

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH AT KOLKATA
ORIGINAL APPLICATION. NO. 74/2017/EZ

IN THE MATTER OF:

MR. TAI MAYA

.....Petitioner

VERSUS

UNION OF INDIA & ORS

.....Respondent

INDEX

SI.NO	PARTICULARS	PAGE NO
1.	Affidavit on behalf of Arunachal Pradesh State Pollution Control Board (APSPCB), Naharlagun.	1-3
2.	ANNEXURE-A True copies of the appeal filed by M/s Puna Hinda Construction Private Limited before the State Appellate Authority.	4-13
3.	ANNEXURE-B True copy of the details of information sought in tabular form.	14-20
4.	ANNEXURE-C True copy of the summon to the accused (Managing Director, M/s KNR Construction Limited issued by the Hon'ble CJM Court, Yupia, District Papum Pare, Arunachal Pradesh.	21
5.	ANNEXURE-D True copy of the summon to the accused (Managing Director, M/s TK Engineering Consortium Private Limited) issued by the Hon'ble CJM Court, Yupia, District Papum Pare, Arunachal Pradesh.	22

Respondent No.4

CBS

6/05/2022
EXECUTIVE MAGISTRATE
Itanagar Capital Complex
ITANAGAR

6/5/22

MEMBER SECRETARY
State Pollution Control Board
Department of Environment & Forest
Naharlagun, A.P.

BEFORE THE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH AT KOLKATA
O.A. NO. 74/2017/EZ
MR. TAI MAYA
VS
UNION OF INDIA & ORS

Affidavit on behalf of Respondent No. 4 (ARUNACHAL PRADESH STATE POLLUTION CONTROL BOARD) in compliance of order dated 30.03.2022.

1. I, Smt. Koj Rinya, IFS, daughter of Shri Koj Tajang aged about 42 years working as Member Secretary, Arunachal Pradesh State Pollution Control Board (herein after to be referred as "the Board"), and am duly authorized by competent authority to make this reply on behalf of the Respondent No-4, the Board, and here by solemnly state and affirm as follows:
2. That, I have gone through the order dated 30/03/2022 passed by Hon'ble NGT, Eastern Zone, Kolkata and have understood the contents there in. I have been duly authorized by the competent authority to swear this affidavit on behalf of Respondent No-4. Further, it is stated that I have gone through the relevant files and records.
3. At the very outset, I, most humbly tender my sincere & unconditional apology before your lordships for failing to apprise the Hon'ble Court on the queries.

As per the judgment order dated 30.03.2022, the parawise reply is furnished as below:

4. The answering respondent humbly submits that M/s Puna Hinda Construction Private Limited has filed an appeal before the State Appellate Authority vide number PH/PMYWORK/2021-22/01 dated 21.02.2022 stating that two laning of Pasighat to Singer road in the state of Arunachal Pradesh under SARDP-NE was awarded to M/s JKM Infra Project Limited with its

c/s
6/05/2022
EXECUTIVE MAGISTRATE
Itanagar Capital Complex
ITANAGAR

6/5/22
MEMBER SECRETARY
State Pollution Control Board
Department of Environment & Forest
Nashik, A.P.

registered office at C-84, Greater Kailash, Part -1, New Delhi- 110048, by the office of the Chief Engineer (Highway), PWD, Government of Arunachal Pradesh.

True copies of the Appeal filed by M/s Puna Hinda Construction Private Limited before the State Appellate Authority is enclosed as **ANNEXURE-A**.

Further, it is to clarify that JKM stands for M/s JKM Infra Project Limited and the local people of the area refer to M/s JKM Infra Project Limited as Jai Kali Maa/JKM in short.

Respondent no. 11 is M/s Jugal Kishore Mohanta, Ivory Enclave, RGB road, Guwahati, Kamrup, Assam and not M/s JKM Infra Private Limited (JKM), C-84, Greater Kailash, Part -1, New Delhi- 110048.

- 5. The answering respondent humbly submits that M/s Jugal Kishore Mohanta, Kamrup, Assam was carrying out two lanning of Akajan-Likabali-Bam Road from 12.00 km to 33.00 km (existing 12.00 to 36.00), in West Siang District, Arunachal Pradesh.
- 6. The answering respondent humbly submits that M/s JKM Infra Project and M/s Jugal Kishore Mohanta are two different executing agencies.
- 7. The answering respondent humbly submits that all proper assistance in the form of best information and knowledge available is provided in the above paragraphs.
- 8. The answering respondent humbly submits that the details of the information sought in tabular form is enclosed as **ANNEXURE- B**.
- 9. Not related to the answering Respondent, hence, no comments.

c/s
 M
 6/05/2022
EXECUTIVE MAGISTRATE
 Itanagar Capital Complex
ITANAGAR

6/5/22
MEMBER SECRETARY
 State Pollution Control Board
 Department of Environment & Forest
 Nabu, Jun, A.P.

PRAYER

The answering respondent humbly informs that the two laning project is already completed and the executing agencies are no longer present at the sites. The areas where the muck was dumped/levelled earlier on the request of the locals are stabilized with natural vegetation.

