is EC Applied : Not Applied

Production Details

Product Name	Quantity(As consent)	Unit(As consent)	Quantity(Actual)	Unit(Actual)	Operational Issue
CRUSHED STONE (METAL) & GREET	45	Brass/D	45	Brass/D	No
STONE DUST	5	Brass/D	5	Brass/D	No

Waste Water Management

Source of water :

1) Ground : Other

NOC Obtain : No

Details :

2) Surface

Surface Detail :

Authority Permission :



Deviation In:

Water Consumption : No

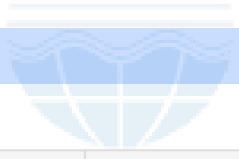
Effluent : No

Sewage : No

Whether Industrial effluent generated : No

Whether Domestical effluent generated : No

		Industrial		Domestic	Gardening
		Process	Cooling		
Generation in m3/day	As per consent				0
	Actual				0

Treatment System							
Industrial				Domestic			
Primary :							
Secondary :							
Tertiary :							
Advanced :							
JVS sample collection (Water)							
JVS sample collected for Water : No							
Detail : na							
Previous JVS Records (Water)							
Sr. No.	Unique id	Barcode Number	Sample Type	Sample Subtype	Payment Status	COA Generated	
							
Air Pollution Aspect							
1) Details of emission : No							
#	Source	Fuel Name	Fuel Quantity	Fuel Unit	Control Equipment Installed	Stack Height(mtrs)	Operational Issue
Record not found.							
2) Differential in existing source of emission : No							
JVS sample collection (Air)							
JVS sample collected for Air : No					Detail : NO		
Previous JVS Records (AIR)							
Sr. No.	Unique id	Barcode Number	Sample Type	Sample Subtype	Payment Status	COA Generated	
Hazardous Waste Generation							
Difference in exiting waste generation : No							

Non Hazardous Waste Generation

Difference in exiting waste generation : No

Any specific Conditions

	Condition	Compliance
Consent		
Directions		
Environment Clearance		
Any NGT / Court order		

Bank Guarantee

BG Imposed : Yes

BG Imposed Against : Consent

Bank Guarantee Imposed for	BG submitted	Bank Guarantee No	Date	Validity	Amount	Status	Compliance Period	Return	Forfeit
25000x2	Yes	Details not available at site	04-03-2025	04-03-2025	0	Not Compiled	Details not available at site	Details not available at site	No

Remark

#	Statutory Submissions	Financial Year	Within Time	Whether any deviation waste generation & disposal (less/ more)
Record not found.				

Penal Charges

Penal Charges : No

OCEMS

Is Mandatory : Not Mandatory

Detail :

Connected to MPCB server : No

Detail : na

Green Coverage

Green Coverage : No

Detail :

Any Specific Observation

Any Specific Observation : Visit was made in context to order of Hon'ble NGT matter w.r.t O.A-08/2025 (Hirwai Paryawaran Sangh vs Atul Stone Crusher and Ors) along with SRO, Regional Office Pune and following observations were made:- 1) Stoner crusher activity found in operation. 2) The stone crusher is having four number of conveyor belts out of which two numbers aggregate material carrying conveyor belts are covered with tin sheets with water sprinkler arrangement, however remaining two conveyor belts (primary to secondary and hopper to VSI) are not covered with tin sheet though they have provided water sprinklers. 3) Provided adequate water sprinkling system to jaw crusher and conveyor belts 4) Not provided tin fencing (wind breaking wall) to the periphery of unit area. 5) Along with periphery of the crusher tree plantation has been carried out in addition to existing trees. 6) Not provided hard top internal roads within the premises however water tanker arrangement has been made for spraying water on ground for dust suppression. 7) PP has provided tin sheet cover arrangement to two number of sieves. 8) BG submission of acknowledgment details are not available during visit.

