

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
WESTERN ZONE BENCH, PUNE
ORIGINAL APPLICATION NO.214/2024(WZ)
EARLIER ORIGINAL APPLICATION No. 1231/2024 (PB)**

News Item titled "Dead fish found floating in Mula River raises alarm" appearing in the Hindustan Times dated 23.09.2024

**AFFIDAVIT IN REPLY ON BEHALF OF MAHARASHTRA
POLLUTION CONTROL BOARD**

I, J.S. Salunkhe, Aged Adult, occupation – Service, Regional Officer of the Maharashtra Pollution Control Board at Pune, having office address at Jog Centre, 2nd Floor, Wakdewadi, Pune – 411003, do hereby state on solemn affirmation as under –

1. I say and submit that the Hon'ble National Green Tribunal, Principal Bench, New Delhi, registered the Original Application bearing No. 1231/2024 based on the news appeared in the Hindustan Times dated 23/09/2024 regarding fish kill incident at Pimple Nilakh in the Mula River and vide order dated 15/10/2024 transferred the said O.A. to the Hon'ble NGT, Western Zone, Pune and impleaded the Maharashtra Pollution Control Board as a Party Respondent.
2. I am filing this Affidavit in compliance of the order dated 15/10/2024 passed by the Hon'ble National Green Tribunal.

3. I say and submit that the News also published in the daily Lokmat newspaper on 23/09/2024 regarding the fish kill incident at Pimple Nilakh in the Mula River. Therefore, in order to verify the incidence, officials of the Respondent Board at Pimpri Chinchwad visited the site on 23/09/2024 and observed as follows:

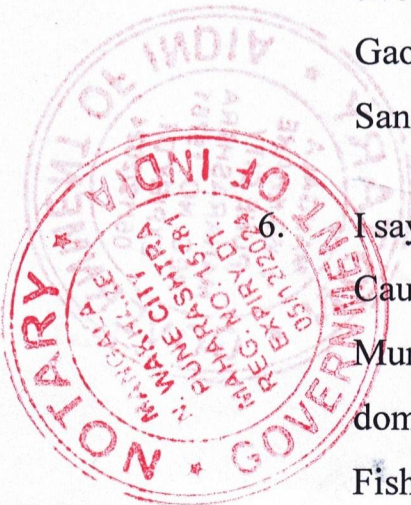
- I. Few small and medium-sized fish are found dead on the Bank of Mula river near crematorium of Pimple Nilakh.
 - II. Live fishes observed into Mula river. Also, some people were observed doing fishing activity.
 - III. The incident occurring site is surrounded by a residential area, the domestic effluent generated from this area meets to the Mula river on the right side of the bank through the various Nallas from Pune Municipal Corporation Area.
 - IV. There is no industry in the vicinity of the said location.
 - V. Mula river water sample collected for the analysis purposes. The collected sample having pH 6-7 and no smell observed during visit.
 - VI. The treated effluent from Pimple Nilakh STP and Baner STP is discharged into Mula river on upper stream.
- A copy of the Visit Report alongwith Photographs dated 23/09/2024 is enclosed as **Annexure I**.



4. I say and submit that the Official of the Respondent Board at Pimpri Chinchwad collected Joint Vigilance Samples of the Mula river near Pimple Nilakh Crematorium and Pimple Nilakh STP treated water outlet on 23/09/2024 for analysis purposes. As per analysis report Mula river water quality is having BOD – 7 mg/l, COD -24 mg/l and DO – 5 mg/l. The Analysis report of Pimple Nilakh STP is showing BOD – 8 mg/l and COD -28 mg/l. Copies of the analysis results of samples collected from Mula river near Pimple Nilakh Crematorium and Pimple Nilakh STP dated 23/09/2024 are enclosed as an **Annexure II and III**.

5. I say and submit that the Respondent-Board is regularly monitoring water quality of the Mula river under NWMP at two locations namely Mula river at Aundh Bridge, Aundh Gaon and Mula River at Harrison Bridge near Mula – Pawana Sangam.