In view of the above facts and circumstances stated above and in the interest of justice, it is most respectfully prayed that the Hon'ble Tribunal may pass any order as may deem fit and in favour of the Respondent No. 4.

Lij 6/5/22

Member Secretary

Arunachal Pradesh State Pollution Control Board

MEMBER SECRETARY
State Pollution Control Board
Department of Environment & Forest
Naharlagun, A.P.

VERIFICATION

I, the deponent above named, do hereby verified at Naharlagun on this ^{6th}..... day of May, 2022 that the contents of my reply affidavit are true and correct to the best of my knowledge and belief. No part of the same is false and nothing material has been concealed therefrom.



Lij 6/5/22

DEPONENT

Member Secretary

Arunachal Pradesh State Pollution Control Board

MEMBER SECRETARY
State Pollution Control Board
Department of Environment & Forest
Naharlagun, A.P.

M 6/05/2022

Sworn in before me:
EXECUTIVE MAGISTRATE
Itanagar Capital Complex
ITANAGAR

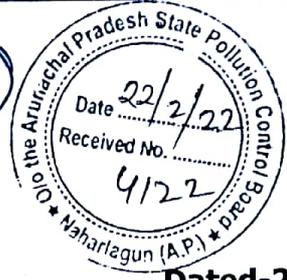


M/s PUNA HINDA (4)

Deals in: Construction of Road, Bridge & Building etc.
Govt. Reg. PWD (A.P) Class-I under Civil Category, Contractor Reg. No. CEAP (D&P) PLG-48/2008
-09/1/14 (Memo No. CEAP(CSQ)/W-48/1/14/2019-20/94) T.L No. IMC/DEV-86/2013/263,
IT Exempted Reg. No. W-1/TEZ/1844, GSTIN No. 12ABMPH5685D1ZQ, PAN No. ABMPH5685D

Ref No. PH/APSPCB/2021-22/02

ANNEXURE - A



Date:

Dated-21.02.2022

To,
**Member secretary
Arunachal Pradesh state pollution control Board
Paryavaran Bhawan, papu hill
Yupia Road, Naharlagun.**

Sub-Levy of Environmental compensation for alleged violation of Environmental Norms.

Ref- office letter no. APSPCB-150/2017/MUCK/NGT/4621 dated 05-01-2022

Sir,

Most respectfully and in the matter above reference we would like to inform you that being aggrieved and dissatisfied by the order dated 26-11-20121 passed by Hon'ble National Green tribunal, Eastern zone, Kolkata in original application No. 74 of 2017 (Tai maya Vs Union of India & otrs) and the consequential order dated 05-01-22 passed by your good self. We have prefer and filed an Appeal before the concern Appellate authority of Water (Prevention and control of pollution), Act, 1974 and Air (Prevention and control of pollution) Act, 1981 Govt. of Arunachal Pradesh constitute by Government of Arunachal Pradesh office vide. Notification dated 02-01018 bearing office memo No.FOR(Env)-52/2017/1519-1619.

Therefore we sincerely request you kindly not to initiate any Environmental compensation (E.C) proceeding as the levy and imposition of the penalty order dated 05-01-22 itself is under challenge before the concerned Appellate Authority.

For your kind information and necessary action please.

Thanking you
Yours faithfully
For M/s. Puna Hinda



C/S
10/2/2022
**EXECUTIVE MAGISTRATE
Itanagar Capital Complex
ITANAGAR**

Copy enclosed

1. Received Appeal copy by Member, Appellate Authority Govt. of A.P

H.S.
6/5/22
**MEMBER SECRETARY
State Pollution Control Board
Department of Environment & Forest
Naharlagun, A.P.**

ref No. PH/PHYKOR/20.21-22/01

Date: 21/02/2022

To,

Chief Engineer, PHED (Member)
Appellate authority
Water (Prevention and control of pollution), Act, 1974
Air (Prevention and control of pollution) Act, 1981
Govt. of Arunachal Pradesh.

Sub- Appeal presented against the Levying of environmental compensation on M/s. Puna Hinda construction for violation of environmental norms while executing the 2-laning of pasighat-Maryiang-yingkong Road project, Arunachal Pradesh.

Ref-Office Memo No. APSPCB-150/2017/MUCK/DSPSL/NGT/4620 dated 5/01/2022 issued by Arunachal Pradesh Pollution control Board.

Sir,

With all sacrosanct respect I undersigned sole propertier of M/s. PunaHinda and as an appellat in the instant appeal being highly aggrieved and dissatisfied with the said impugned order No. APSPCB-150/2017/MUCK/DSPSL/NGT/4620 dated 05-01-22 issued by Arunachal Pradesh Pollution control Board begs to prefer this appeal on the following grounds amongst other.

1. That sir on basis of direction and order given by Hon'ble National Green tribunal (Eastern Zone), Kolkata, India in original Application no. 74 of 2017 (Tai maya vs Union of India & otrs case) Arunachal Pradesh Pollution control Board had inadvertently without going through ground facts levied Environmental compensation upon the concern firm i.e. M/s. Puna Hinda.

