

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

**EXECUTION APPLICATION NO.10/2022(WZ)**

**I.A. NO.170/2022(WZ)**

**ORIGINAL APPLICATION NO.69/2021(WZ)**

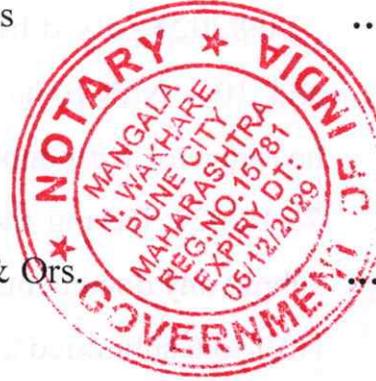
Mahendra Govind Hasbnis

.... Applicant

Versus

Cikautxo India Pvt. Ltd. & Ors.

.... Respondents



**AFFIDAVIT IN REPLY ON BEHALF OF MAHARASHTRA  
POLLUTION CONTROL BOARD i.e. RESPONDENT NO. 9  
& 10.**

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 Affidavit in Reply in compliance of the orders dated 12/09/2024 and 17/12/2024 passed by this Hon'ble National Green Tribunal, wherein this Hon'ble Tribunal directed the documents annexed to the affidavit of Respondents Nos. 1 to 6 shall be reviewed by the MPCB

within a period of two weeks. Thereafter, the MPCB shall determine the EDC amount after affording an opportunity of hearing to the said Respondents, by fixing a formal date of hearing.

- (2) I say and submit that in compliance with the order dated 12/09/2024 passed by this Hon'ble NGT, Respondent No. 9 and 10 - MPCB has given an opportunity for a personal hearing to Respondents No. 1 to 6 and Applicant on 7/11/2024. During the hearing, Respondents No. 1 to 6 not submit any documents, After the time period, the Respondents No 1 to 6 submitted the documents on 27/11/2024. Thereafter as per the Applicant's request due to health issue, the MPCB granted a second opportunity for a personal hearing, which was scheduled on 06/12/2024.



- (3) I say and submit that on the basis of discussion held on personal hearing the Respondent Board has assessed Environment Damage Compensation is as below-

Environment Compensation to be levied on Industrial Unit M/s. Cikautxo India Pvt. Ltd., S. No. 662, Talegaon Dabhade, Tal. Maval, Dist. Pune

Methodology of CPCB confirmed by Hon'ble NGT O.A. 593/2017 (arising from W.P. (Civil) No. 375/2012 on the file of the Hon'ble Supreme Court) Paryavaran Suraksha Samiti & Anr. Applicant(s) Versus Union of India & Ors. Respondent(s) dated 28.08.2019

Formula:  $EC (Rs.) = PI \times N \times R \times S \times LF,$

Since it is Orange large scale unit, wherein, PI taken as 50, R taken as Rs. 250, Sand LF may be taken as prescribed in the preceding paragraphs the RO issued PD to the industry on 26.11.2019 on the basis of visit report dated 23.09.2019 and compliance report verified by MPCB Officials on 25.05.2021.

Therefore, the revised calculation of EDC to be levied is as under:

1	PI	Pollution Index of industrial sector (Consent categorisation)	50
2	N	Date of visit report on the basis of which Directions issued by MPCB on 26.11.2019	23.09.2019
		Date of Compliance report verified by Board Officer	01.06.2021
		No. of days violation	617
3	R	A factor in Rupees	250
4	S	Scale of operation (LSI= 1.5, MSI=1, SSI=0.5)	1.5
5	LF	Location factor (Population in million, less than 1=1, 1 to less than 5=1.25, 5 to less 10= 1.5, 10 and above=2)	1.25
	EC in Rupees	$PI \times N \times R \times S \times LF$	<b>14460937.5</b>

- (4) The total amount of Environment Damage Compensation is Rs. 14460937.5/-

(5) Hence this Additional Affidavit.

Solemnly affirmed on this 11<sup>th</sup> day of April 2025 at Pune.

I know the affiant

For and on behalf of Maharashtra  
Pollution Control Board i.e.  
Respondent No. 9 & 10.

ADVOCATE

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

**BEFORE ME**

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

11 APR 2025

11 APR 2025

11 APR 2025