6. I say and submit that the Respondent-Board has issued a Show Cause Notices to the City Engineer, Pimpri Chinchwad Municipal Corporation, Pune, regarding discharge of domestic effluent into the Mula river, thereby causing Fishkill incidence in the Mula river near Pimple Nilakh and Superintendent Engineer (Electrical) Pune Municipal Corporation, Pune, regarding discharge of domestic effluent into the Mula river, thereby causing Fishkill incidence in the



Mula river near Pimple Nilakh Crematorium vide letters dated 18/11/2024 respectively. Copies of the Show Cause Notices Dated 18/11/2024 are enclosed as an Annexure IV & V.

7. Hence this affidavit.

Solemnly affirmed on this 27th day of November, 2024 at Pune.

I know the affiant

For and on behalf of Maharashtra Pollution Control Board i.e. Respondent No. 2.

ADVOCATE

(J.S. Salunkhe)
Regional Officer,
MPCB, Pune

BEFORE ME


MANGALA N. WAKHARE
ADVOCATE & NOTARY
GOVERNMENT OF INDIA

27 NOV 2024



**MAHARASHTRA POLLUTION CONTROL BOARD
SUB-REGIONAL OFFICE – PIMPRI CHINCHWAD**

Ph. 020-25811694
Fax. 020-25811029



Jog Center Bldg.
2nd floor, Wakdewadi,
Old Mumbai – Pune Highway,
Pune 411003

Date:- 23.09.2024

Visit Report

Mula River site is visited as per the news appeared in Daily Lokmat News paper dated 23/09/2024 regarding fish kill incident near to crematorium of Pimple Nilakh. In this regard, the official visited the Mula River and nearby area of fish kill incident on 23/09/2024, along with residents of pimple Nilakh area. The observations made during visit are as below,

- 1) Few small and medium-sized fishes are found dead on the Bank of Mula River near crematorium of Pimple Nilakh.
- 2) Live fishes observed into Mula river. Also some people were observed doing fishing activity.
- 3) The incident occurring site is surrounded by a residential area, the domestic effluent generated from this area meets to the Mula River through the various Nallas. on right Bank side from Pune Municipal Corporation Area.
- 4) There is no industry in the vicinity of the said location.
- 5) Mula river water sample collected for the analysis purposes. The collected sample having pH 6-7 and no smell.
- 6) The treated effluent from Pimple Nilakh STP & Baner STP is discharged into Mula river on u/s site.

Seema Salve Field officer,
MPC Board Pimpri
Chinchwad



Suryakant Shinde
Field officer,
MPC Board, Pimpri Chinchwad

10
Photographs



11
Photographs



 <p>MAHARASHTRA "Your Service is our Duty"</p>	<p>12 MAHARASHTRA POLLUTION CONTROL BOARD Regional Laboratory, Pune. Regional Laboratory, Pune, Maharashtra Pollution Control Board, Jog Center, 3rd Floor, Mumbai Pune Road, Wakdevadi, Pune- 411 003, Tel : 020- 25811698 e-mail : sopunelab@mpcb.gov.in website : http://mpcb.gov.in</p>	 <p>TC-11275</p>
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NABL Accreditation:- ISO/IEC 17025:2017, TC-11275	Issue Date: 10-01-2023 Validity: 09-01-2025
Certification Standards:- ISO 45001: 2018, C.NO.944015/S-2	Issue Date: 26/02/2024 Validity: 25/02/2027
MoEF Recognition: LB/99/7/2021-INST LAB-CPCB-HO/Govt./6646	Issue Date: 16-06-2023 Validity: 25-02-2024

Test Report No.: MPCB/RL-Pune/Environment/24-25/11/13-A	Date: 05/11/2024 03:05 PM
ULR No.: TC-1127524000002164F	

Test Report-Water (Environment)

Field Sample ID	BR-0082339			
Sample collected by (Officer Name)	FO-Pimpri Chinchwad(Mr. Suryakant Shinde) (SRO-Pimpri Chinchwad)	Location of sample collection		
Seal No.:	139	Method of sample collection	Grab	
Sample Collection	Date	23/09/2024	Total No. of Containers	1
	Time	04:30 PM	Nature/Description of Sample	-