A copy of order dated 05-01-22 has been annexed herewith and marked as Annexure-I.

Received by
[Signature]
21/02/2022

[Signature]
EXECUTIVE MAGISTRATE
Itanagar Capital Complex
ITANAGAR

[Signature] 6/5/22
MEMBER SECRETARY
State Pollution Control Board
Department of Environment & Forest
Itanagar, A.P.

2. That Sir, the Contract for construction of "2 (two) Laning of Pasighat - Singer River from Km 0.00 (Pasighat) to Singer (Existing Km 22.00) (Net length =19.887 Kms) in the state of Arunachal Pradesh under SARDP-NE (Job No. Pasighat-Singer- River-Ar. Package-2010-11-018" was awarded to M/s JKM Infra Projects Limited with its Registered office at C-84, Greater Kailash, Part-I, New Delhi- 110048 by Office of the Chief Engineer (Highways) PWD, Itanagar, Govt. of Arunachal Pradesh vide Agreement No. CE (HW)/05 of 2010-11 dated 08th October 2010.

A Copy of the agreement has been annexed herewith and marked as Annexure-II

3. That Sir, the work was commenced by the Contracting Agency M/s JKM Infra Projects Limited on 28th October 2010 and the work was physically completed in the month of October 2017. The formation cutting works were completed well before December 2015 and as per our information the muck disposal during formation cutting have been carried out as per the procedure in vogue set forth by the Government agencies.

4. That Sir, further it is also pertinent to mention here that the Contract for the said project was awarded to M/s JKM Infra Projects Limited and not to M/s. Puna Hinda. The major portion of the work was executed and completed by M/s JKM Infra Projects Limited and M/s. Puna Hinda was engaged to complete the balance structural and surfacing works such as construction of culverts, retaining/ breast walls, drains, left over bituminous works etc. on behalf of M/s JKM Infra Projects Limited on Power of Attorney and same has been confirmed and affirmed by the office of Chief Engineer (Highways) zone, PWD, Arunachal Pradesh while replying/ clarifying the matter to the Arunachal Pollution control Board viz. reverting their office letter No. APSPCB-150/2017/MUCK/NGT/4803 dated 02-01-22.

c/s
 [Signature]
 EXECUTIVE MAGISTRATE
 Itanagar Capital Complex
 ITANAGAR

[Signature] 6/5/22
 MEMBER SECRETARY
 State Pollution Control Board
 Department of Environment & Forest
 Namsai, A.P.

A copy of letter issued by the office of Chief Engineer (Highways) zone, PWD, Arunachal Pradesh vide their office letter No. CEAP(HW)/WTC/186/PS/2021-22/4432 dated 07-02-2022 has been annexed herewith and marked as Annexure-III.

In the premises aforesaid, it is most respectfully prayed that the appellate authority may pleased to admit this appeal, call for any necessary and relevant records from appropriate concern authority. And accordingly, may discharge M/s. Puna Hinda from the instant Environmental compensation proceeding as such the concern firm was wrongly impleaded in the instant proceeding in place of M/s. JKM infra projects Limited.

It is further prayed that pending disposal of this appeal, your good office may be pleased to stay the operation of the Impugned order dated 05-01-22 (Annexure-I) passed by the Arunachal Pradesh Pollution control Board or may be pleased to pass any order/orders as may deem fit proper in the given facts and circumstances and further, for the end of justice.

And for this act of kindness the appellant as in duty bound shall ever pray.



[Signature]
Puna Hinda
(Appellant)

Copy to:

- 1. Development Commissioner (Finance) - (Chairman) Appellate Authority
- 2. Joint Secretary (Law) - (Member) Appellate Authority

C/S
[Signature]
EXECUTIVE MAGISTRATE
Itanagar Capital Complex
ITANAGAR

[Signature] 6/5/22
MEMBER SECRETARY
State Pollution Control Board
Department of Environment & Forest
Nayur-gun, A.P.



GOVERNMENT OF ARUNACHAL PRADESH
ARUNACHAL PRADESH STATE POLLUTION CONTROL BOARD
PARYAVARAN BHAWAN, PAPU HILL, YUPIA ROAD
NAHARLAGUN



No. APSPCB-150/2017/MUCK/DSPSL/NGT/4620

Dated 5/01/2022

ORDER

Sub: Levying environmental compensation on M/s Puna Hinda Construction Private Limited for violation of environmental norms while executing the 2-laning of Pasighat-Maryang-Yingkiang Road Project, Arunachal Pradesh-reg

WHEREAS, M/s Puna Hinda Construction Private Limited was imposed environmental compensation of Rs.50,00,000/- (rupees fifty lakhs) only vide letter No.APSPCB-150/2017/MCK/DSPSL/NGT/3810-14 dated 21.09.2021 payable within 30 days from the date of issue without fail and on lapse of the above said period, an interest @ 12% on environmental compensation amount shall be accrued, at the risk and responsibility of M/s Puna Hinda Construction Private Limited.

WHEREAS, M/s Puna Hinda Construction Private Limited has wilfully failed to comply with the direction of the State Pollution Control Board and has not deposited the above mentioned amount till date.

