

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

ORIGINAL APPLICATION NO.01/2024 (WZ)

I.A. NO.02/2024(WZ)

Vishal Shantaram DarwatkarApplicant

Versus

**Union of India, through
Secretary, MoEF&CC & Ors. Respondents**

**ADDITIONAL AFFIDAVIT ON BEHALF OF
MAHARASHTRA POLLUTION CONTROL BOARD i.e.
RESPONDENT NO. 4**

I, Kartikeya Langote, aged adult years, occupation – Service, the Sub Regional Officer of the Maharashtra Pollution Control Board at Pune I Region, having office address at 2rd 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 orders dated 31/1/2025 and 25/06/2025 passed by this Hon'ble National Green Tribunal, wherein this Hon'ble Tribunal directed to calculate the amount of EDC to be levied from the Project Proponent for the gaps in obtaining the Consent to Establish and Consent to Operate.



2. I say and submit that the Respondent No.4- MPCB has extended an opportunity of personal hearing to the Respondent No.10- M/s.Mahanagar Reality-Project Proponent(PP) on 18/06/2025. During the course of personal hearing, the Respondent No.10- PP has submitted letter dated 16/06/2025, which was taken on record. A copy of the letter dated 16/06/2025 is attached as an **Annexure I.**

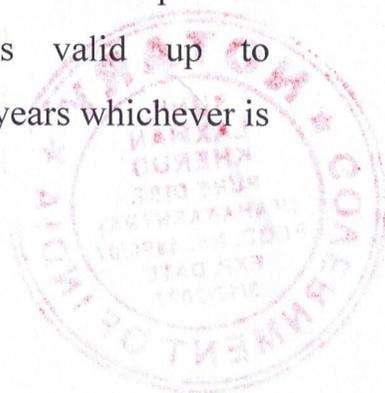
3. I say and submit that on the basis of discussion held during the personal hearing, the Respondent Board has assessed the Environmental Damage Compensation as under:

Environmental Damage Compensation:

M/s. "Ganga Ishanya & Ganga Nakshatra" M/s. Mahanagar Reality located at Survey Nos.19A/3A(P) [CTS No.373 (P), 375, 376, 377(P) & 378(P)] on Pune- Satara Road behind Shri Shankar Maharaj Math, Village: Dhankawadi, Taluka: Haveli, District: Pune.

I. Board has granted Consent to Establish for the above mentioned construction project, the details are as under: -

- i. Consent to Establish dated 03/04/2012- for Total Plot Area 23,821.23 Sq.mtrs. for Total Built-up Area 32,519.17 Sq.mtrs. (same was valid up to commissioning of the project or 5 years whichever is earlier)



Respondent No. 10-Project Proponent has obtained Plinth Certificate vide no. PLN/1674/12 dated 18/03/2013 from Sub/Junior Engineer, Building Control, PMC. Therefore, there is no violation/gaps.

- ii. Thereafter Revalidation of Consent to Establish dated 31/12/2020 for Total Plot Area 23,734.00 Sq.mtrs. for Total Built-up Area 1,15,406.00 Sq.mtrs (Same is valid up to 30/04/2022).

It has been observed that from the date of expiry of Consent to Establish dated 03/04/2012 the Respondent No. 10-Project Proponent has not obtained Revalidation of Consent to Establish within stipulated period. Accordingly, days are calculated from expiry of Consent to Establish to Application for Revalidation of Consent to Establish date i.e. 04/04/2017 to 09/06/2020. Therefore, the violation period is 1163 days.

- iii. Further Revalidation of Consent to Establish dated 14/11/2022 for Total Plot Area 23,734.00 Sq.mtrs. for Total Built-up Area 1,15,406.00 Sq.mtrs (same is valid upto commissioning of the project or 30/04/2027 whichever is earlier).

It has been observed that from the date of expiry of Revalidation of Consent to Establish dated 31/12/2020 the Respondent No. 10-Project Proponent has not obtained Revalidation of



Consent to Establish within stipulated period. Accordingly, days are calculated from expiry of Revalidation of Consent to Establish date to Application for Revalidation of Consent to Establish date i.e. 30/04/2022 to 19/10/2022. Therefore, the violation period is 171 days.