Lab ID	MPCB/RL-Pune/ENV/24-25/436			
Received by lab	Date	24/09/2024	Anylysis Started On	25/09/2024 11:57 AM
	Time	05:47 PM	Anylysis Completed On	05/11/2024 03:04 PM
Sample recived by (Name & Designation)	Sumitra S Mahajan (Scientific Officer)			

Sr.No	Parameter	Results	Unit	Test Method
1	pH	7.6		APHA 24th Edition 4500-H+ B (Electrometric Method)
2	Conductivity	573.8	microsiemens/cm (us/cm)	APHA 24th Edition 2510 B
3	Suspended Solids (SS)	25.0	mg/l	APHA 24th Edition 2540 D (Gravimetric Method)
4	Biochemical Oxygen Demand (BOD)	7.0	mg/l	IS 3025 (Part 44)

Sr.No	Parameter	Results	Unit	Test Method
5	Chloride	32.29	mg/l	APHA 24th Edition 4500-Cl B (Argentometric Method)
6	Chemical Oxygen Demand (COD)	24.0	mg/l	APHA 24th Edition 5220 B (Open Reflux Method)
7	Dissolved Oxygen	5.0	mg/l	IS 3025 (Part 38) Winkler Method
8	Sulphate	57.20	mg/l	APHA 24th Edition 4500-SO4 E (Turbidimetric Method)

Remarks: sample was clear, colourless and odourless.

Approved & Reviewed By

Sumitra S Mahajan
Scientific Officer,
I/c Regional Laboratory, Pune,

Note :

1. The results refer to the samples and parameters requested for analysis.
2. Abbreviations: - BDL=Below Detectable limit, N.D.=Not Detected, N.A.= Not Analyzed
3. The Contents of this Report shall not be reproduced in part or in full without written approval of laboratory.

MAHARASHTRA POLLUTION CONTROL BOARD

Phone : 020-25811698 Fax : 020-25811698 Email : sopunelab@mpcb.gov.in Website : http://mpcb.gov.in	 "Your Service is our Duty"	Regional Laboratory Regional Laboratory, Pune, Maharashtra Pollution Control Board, Jog Center, 3rd Floor, Mumbai Pune Road, Wakdevadi, Pune- 411 003
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Report Outward No.: MPCB/RL-Pune/Environment/24-25/11/13-B
 Date: 05/11/2024 03:05 PM

Analysis Report-Water (Environment)

Client/Industry/location Name & Address
Near Smashan bhomi Pimple Nilakh

Sample Details	
Field Sample ID :	BR-0082339
Laboratory Sample Code :	MPCB/RL-Pune/ENV/24-25/436
Sample Details (Water/Air/HW) :	Water
Sample Volume Received :	
Sample Collected By :	FO-Pimpri Chinchwad(Mr. Suryakant Shinde) (SRO-Pimpri Chinchwad)
Seal No. :	139
Type of Industry / Location details :	
Sample Collected On :	Sep 23 2024 04:30:00:000PM

Sr.No	Parameter	Result	Unit	Method of analysis
1	Turbidity	3.23	NTU	
2	Total Alkalinity	122.0	mg/l	
3	Ammonical Nitrogen	0.46	mg/l	
4	Detergent	0.68	mg/l	
5	Fluoride	0.11	mg/l	
6	Hardness (calcium)	82.00	mg/l	
7	Hardness (total)	162.00	mg/l	
8	Phosphate (total)	0.08	mg/l	
9	Hardness (Magnesium)	80.00	mg/l	
10	Cadmium	BDL	mg/l	
11	Chromium Total	0.02	mg/l	
12	Copper	0.04	mg/l	
13	Iron	0.94	mg/l	
14	Lead	BDL	mg/l	
15	Nickel	BDL	mg/l	
16	Zinc	0.03	mg/l	
17	Nitrite Nitrogen	0.04	mg/l	

Remark: sample was clear, colourless and odourless.