NOW THEREFORE, in exercise of power conferred under Section 33(A) of Water (Prevention and Control of Pollution) Act, 1974, Section 37 of Air (Prevention and Control of Pollution) Act, 1981 and Section 5 of the Environment (Protection) Act, 1986 respectively, read with the direction of Hon'ble NGT in Original Application No.74 of 2017, M/s Puna Hinda Construction Private Limited is hereby directed to deposit an amount of Rs.56,00,000/- (environmental compensation charge of Rs.50,00,000/- + 12% interest accrued on environmental compensation charge) within a period of 10 (Ten) days from the date of issue of this letter, failing which will invite punitive action against the contractor. The environmental compensation charge may be deposited by way of demand draft in favour of Member Secretary, APSPCB or by RTGS in the given account details:

(a)	Name of the payee(As approved in passbook)	Arunachal Pradesh State Pollution Control Board
(b)	Bank Account Number	38919510543
(c)	Bank	State bank of India
(d)	Branch	Naharlagun
(e)	IFSC Code	SBIN0003232
(f)	Email ID	arunachalspcb@gmail.com

(Koj Rinda, IFS)
Member Secretary

Member Secretary
APSPCB
Naharlagun

To, ✓
The Managing Director
M/s Puna Hinda Construction Private Limited
Add: Times Library, Ganga, Akashdeep
Email:punahinda@gmail.com
Itanagar

EXECUTIVE MAGISTRATE
Itanagar Capital Complex
ITANAGAR

MEMBER SECRETARY
State Pollution Control Board
Department of Environment & Forests
Naharlagun, A.P.

ParyavaranBhawan, Papu Hill, Yupia Road, Naharlagun-791 110
E-mail: arunachalspcb@gmail.com, Website: www.apspcb.org.in

Scanned by CamScanner

Scanned by CamScanner

000001

Agreement Form

Agreement

This agreement, made the 8th day of October 2010 between the Chief Engineer(Highways), PWD, Itanagar, Arunachal Pradesh on behalf of Governor of Arunachal Pradesh[Hereinafter called "the Employer] and M/s JKM Infra Projects Limited, C-84, Greater Kailash, New Delhi-1100048, hereinafter called" the Contractor" of the other part.

Whereas the Employer is desirous that the contractor execute the" 2 laning of Pasighat-Mariyang-Yingkiong Road from Km 0.00 to 19.887(Road from Pasighat to Singer river) in the State of Arunachal Pradesh under SARDP-NE."hereinafter called "the Works" and the Employer has accepted the Bid by the contractor for the execution and completion of such works and the remedying of any defects therein, at a cost of Rs 80,65,62,309.00(Rupees Eighty Crore Sixty Five lakhs Sixty two thousand Three hundred Nine Only).

NOW THIS AGREEMENT WITNESSETH as follows:-

1. In this Agreement, words and expression shall have the same meanings as are respectively assigned to them in the conditions of contract hereinafter referred to and they shall be deemed to form and be read and construed as part of this Agreement.
2. In Consideration of the payments to be made by the Employer to the Contractor as hereinafter mentioned, the contractor hereby covenants with the Employer to execute and complete the works and remedy any defects therein in conformity in all aspects with the provisions of the contract.
3. The Employer hereby covenants to pay the contractor in consideration of the execution and completion of the works and the remedying the defects wherein Contract Price or such other sum as may become payable under the provisions of the Contract at the times and in the manner prescribed by the contract.
4. The following documents shall be deemed to form and be read and construed as part of this agreement viz.
 - i) Letter of Acceptance.
 - ii) Notice to proceed with the works
 - iii) Contractor's Bid

[Signature]
8/10/2010
CE (H/M)
PWD

C/S
1
[Signature]
6/10/2010
EXECUTIVE MAGISTRATE
Itanagar Capital Complex
ITANAGAR

[Signature]
6/10/2010
MEMBER SECRETARY
State Pollution Control Board
Department of Environment & Forest
Itanagar, A.P.
For JKM Infra Projects Limited
[Signature]
Authorised Signatory

000002

- iv) Condition of Contract: General and Special
- v) Contract Data
- vi) Additional Conditions
- vii) Drawings
- viii) Bill of Quantities
- ix) Any other documents listed in the contract Data as forming part of the Contract and other subsequent correspondences thereof.

In Witnessed whereof the parties there to have caused this Agreement to be executed the day and year first before written.

The common Seal of.....
Was hereunto affixed in the presence of:

Signed, Sealed and Delivered by the said.....
In the presence of:

Binding Signature of Employer.....

[Handwritten Signature]
 8/10/20
Chief Engineer (High V. Sys)
P.W.D. A.P. Itanagar
Ph-701 111

Binding Signature of Contractor.....

For JKM Infra Projects Limited

[Handwritten Signature]
Authorised Signatory

C/S *[Handwritten Signature]* 6/5/22

[Handwritten Signature] 6/5/22
EXECUTIVE MAGISTRATE
Itanagar Capital Complex
4TANAGAR

MEMBER SECRETARY
State Pollution Control Board
Department of Environment & Forest
Narasimhan, A.P.