II) Board has granted Consent to Operate to the abovementioned construction project, the details are as under: -

- i. Consent to Operate dated 04/09/2020 for Total Plot Area 23,734.00 Sq.mtrs. for Total Built-up Area 51,677.34 Sq.mtrs, which was valid upto 31/01/2021. It has been observed that from the Occupancy Certificate dated 21/09/2018 for "building A & B" from PMC the Respondent No. 10-Project Proponent has not obtained Consent to Operate within stipulated period. **Accordingly, days are calculated from Occupancy Certificate to application for Consent to Operate i.e. 21/09/2018 to 19/01/2020. Therefore, the violation period is 486 days.**
- ii. Thereafter Renewal of Consent to Operate with additional Built Up Area dated 29/03/2023 for Total Plot Area 23,734.00 Sq.mtrs. for Total Built-up Area 73,055.71 Sq.Mtrs out of proposed Total construction



Total Built-up Area of 1,15,073.96 Sq.mtrs., which was valid up to 31/01/2024.

It has been observed that from the Occupancy Certificate dated 13/01/2021 for “building C” from PMC the Respondent No. 10-Project Proponent has not obtained Renewal of Consent to Operate with additional Built-Up Area dated 29/03/2023 within stipulated period. Accordingly, days are calculated from Occupancy Certificate to Application for Renewal of Consent to Operate with additional Built Up Area i.e. 13/01/2021 to 17/08/2021. Therefore, the violation period is 217 days.

- iii. It has also observed that from expiry of Consent to Operate the Respondent No. 10-Project Proponent has not obtained Renewal of Consent to Operate with additional Built-Up Area within stipulated period. **Accordingly, days are calculated from expiry of Consent to Operate dated 31/01/2021 to Application of Operate with additional Built-Up Area to i.e. 31/01/2021 to 17/08/2021. Therefore, the violation period is 198 days.**

- iv. Thereafter PP applied for Renewal of Consent on 22/03/2024 for Total Plot Area 23,734.00 Sq.mtrs. for Total Built-up Area 73,055.71 Sq.Mtrs. It has also



observed that from expiry of Renewal Consent to Operate the Respondent No. 10-Project Proponent has not obtained Renewal of Consent to Operate Part within stipulated period. Accordingly, days are calculated from expiry of Consent to Operate dated 31/01/2024 to Application of Operate with additional Built-Up Area to i.e. 01/01/2024 to 21/03/2024. Therefore, the violation period is 81 days.

- v. Board has refused application for Consent to Operate on 14/12/2024 till date i.e. 20/5/2025 PP has not applied for renewal of Consent to Operate. Hence, the violation period is 158 days.

Hence total gap is =1163+171+486+217+198+81+158=2474 days.

Methodology for Assessing Environmental Compensation and Action Plan to Utilize the Fund" outlines a formula for imposing environmental compensation on industrial units for violation of directions issued by regulatory bodies listing the instances for taking cognizance of cases fit for violation and levy environmental compensation. The same has also been referred to by the Hon'ble NGT in its order. (para 14 to 16) dated 28/8/2019 in the matter of Original Application No. 593/2017 titled Paryavaran Suraksha Samiti & Anr.



Versus Union of India & Ors. The instances considered for levying Environmental Compensation (EC) in the said report are:

Starting construction and operation of the project without CTE/CTO, and attempt is being made to assess the environmental compensation using the formula prescribed in the Application No. 593/2017 titled Paryavaran Suraksha Samiti & Anr. Versus Union of India & Ors., which may be taken as damages amount for contravening mandatory provisions of environmental laws. The formula takes into account of number of days violation took place, pollution index of unit, scale of operation, location factor based on population and an amount factor in Rupees.

Environmental Compensation calculated for above non-compliances are as follows:

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

Where,

EC is Environmental Compensation in Rupees.

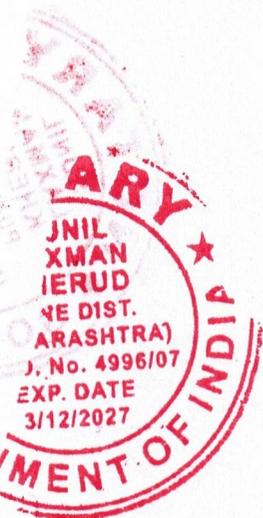
PI = Pollution Index of industrial sector/Project

N = Number of days of violation took place

R = A factor in Rupees for EC

S = Factor for scale of operation

LF = Location factor



PI = Pollution Index of industrial sector/project

As per CPCB modified directions no. B-29012/ESS/(CPA)/2015-16 dated 07/3/2016, if the wastewater generation is more than 100 KLD, the project is considered under red category. Hence, as per aforesaid CPCB report, $PI = 80$.