Report Type: final

Report generated on: 05/11/2024 03:04 PM

Complied & Approved by: Sumitra S Mahajan

Reviewed on Date: 05/11/2024 03:05 PM

Reviewed by: Sumitra S Mahajan

Sumitra S Mahajan
Scientific Officer,
I/c Regional Laboratory,
Pune,



* Electronic report does not require signature

Note :

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*** End of the Report ***

16

 "Your Service is our Duty"	MAHARASHTRA POLLUTION CONTROL BOARD Regional Laboratory, Pune. Regional Laboratory, Pune, Maharashtra Pollution Control Board, Jog Center, 3rd Floor, Mumbai Pune Road, Wakdewadi, Pune- 411 003, Tel : 020-25811698 e-mail : sopunelab@mpcb.gov.in website : http://mpcb.gov.in	 TC-11275
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NABL Accreditation:- ISO/IEC 17025:2017, TC-11275	Issue Date: 10-01-2023 Validity: 09-01-2025
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MoEF Recognition: LB/99/7/2021-INST LAB-CPCB-HO/Govt./6646	Issue Date: 16-06-2023 Validity: 25-02-2024

Test Report No.: MPCB/RL-Pune/JVS/24-25/10/151-A	Date: 28/10/2024 11:29 AM
ULR No.: TC-1127524000002024F	

Test Report-Water (JVS)

Field Sample ID	BR-0082338	Type of Industry	Common Facilities
Name & Address of the Industry	SEWAGE TREATMENT PLANT IN PCMC AREA		
Industry Consent No./UAN No.	MPCB-CONSENT-0000123570	Type of Sample	Water
Sample collected by (Officer Name)	FO-Pimpri Chinchwad (Mr. Suryakant Shinde) (SRO-Pimpri Chinchwad)	Location of sample collection	PCMC STP Outlet - Pimple Nilakh
Seal No.:	139	Method of sample collection	Grab
Sample Collection	Date	23/09/2024	Total No. of Containers
	Time	03:50 PM	Nature/Description of Sample
			1
			-

Lab ID	MPCB/RL-Pune/JVS/24-25/1379		
Received by lab	Date	24/09/2024	Anylysis Started On
	Time	05:47 PM	Anylysis Completed On
Sample recived by (Name & Designation)	Sumitra S Mahajan (Scientific Officer)		
			25/09/2024 11:57 AM
			28/10/2024 11:29 AM

Sr.No	Parameter	Results	Unit	Test Method
1	pH	7.6		APHA 24th Edition 4500-H+ B (Electrometric Method)

Sr.No	Parameter	Results	Unit	Test Method
2	Suspended Solids (SS)	19.0	mg/l	APHA 24th Edition 2540 D (Gravimetric Method)
3	Biochemical Oxygen Demand (BOD)	8.0	mg/l	IS 3025 (Part 44)
4	Chemical Oxygen Demand (COD)	28.0	mg/l	APHA 24th Edition 5220 B (Open Reflux Method)

Remarks:

Approved & Reviewed By

Sumitra S Mahajan
Scientific Officer,
I/c Regional Laboratory, Pune,

Note :

1. The results refer to the samples and parameters requested for analysis.
2. Abbreviations: - BDL=Below Detectable limit, N.D.=Not Detected, N.A.= Not Analyzed
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**MAHARASHTRA POLLUTION CONTROL BOARD
REGIONAL LABORATORY, PUNE**

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mail : sopunelab@mpcb.gov.in



Regional Laboratory, Pune, Maharashtra
Pollution Control Board, Jog Center, 3rd
Floor, Mumbai Pune Road,
Wakdevadi, Pune- 411 003

Test Report No.: MPCB/RL-Pune/JVS/24-25/10/151-B

Date: 28/10/2024 11:29 AM

Analysis Report-Water (JVS)