000003

GOVERNMENT OF ARUNACHAL PRADESH
PUBLIC WORKS DEPARTMENT

PHONE : 0360-2290543
FAX : 0360-2290875
EMAIL : cehwzone@gmail.com

OFFICE OF THE CHIEF ENGINEER(HIGHWAYS)
PWD, ARUNACHAL PRADESH, ITANAGAR

No. CEAP(HW)/WTC-162/PMY Road/2010-11/2267 Dated Itanagar, the 24th Sept' 2010

To

M/s JKM Infra Projects Limited,
C-84, Greater Kailash,
New Delhi-1100048
Tele: 011-47666900
Fax : 011-26348809

Sub:- Letter of Acceptance for " 2 laning of Pasighat-Mariyang-Yingkiong Road from Km 0.00 to 19.887(Road from Pasighat to Singer river) in the State of Arunachal Pradesh" under SARDP-NE.

Dear Sir(s),

This is to notify that your Bid for the execution of the work " 2 laning of Pasighat-Mariyang-Yingkiong Road from Km 0.00 to Km 19.887(Road from Pasighat to Singer river) in the State of Arunachal Pradesh" for the Contract Price of Rs 80,65,62,309.00 (Rupees Eighty Crore Sixty Five lakhs Sixty two thousand Three hundred Nine Only), as corrected and modified in accordance with the Instructions to Bidders is hereby accepted by this office.

You are hereby requested to furnish Performance Security, in the form detailed in Para 34.1 of ITB for an amount equivalent to Rs 4,03,28,115.00 (Rupees Four Crore Three lakhs Twenty Eight thousand One hundred fifteen only) within 21 days of the receipt of this letter of acceptance valid upto 12/11/2013 which is inclusive of 28 days from the date of expiry of Defects liability Period and sign the contract, failing of which action as stated in Para 34.3 of ITB will be taken.

Yours Faithfully

(Bora Ete)

Chief Engineer,
Highways, PWD, Arunachal Pradesh
Itanagar

For JKM Infra Projects Limited

Authorised Signatory

EXECUTIVE MAGISTRATE
Itanagar Capital Complex
ITANAGAR

MEMBER SECRETARY
State Pollution Control Board
Department of Environment & Forest
Naxosgun, A.P.

000004

No. CEAP(HW)/WTC-162/PMY Road/2010-14/2260-67 Dated Itanagar, the 24th Sept' 2010

Copy to:-

1. The Principal Secretary(PWD), Government of Arunachal Pradesh, Itanagar-791111 for kind information please
2. The Chief Engineer(P-9), MoRTH, Transport Bhawan, 1, Parliament Street, New Delhi-110001 for information please
3. The Regional Officer, MoRTH, Western Zone Complex, Itanagar 791111 for information please.
4. The Superintending Engineer, Boleng Circle Circle, PWD, Arunachal Pradesh for information and necessary action please
5. The Executive Engineer, PWD, Pasighat, Arunachal Pradesh for information and necessary action please.
6. The Regional Pay and Accounts Officer(NH), MoRTH, Hrishikeshayan, Hriday Ranjan Path, 6th Byelane(W), R.G Baruah Road, Guwahati-781003.
7. Office Order


 (Bora Etc)
 Chief Engineer, Highways,
 PWD, Itanagar, Arunachal Pradesh

For JKM Infra Projects Limited


 Authorised Signatory


 CE (HW)
 PWD

C/S

 EXECUTIVE MAGISTRATE
 Itanagar Capital Complex
 ITANAGAR 4


 MEMBER SECRETARY
 State Pollution Control Board
 Department of Environment & Forest
 Namsai Jun, A.P.

ANNEXURE-III

13

GOVERNMENT OF ARUNACHAL PRADESH
PUBLIC WORKS DEPARTMENT

PHONE : 0360-2290543
FAX : 0360-2290875
EMAIL : cehwzone@gmail.com

OFFICE OF THE CHIEF ENGINEER (HIGHWAYS)
ZONE, PWD, AP, ITANAGAR

No. CEAP(HW) / WTC- 186/PS /2021-22/ 4432

Dated: 7/2/22

To,

Shri Koj Rinya (IFS)
Member Secretary, APSPCB
Naharlagun

Sub: Clarification on 2-laning of Pasighat Singer River from Km 0.00 (Pasighat) to Singer (existing Km 22.00) (Net length = 19.887Km) in the state of Arunachal Pradesh.

Ref :- No. APSPCB-150/2017/Muck/DSPSL/NGT/4803 dated 02.01.2022.

Sir,

In response to your letter above, it is to clarify that the work was awarded to M/S JKM Infra Project Ltd. C-27, Sector-26, Noida-201301, Utter Pradesh, e-mail ID del@jkminfra.com who also had executed this work through a Contract Agreement No. CEAP(HW)/2010-11/05 dated 08.10.2010.

This is for your information and further necessary action please.