N=Number of days of violation took place for which violation took place is the period between the day of violation observed and the day of compliance verified by CPCB/SPCB.

R= A factor in Rupees, which may be a minimum of 100 and maximum of 500. The aforesaid report also suggests to consider R as 250, as the Environmental Compensation in cases of violation. Hence, $R = 250$.

S = Factor for scale of operation.

For small $S = 0.5$, For medium $S = 1$ and larger unit $S = 1.5$. The scale of operation was considered as 1.5, As per GTE obtained by the PP, the total investment of project is 450 crores. Considering the similar instances w.r.t. total investment of the project, it is considered as LSI, $S = 1.5$.

LF = Location factor.

It is based on the population of the city/town and location of the industrial unit on the location of the



industrial unit. Since the population of Pune is more than 1 Million but less than 5 Million, LF=1.25. It is based on the population of the city/town and location of the industrial unit on the location of the industrial unit. Since the population of Pune is more than 1 Million but less than 5 Million, LF=1.25.

EDC to be levied from the Project Proponent for the **total gap is-**

1163+171+486+217+198+81+158=2474 days.

Based on consideration of above w.r.t. a), the environmental compensation calculation is depicted as below.

$$EC = PI * N * R * S * LF$$

PI	N	R	S	LF	EC (in Rs.)
80	2474	250	1.5	1.25	9,27,75000/-

Based on above, the environmental compensation as damages for contravening provisions under the Water (Prevention and Control of Pollution) Act, 1974 and the Air (Prevention and Control of Pollution) Act, 1981 is Rs. 9,27,75000/- (Rupees Nine Core Twenty-seven Lakhs and seventy-five thousand Only).



4. I say and submit that the Respondent-Board has issued Circular dated 12/7/2022 regarding provision of penal fees for occupiers violating combined consent regime prescribed under the Air / Water Acts. However, in the present case, the gaps in obtaining Consent to Establish and Operate shows 2012. A copy of the Circular dated 12/7/2022 is attached as an **Annexure-II**.

5. Hence this Additional Affidavit.

Solemnly affirmed on this 08th day of August, 2025 at Pune.

I know the affiant

For and on behalf of Maharashtra
Pollution Control Board i.e.
Respondent No.4.

ADVOCATE

Langote
(Kartikeya Langote)
Sub-Regional Officer,
MPCB, Pune-I



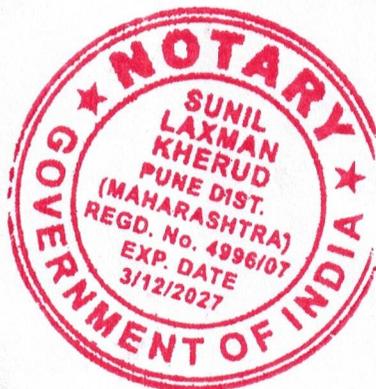
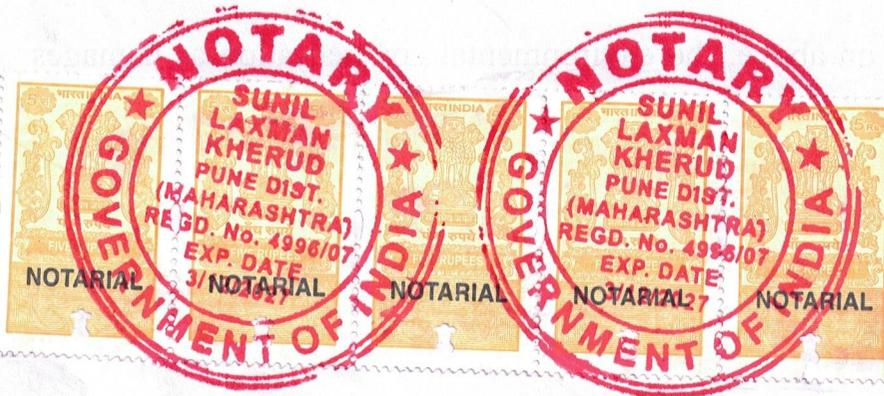
BEFORE ME

SUNIL LAXMAN KHERUD
NOTARY GOVT. OF INDIA
Regd. No. 4996/07
Noted & Registered No.