Previous legal action detail

Sr. No.	Legal Action Details	Legal Direction/Notice Details
1	MPCB-LEGAL_ACTIONS-051223037 Initiated By: Mrs. Varsha A. Kadam(FO-Pune II)	Show Cause Notice Outward No: MPCB/SCN/2312290004 Issued By: Shri. Babasaheb Mahipatrao Kukade(RO-Pune) Issued On: 29/12/2023
2	MPCB-LEGAL_ACTIONS-051223037 Initiated By: Mrs. Varsha A. Kadam(FO-Pune II)	Proposed Direction Outward No: MPCB/PD/2503110005 Issued By: Shri. Babasaheb Mahipatrao Kukade(RO-Pune) Issued On: 11/03/2025

Whether unit complied

Whether unit complied : No



महाराष्ट्र प्रदूषण नियंत्रण मंडळ

MAHARASHTRA POLLUTION CONTROL BOARD

प्रादेशिक कार्यालय, पुणे / Regional Office, Pune

जोग सेंटर, दुसरा व तिसरा मजला, मुंबई - पुणे रोड, वाकडेवाडी, पुणे 411003.
Jog Center, 3rd floor, Mumbai Pune Road, Wakadewadi,
Pune - 411003.

Annexure- II



LIFE
Lifestyle for
Environment



दूरध्वनी / Tel: 020 - 25811627

संकेतस्थळ / Website: www.mpcb.gov.in

Ref. No. **9323948/2026/RO.Pune.MPCB**

Date: **07/07/2026**

To,

M/s. Atul Stone Crusher,

Gat No. 2307 Mahalunge Padwal,

Tal- Ambegaon, Dist-Pune.

Subject: Submission of Environmental Damage Compensation (EDC)
Amount as per NGT order dated 04/08/2025 in OA No. 08
of 2025 (WZ) Hirwai Paryavaran Sangh through its President
Shri Vijaykumar Jethé.

Ref: 1) Hon'ble NGT order dated 04/08/2025 in OA. No. 08 of 2025
(WZ) Hirwai Paryavaran Sangh through its President Shri
Vijaykumar Jethé.

2) Personal Hearing extended to Respondent No. 1- M/s Atul
Stone crusher on 30/12/2025.

3) Approval of EDC calculation from competent authority.

This is with reference to the order dated 04/08/2025, in OA No. 08 of
2025 (WZ) Hirwai Paryavaran Sangh through its President Shri
Vijaykumar Jethé.

In paragraph No. 12,13 and 14 of the said order, the Hon'ble Tribunal
has directed as under:

Para-12

In view of above facts, we are of the view that Respondent No.2-
MPCB shall visit the site in question within two weeks from the
date of uploading of this order and verify as to whether actually,
the said compliances have been carried out by Respondent No.1 or
not and in case, any violations are observed, they can be pointed
out to be rectified by Respondent No.1- Project Proponent within
the time to be specified by Respondent No.2.

Para-13

As regards the quantum of EDC, we deem it appropriate to direct
Respondent No.2 to calculate the same from the date when the
Complaint was made by the applicant i.e. on 31.10.2023, pursuant

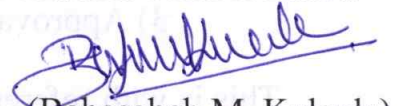
to which the site visit was conducted by the officials of the MPCB on 30.11.2023 and on that date, violations were found to have been there till the rectification of the violations that the said violations were found to have been removed. Therefore, between this two dates, total period of violation shall be calculated and appropriate amount of EDC shall be levied from Respondent No.1- M/s Atul Stone Crusher.

Para-14

With the above direction, we dispose of the present Original Application accordingly. Even thereafter, any grievance is left to the applicant, he may approach us as per the law.

In view of above you are hereby instructed to deposit the Environmental Damage Compensation (EDC) amount of **Rs.41,62,500/- (Rupees. Forty-One Lakhs, Sixty-Two Thousand, Five Hundred only)** to the Regional Officer, MPCB, Pune, **on or before 08/08/2026**, by way of **Demand Draft** in favour of: **"Regional Officer, MPCB, Pune"**

For and on behalf of the
Maharashtra Pollution Control Board


(Babasaheb M. Kukade)
Regional Officer, Pune

Copy submitted to:

Hon'ble Member Secretary, MPCB, Mumbai

Copy f.w.c. to:

- 1) Joint Director (APC) M. P. C. Board
- 2) Law Officer (P& L Div.), M. P. C. Board

Copy submitted for information to:

Sub-Regional Officer, M.P.C. Board, Pune II