Field Sample ID :	BR-0082338		
Name & Address of the Industry	SEWAGE TREATMENT PLANT IN PCMC AREA Municipal corporation stp		
Sampling Location :	STP (PCMC STP Outlet - Pimple Nilakh)		
Lab code :	MPCB/RL-Pune/JVS/24-25/1379		
Sampling Method(s) :		Sample Details (Water/Air/HW) :	Water
Sampling drawn by (Officer name):	FO-Pimpri Chinchwad (Mr. Suryakant Shinde)	Sample Volume Received :	
Sample submitted by (Name) :	FO-Pimpri Chinchwad (Mr. Suryakant Shinde) (SRO-Pimpri Chinchwad)	Seal No. :	139
Date of Sample Collection.(dd/mm/yyyy) :	23/09/2024 03:50 PM	Date of Sample receipt to Laboratory (dd/mm/yyyy) :	24/09/2024 05:47 PM
Analysis start Date (dd/mm/yyyy). :	25/09/2024 11:57 AM	Analysis end Date (dd/mm/yyyy). :	28/10/2024 11:29 AM

Test Report

Sr.No	Parameter	Results	Unit	Method Adopted
1	Ammonical Nitrogen	6.94	mg/l	
2	Detergent	0.88	mg/l	
3	Nitrite Nitrogen	0.06	mg/l	

Abbreviations: - BDL=Below Detectable limit, N.D.=Not Detected, N.A.= Not Analyzed

Remarks:

Remark for Amended Report:

Remark: - Note: This test report refers only to the sample submitted for the testing.

Results Compiled by: Sumitra S Mahajan

Results Approved by: Sumitra S Mahajan

Results Reviewed by:

Sumitra S Mahajan

This is an Electronically generated report does not require signature

Note :

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Sumitra S Mahajan
Scientific Officer,
I/c Regional Laboratory,
Pune,

End of The Report

**MAHARASHTRA POLLUTION CONTROL BOARD
REGIONAL OFFICE - PUNE**

Phone No. 020-25811694
Fax No. 020-25811701
e-mail : ropune@mpcb.gov.in
visit us : www.mpcb.gov.in



"Your Service is our Duty"

Jog Centre, 3rd Floor,
Wakdewadi,
Old-Pune Mumbai Road,
Pune- 411003

MPCB/ROP/SCN/ 241180012-A

Date: 18/11/2024

To,

The City Engineer,
Pimpri Chinchwad Municipal Corporation,
Pimpri, Pune.

Sub: Show Cause Notice.

- Ref :**
- 1) News appeared in daily news paper on 23/09/2024 regarding the Fishkill incident in Mula River near to the Pimple Nilakh Crematorium, Pune.
 - 2) Visit of Board's Officials at fish killing incident site 23/09/2024
 - 3) Proposal for legal actions submitted by the Sub Regional Officer, Pimpri Chinchwad vide letter no. MPCB-LEGAL-ACTIONS-260924006, Dtd. 30/09/2024

WHEREAS, Pimple Nilakh and Mula River area is located in 'Pollution Prevention Area' under the Water (Prevention & Control of Pollution) Act, 1974 and the Air (Prevention & Control of) Act, 1981 and their amendments from time to time.

AND WHEREAS, it is obligatory on your part to treat the entire sewage generating from Pune Municipal Corporation Jurisdiction by providing adequate sewage treatment plants and full-fledged network of sewage carrying system, so as to achieve the standards prescribed under the Water (Prevention & Control of Pollution) Act, 1974 r/w the Environment (Protection) Act, 1986.

AND WHEREAS, it is obligatory on your part to maintain the wholesomeness of Water Quality of the Natural Water Bodies including aquatic flora and fauna life by avoiding contamination of water.

AND WHEREAS, Fishkill incident in Mula River near Pimple Nilakh Crematorium was happened on 23/09/2024 and accordingly the Board's Officials have visited to the incident site and carried out inspection on 23/09/2024 with the collection of water samples from the Mula River and near area.

AND WHEREAS, Sub Regional Officer, Pimpri Chinchwad has submitted legal action proposal vide reference (3) above and reported that,

- (1) The domestic effluent generated from the Pimpri Chinchwad Municipal Corporation area meets to the River Mula through the various Nallas and Ramnadi.
- (2) The treated domestic effluent from Pimple Nilakh STP discharge into the River upstream of fish kill incident.