1138/2

SUNIL LAXMAN KHERUD
NOTARY-GOVT. OF INDIA
1/3, MANIRATAN SOCIETY,
ARYANESHWAR, PUNE-411009

08 AUG 2025



MAHANAGAR REALTY

9921725050 - Abhijeet Taware. 1523

9665270674 - Sangram

adv.abhijeettaware@gmail.com

A higher view of life

Date 16th June, 2025

[250617-775-0092]

To,

The Regional Officer,

Maharashtra Pollution Control Board,

Wakdewadi, Pune - 411 005.

SUBJECT: APPLICATION FOR ADJOURNMENT OF PERSONAL HEARING.

Respected Sir/Madam,

- 1) The present application is being filed on behalf of Mahanagar Realty ("the Applicant") seeking an adjournment of the personal hearing scheduled today, 16th June 2025, concerning the calculation of Environmental Damage Compensation (EDC).
- 2) It is respectfully submitted that the Applicant has, on this day, submitted a detailed written representation outlining significant and critical discrepancies in the EDC calculation. The representation raises substantial legal and factual points, including:
 - a) The erroneous application of EDC principles where no environmental damage has been proven.
 - b) Factual errors in the calculation of the number of days of alleged non-compliance.
 - c) The non-consideration of the board's own circular dated 29th March 2023, which exempts a specific period from calculation.
 - d) The incorrect retrospective application of a circular dated 12th July 2022.
- 3) The authorized representative for the Applicant, who is required to argue the matter, needs adequate time to present these detailed submissions, which involve a careful explanation of the annexed



Indian Green Building Council

Due to documents and circulars. Due to a prior professional commitment, the counsel is unavailable to appear at short notice today.

- 4) In the interest of justice and to ensure a fair hearing, it is humbly prayed that the matter be adjourned. The Applicant is available to appear and make submissions tomorrow.

PRAYER

In light of the above, it is most respectfully prayed that this Hon'ble Authority be pleased to:

- a) Adjourn the personal hearing scheduled for today;
b) Fix the matter for a personal hearing on **17th June 2025, at any time after 12:00 PM**, or at any other time convenient to this Hon'ble Authority.

Thank you.

Yours sincerely,

For Mahanagar Realty



Authorised Signatory

Date: 16th June 2025

Place: Pune

16th June 202516th June 2025

The Regional Officer,
Maharashtra Pollution Control Board,
Wakdewadi, Pune – 411 005

Subject: Representation

Dear Sir,

We are in receipt of your notice regarding personal hearing on the issue of calculation of EDC. The calculation provided to us is wrong and erroneous and we would like to make our submissions as under:-

1. At the outset it is submitted that the honourable entity has directed you to calculate the EDC for not obtaining the consent. We submit that there is an error in the order as the environmental damage compensation is calculated when there is pro one damage to the environment and destruction. However the case pertaining to the project still under adjudication and there is no proven claim against us and hence there is no question of calculation of environmental damage compensation. It is submitted that no undue advantage of the error be taken at your end and that you are requested to consider that you are required to calculate the penal charges for the gap in obtaining the consents. The gaps if at all are existing are on account of procedural lapse and not any destruction to the environment.
2. It is submitted that the calculation table provided by you is erroneous as the number of days calculated at your end are wrong. We further submit that as per the record available on the portal of your website the exact dates are provided to you in the document annexed herewith as

ANNEXURE-1.



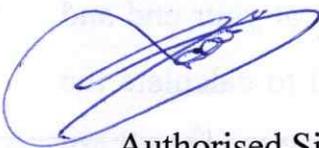
Indian Green Building Council

3. It is further submitted that the calculation done at your end completely ignores your circular dated 29th March 2023 which exempts the period from 1st April 2020 to 31st March 2021. Copy of the said circular is annexed herewith as **ANNEXURE-2**.
4. Furthermore it is submitted that the circular issued by your office dated 12th July 2022 pertaining to the penal fees is applicable prospectively and not retrospectively as there is no mention in the circular for retrospective application. Hence on this ground as well the calculation of days is incorrect. Copy of this circular is annexed herewith as **ANNEXURE -3**.
5. In view of the above, you are requested to recalculate the data and also consider the documents submitted by us at the time of arriving at the final conclusion.