Yours faithfully,

[Signature]
Assistant Engineer (P)
for Chief Engineer, (HW)
PWD, AP. Itanagar

[Signature]
EXECUTIVE MAGISTRATE
Itanagar Capital Complex
ITANAGAR

[Signature]
MEMBER SECRETARY
State Pollution Control Board
Department of Environment & Forest
Naharlagun, A.P.

(A)

ANNEXURE-B

Details of violations carried out by different Agencies

SI No. 1	M/s Puna Hinda Constructions Private Limited	
Stretch	Pasighat-Mariyang-Yingkiong Road Project & Pangin-Pasighat Road Project	
violation	At some places muck dumping was done at non designated sites as per the request of the locals/land owners.	
	Action Taken	Present Status
	<p>The Board had imposed on M/s Puna Hinda Construction Private Limited a penalty of Rs. 50,00,000/- (Rupees Fifty Lakhs only) under section 5 of Environment (Protection) Act, 1986, vide No.APSPCB-150/2017/MCK/DSPSL/NGT/3810-14 dated 21.09.2021, which was to be deposited within 30 days and on failure to do so, an interest @ 12% on the Environmental Compensation amount shall accrue.</p>	<p>M/s Puna Hinda Construction Private Limited has vide letter No.PH/P-SR/0 to 19.887/21-22/03 dated 11th January, 2022 addressed to the Member Secretary, Arunachal Pradesh State Pollution Control Board has stated that the road construction work was awarded to M/s JKM Infra Projects Limited, C-84, Greater Kailash, Part-I, New Delhi-110048 and that the work was commenced by the contracting Agency (M/s JKM Infra Projects Limited) from 28th October, 2010 and was physically completed in the month of October, 2017. M/s Puna Hinda Construction Private Limited has further stated that the company was engaged as a sub-contractor only to complete the balance structural and surfacing works such as construction of culverts, retaining/breast walls, drains, left over bituminous works etc.</p>
	<p>Again vide letter No. APSPCB-150/2017/MCK/DSPSL/NGT/4620 dated</p>	

cts
15/12/22
EXECUTIVE MAGISTRATE
Itanagar Capital Complex

6/5/22
MEMBER SECRETARY
State Pollution Control Board
Department of Environment & Forest
Nayabgunj, A.P.

	<p>05.01.2022 the Board directed M/s Puna Hinda Construction Private Limited, to deposit the Environmental Compensation amount of Rs. 56,00,000/- (Rupees Fifty Six Lakhs), which was inclusive of Rs. 6,00,000/- (Rupees Six Lakhs) as interest @ 12% computed thereon.</p>	
	<p>Further, to ascertain the claims made by M/s Puna Hinda Construction Private Limited, a letter vide No. APSPCB-150/2017/MUCK/DSPSL/NGT/4803 dated 02.02.2022 was written to the Chief Engineer, Public Work Department (Highway), Government of Arunachal Pradesh.</p>	<p>The office of the Chief Engineer, Public Work Department (Highway), Government of Arunachal Pradesh has vide letter No. CEAP(HW)/WTC-186/PS/2021-22/4432 dated 07/02/2022 clarified that the 2-Laning of Pasighat-Singer River Road from Km 0.00 (Pasighat) to Singer (existing Km 22.00) (Net Length=19.887 Km) in the State of Arunachal Pradesh was awarded to M/s JKM Infra Project Limited, C-84, Greater Kailash, Part -1, New Delhi- 110048.</p>
	<p>Therefore, on receipt of the clarification from the Public Work Department (Highway), Government of Arunachal Pradesh, a fresh Environmental Compensation of Rs. 50,00,000/- (Rupees Fifty Lakhs only) had been levied against M/s JKM Infra Project Limited, C-27, Sector-26, Noida, Uttar Pradesh vide this office Notice No.APSPCB-150/2017/MUCK/DSPSL/NGT/4878 dated 16.02.2022. Time period for deposition of Environmental Compensation by M/s JKM Infra</p>	<p>M/s Puna Hinda Construction Private Limited has appealed before the State Appellate Authority vide No.PH/PHY work/2021-22/02 dated 21/02/2022, against the order issued by the Board.</p>

C/S
10/2/2022
EXECUTIVE MAGISTRATE
 Itanagar Capital Complex

6/5/22
MEMBER SECRETARY
 State Pollution Control Board
 Department of Environment & Forest
 Namsai Jun, A.P.

	Project Limited, C-27, Sector-26, Noida, Uttar Pradesh has lapsed. Therefore, a reminder letter has been sent to them, for early deposition of Environmental Compensation, failing which punitive action would be initiated against them.	
SI No. 2	M/s Bhartia Infra Private Limited (M/s ABL-BIPL (JV) (Ashoka Buildcon Limited-Bhartia Infra Project Limited (Joint Venture))	
Stretch	Pasihat-Mariyang-Yingkiong Road Project	
violation	At some places muck dumping was done at non designated sites as per the request of the locals/land owners.	
	Action Taken	Present Status
	The Board had imposed on M/s Ashoka Buildcon Limited-Bhartia Infra Project Limited (Joint Venture)/M/s BIPL penalty of Rs. 50,00,000/- (Rupees Fifty Lakhs only) under section 5 of Environment (Protection) Act,1986,vide No.APSPCB-150/2017/MCK/DSPSL/NGT/4623 dated 05.01.2022, which was to be deposited within 7 (seven) days and on failure to do so, an interest @ 12% on the Environmental Compensation amount shall accrue.	M/s Bhartia Infra Project Limited has appealed before the State Appellate Authority. The State Appellate Authority has received the Appeal made by M/s Bhartia Infra Project Limited with Appeal No.502/2022 dated 09.02.2022.