2...


..2..

(3) The JVS results of Pimple Nilakh STP from April-2024 to Aug-2024 is between range 6.8 mg/lit to 22.3 mg/ lit for parameter BOD and 20.0 mg/lit to 64.0 mg/lit for parameter COD, which is exceeding the prescribed limit.

NOWTHEREFORE, you are hereby called upon to show cause as to why legal action shall not be initiated against you under the Water (P & CP) Act, 1974 and the Air (P & CP) Act, 1981.

The reply to this show cause notice and time bound action plan shall submit to this office **within 07 days** from the date of issuance of this notice, failing which, further legal action as deem fit shall be initiated, which may please be noted.

For and on behalf of M.P.C. Board


(J. S. Salunkhe) 18/11/24

Regional Officer, Pune

Copy Submitted for information to :-

1. Joint Director (APC), M.P.C. Board, Mumbai.
2. Joint Director (WPC), M.P.C. Board, Mumbai.

Copy to- The Sub-Regional Officer, M.P.C. Board, Pimpri Chinchwad :- For follow up action please.



**MAHARASHTRA POLLUTION CONTROL BOARD
REGIONAL OFFICE - PUNE**

Phone No. 020-25811694
Fax No. 020-25811701
e-mail : ropune@mpcb.gov.in
visit us : www.mpcb.gov.in



"Your Service is our Duty"

Jog Centre, 3rd Floor,
Wakdevadi,
Old-Pune Mumbai Road,
Pune- 411003

MPCB/ROP/SCN/ 2A11180012

Date: 18/11/2024

To,

The Superintendent Engineer (Electrical),
Pune Municipal Corporation,
PMC Building, Shivajinagar, Pune

Sub: Show Cause Notice.

- Ref :** 1) News appeared in daily news paper on 23/09/2024 regarding the Fishkill incident in Mula River near to the Pimple Nilakh Crematorium, Pune.
2) Visit of Board's Officials at fish killing incident site 23/09/2024
3) Proposal for legal actions submitted by the Sub Regional Officer, Pimpri Chinchwad vide letter no. MPCB-LEGAL-ACTIONS-260924006, Dtd. 30/09/2024

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AND WHEREAS, it is obligatory on your part to maintain the wholesomeness of Water Quality of the Natural Water Bodies including aquatic flora and fauna life by avoiding contamination of water.

AND WHEREAS, Fishkill incident in Mula River near Pimple Nilakh Crematorium was happened on 23/09/2024 and accordingly the Board's Officials have visited to the incident site and carried out inspection on 23/09/2024 with the collection of water samples from the Mula River and near area.

AND WHEREAS, Sub Regional Officer, Pimpri Chinchwad has submitted legal action proposal vide reference (3) above and reported that,

- (1) The domestic effluent generated from the Pune Municipal Corporation area meets to the River Mula through the various Nallas and Ramnadi.
- (2) The treated domestic effluent from Baner STP discharge into the River upstream of fish kill incident.

..2..

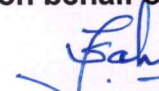
2...

- (3) The JVS results of outlet of Baner STP from April-2024 to Aug-2024 is between 20.0 mg/lit to 132.0 mg/lit for parameter COD, which is exceeding the prescribed limit.

NOWHEREFORE, you are hereby called upon to show cause as to why legal action shall not be initiated against you under the Water (P & CP) Act, 1974 and the Air (P & CP) Act, 1981.

The reply to this show cause notice and time bound action plan shall submit to this office **within 07 days** from the date of issuance of this notice, failing which, further legal action as deem fit shall be initiated, which may please be noted.

For and on behalf of M.P.C. Board


(J. S. Salunkhe) 18.11.24

Regional Officer, Pune

Copy Submitted for information to :-

1. Joint Director (APC), M.P.C. Board, Mumbai.
2. Joint Director (WPC), M.P.C. Board, Mumbai.

Copy to- The Sub-Regional Officer, M.P.C. Board, Pune- I:- For follow up action please.