C/S
11/05/2022
Y. J. S. / 22
EXECUTIVE MAGISTRATE
 Itanagar Capital Complex
 201010

MEMBER SECRETARY
 State Pollution Control Board
 Department of Environment & Forest
 Mahatma Jyoti Bapu, A.P.

(7)

SI No. 3	M/s KNR Construction Limited (KNRCL)	
Stretch	Pasighat-Mariyang-Yingkiong Road Project	
violation	<ul style="list-style-type: none">At some places muck dumping was done at non designated sites as per the request of the locals/land owners.At Rane Hills, Upper Siang District, Arunachal Pradesh, the Company was found cutting the high rocky hill with the help of forkland. The cut rocks was observed to be directing falling into the stream.	
	Action Taken	Present Status
	<p>The Board had imposed on M/s KNRCL a penalty of Rs. 50,00,000/- (Rupees Fifty Lakhs only) under section 5 of Environment (Protection) Act, 1986, vide No. APSPCB-150/2017/MCK/DSPSL/NGT/ 3805-09 dated 21.09.2021, which was to be deposited within 30 (thirty) days and on failure to do so, an interest @ 12% on the Environmental Compensation amount shall accrue.</p>	
	<p>Whereas, the Company has wilfully failed to comply, therefore, another order vide No. APSPCB-150/2017/MCK/DSPSL/NGT/4619 dated 05.01.2022 for deposition of penalty of 56,00,000/- (Rupees fifty six Lakhs) which is inclusive of 12 % interest of accrued on Environmental Compensation charge with a period of 10 (ten) days.</p>	

CG
10/5/2022
EXECUTIVE MAGISTRATE
Itanagar Capital Complex
ITANAGAR

6/5/22
MEMBER SECRETARY
STATE POLLUTION CONTROL BOARD
Department of Environment & Forest
Itanagar, A.P.

	<p>M/s KNR Construction Limited being Complaint Case No.13/2022 under section 49 of the Water (Prevention and Control of Pollution) Act, 1974, and under section 43 of the Air (Prevention and Control of Pollution) Act, 1981 read with section 190 of the Criminal Procedure Code 1973 Act in the Court of Chief Judicial Magistrate, Yupia, District Papum Pare, Arunachal Pradesh.</p>	<p>The Managing Director of KNR Construction Limited has been summoned by the Hon'ble CJM Court to appear in person or by a pleader duly instructed before the Hon'ble Court on 6th April, 2022 without fail.</p> <p>On the last hearing on 06.04.2022 the case has been rescheduled to 07.06.2022.</p> <p>True copy of the summon to the accused (MD, M/s KNR Construction Limited-JM (JV) issued by the Hon'ble CJM Court, Yupia, District Papum Pare, Arunachal Pradesh is enclosed herewith as ANNEXURE-C.</p>
SI No. 4	M/s TK Engineering Consortium Private Limited	
Stretch	Pangin-Pasighat Road Project & Akajan-Likabali-Bame Road Project	
violation	<ul style="list-style-type: none">At Babuk area, Siang District, Arunachal Pradesh, dumping was done at non designated sites as per the request of the locals/land owners.At Yembung area, Siang District, Arunachal Pradesh due to realignment and construction of new bridge, the muck /debris was seen obstructing a small stream flowing nearby.	
	Action Taken	Present Status
	<p>The Board had imposed on M/s TK Engineering Consortium Private Limited a penalty of Rs. 50,00,000/- (Rupees Fifty Lakhs only) under section 5 of Environment (Protection) Act, 1986, vide No. APSPCB-150/2017/MCK/DSPSL/NGT/4622 dated 05.01.2022, which was to be deposited within 7</p>	<p><i>C/S</i> <i>10/1/2022</i> <i>6/5/22</i></p> <p>MEMBER SECRETARY State Pollution Control Board Department of Environment & Forest Nagaland, A.P.</p>

EXECUTIVE MAGISTRATE
Itanagar Capital Complex
ITANAGAR

	<p>(seven) days and on failure to do so, an interest @ 12% on the Environmental Compensation amount shall accrue.</p>	
	<p>The Board has initiated prosecution proceedings against M/s TK Engineering Consortium Private Limited, being Complaint Case No.14/2022 under section 49 of the Water (Prevention and Control of Pollution) Act, 1974, and under section 43 of the Air (Prevention and Control of Pollution) Act, 1981 read with section 190 of the Criminal Procedure Code 1973 Act in the Court of Chief Judicial Magistrate, Yupia, District Papum Pare, Arunachal Pradesh.</p>	<p>The MD of M/s TK Engineering Consortium Private Limited has been summoned by the Hon'ble CJM Court to appear in person or by a pleader duly instructed before the Hon'ble Court on 6th April, 2022 without fail.</p> <p>On the last hearing on 06.04.2022 the case has been rescheduled to 07.06.2022.</p> <p>True copy of the summon to the accused (MD, M/s TK Engineering Consortium Private Limited) issued by the Hon'ble CJM Court, Yupia, District Papum Pare, Arunachal Pradesh is enclosed herewith as ANNEXURE-D.</p>

C/S
10/5/2022

EXECUTIVE MAGISTRATE
Itanagar Capital Complex
ITANAGAR

S/S
6/5/22
MEMBER SECRETARY
State Pollution Control Board
Department of Environment & Forest
Naharlung, A.P.

SI No. 5	M/s Jugal Kishore Mahanta	
Stretch	Akajan-Likabali-Bame Road Project	
violation	At some places muck dumping was done at non designated sites as per the request of the locals/land owners.	
	Action Taken	Present Status
	<p>The Board had imposed on M/s Jugal Kishore Mahanta a penalty of Rs. 50,00,000/- (Rupees Fifty Lakhs only) under section 5 of Environment (Protection) Act, 1986, vide No. APSPCB-150/2017/MCK/DSPSL/NGT/4621 dated 05.01.2022, which was to be deposited within 7 (Seven) days and on failure to do so, an interest @ 12% on the Environmental Compensation amount shall accrue.</p>	<p>M/s Jugal Kishore Mahanta has appealed before the Hon'ble Supreme Court of India, New Delhi, against the environmental compensation imposed on them.</p>

C/S
M
6/07/2022
EXECUTIVE MAGISTRATE
Itanagar Capital Complex
ITANAGAR

MEMBER SECRETARY
State Pollution Control Board
Department of Environment & Forest
Muzungun, A.P.

IN THE COURT OF CHIEF JUDICIAL MAGISTRATE,
CAPITAL COMPLEX AT YUPIA.

ANNEXURE - (C)

21

C.R case No. 13/22

IN THE MATTER OF:-



The Arunachal Pradesh State Pollution Control Board, Naharlagun, Govt. of Arunachal Pradesh.

-Versus -

The Managing Director
M/S KNR Construction Ltd-JKM(JV)
KNR house, 3rd & 4th Floor, Jubli Hills, Road No. 36
Phase-1, Kavuri Hills, Hyderabad, Telengana-
5000033.

Summon to the Accused

To,

The Managing Director
M/S KNR Construction Ltd-JKM(JV)
KNR house, 3rd & 4th Floor, Jubli Hills, Road No. 36 Phase-1, Kavuri Hills,
Hyderabad, Telengana-5000033

Whereas the above named complainant has instituted a C.R case No 13/22 against you before this court. So your attendance is necessary to answer to all charge levelled against you.

Therefore you are hereby summoned to appear in person or by pleader duly instructed before this court on 07th of June 2022. Herein fail not.

Give under my hand and seal on this 7th day of March 2022.

cts
6/10/2022
EXECUTIVE MAGISTRATE
Itanagar Capital Complex
ITANAGAR

MEMBER SECRETARY
State Pollution Control Board
Department of Environment & Forest
Naharlagun, A.P.

Chief Judicial Magistrate
SHERISTHABAR
O/o C.J.M.CUM-CIVIL JUDGE (SR.DIVN)
CAPITAL COMPLEX AT YUPIA
ARUNACHAL PRADESH DIST.

Scanned by CamScanner

Scanned by CamScanner

IN THE COURT OF CHIEF JUDICIAL MAGISTRATE,
CAPITAL COMPLEX AT YUPIA.

22

C.R case No. 14/22

IN THE MATTER OF:-



The Arunachal Pradesh State Pollution Control Board, Naharlagun, Govt of Arunachal Pradesh.

-Versus-

The Managing Director
M/S T.K Engg. Consortium Pvt. Ltd. Modal Village,
Naharlagun. PO/PS Naharlagun District Papumpare
Arunachal Pradesh.

Summon to the Accused

To,

The Managing Director
M/S T.K Engg. Consortium Pvt. Ltd.
Modal Village, PO/PS Naharlagun
District Papumpare Arunachal Pradesh.

Whereas the above named complainant has instituted a C.R case No. 14/22 against you before this court. So your attendance is necessary to answer to all charge levelled against you.

Therefore you are hereby summoned to appear in person or by pleader duly instructed before this court on 07th of June 2022. Herein fail not.

Give under my hand and seal on this 7th day of March 2022.

Chief Judicial Magistrate

SHERISTADA
CHIEF JUDICIAL JUDGE (S.R.DIVN)
CAPITAL COMPLEX AT YUPIA
PAPUM PARE DIST.

CAS
6/05/2022
EXECUTIVE MAGISTRATE
Itanagar Capital Complex
ITANAGAR

MEMBER SECRETARY
State Pollution Control Board
Department of Environment & Forest
Naharlagun, A.P.

Scanned by CamScanner

Scanned by CamScanner