Thank you

Yours sincerely

For Mahanagar Realty



Authorised Signatory





By clicking on the Industry name, Industry can now edit their general information. Kindly find the guidelines here

Ticketing system has been rolled out for your convenience. Kindly find the guidelines here

Bank Guarantee module has been rolled out for your convenience. Kindly find the guidelines here

Select Unit:

All Units

Select Plant:

All Plants

Filter Applications

View Unit Information

My Applications

Sr No.	UAN No.	Application Name	Application #IN	Application Date	Amount	Documents
1	MPCB-CONSENT-0000196812	CONSENT	100058840000	31-01-2024	Rs 253420	Documents Payments Download Download certificate Status: Reject
2	MPCB-CONSENT-0000138092	CONSENT	100058840000	30-04-2022	Rs 204620	Documents Payments Download Download certificate Status: Approved
3	MPCB-CONSENT-0000119716	CONSENT	100058840000	11-08-2021	Rs 253420	Documents Payments Download Download certificate Status: Approved View CC Minutes
4	MPCB-CONSENT-0000089687	CONSENT	1000588400	25-02-2020	Rs 524080	Documents Payments Download Download certificate Status: Approved View CC Minutes
5	MPCB-CONSENT-0000086949	CONSENT	100058840000	15-01-2020	Rs 253420	Documents Payments Download Download certificate Status: Approved View CC Minutes
6	MPCB-CONSENT-0000083669	CONSENT	100058840000	27-11-2019	Rs 253420	Documents Payments Download Exit Status: Waiting for payment. Please upload payment details for MFT/MSMO

Environment Statement

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MAHARASHTRA POLLUTION CONTROL BOARD		
Phone :	24010437/24020781 /24037124/24035273	Kalpataru Point, 3rd & 4th floor, Sion-
Fax :	24044532/24024068/24023516	Matunga Scheme Road No. 8, Opp. Cine Planet Cinema, Near Sion Circle, Sion (E),
Email :	jdwater@mpcb.gov.in	Mumbai - 400 022
Visit At :	http://mpcb.gov.in	

No.: MPCB/JD(WPC)/Circular/B-230329 FTS 0211 Date: 29/03/2023

CIRCULAR

Sub: COVID Pandemic-Lockdown period exempted from submission of application for consent/Authorization.

- Ref:** 1. MoEF&CC, Gol Notification dated 18.01.2021.
2. Govt of Maharashtra Order No. DMU/2020/CR.92/DisM-1 dated 29/04/2021.
3. Board's Circular No. MPCB/AST/Circular/TB-210507-FTS-0018 dated 07.05.2021.
4. 179th Board Meeting held on 11.01.2023.

It is mandatory on a part of every industry/entrepreneur/establishment to obtain valid Consent to Establish/Operate and Authorization from the Maharashtra Pollution Control Board under section 25/26 of The Water (Prevention & Control of Pollution) Act, 1974, under section 21 of The Air (Prevention & Control of Pollution) Act, 1981 and under rule 5 of The Hazardous & Other Waste (Management and Transboundary movement) Rule, 2016, combined consent and authorization under The Bio-Medical Waste Management Rule, 2016 and The Solid Waste Management Rule, 2016 and carry out commercial production activity by paying requisite consent/Authorization fees as decided by the Government/Board.

Government of Maharashtra has issued order during Pandemic period for imposition of restrictions. Consequent to outbreak of CORONA Virus (COVID-19) & lockdown situation, Maharashtra Pollution Control Board in the public interest had extended the validity of consent to establish /operate /renewal/ Authorisation/ CCAs by 31.07.2020 vide Board's Circular dated 31.03.2020, by 30.09.2020 vide Board's Circular dated 28.04.2020 and by 31.10.2021 vide Board's Circular dated 07.05.2021.

MoEF&CC, Gol vide Notification dated 18th Jan, 2021 has passed the order- "9A. Notwithstanding anything contained in this notification, the period from the 1st April, 2020 to the

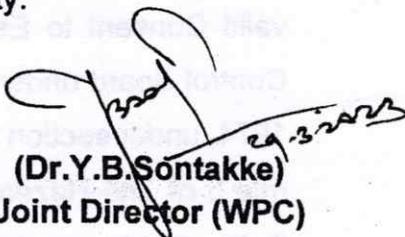
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31st March, 2021 shall not be considered for the purpose of calculation of the period of validity of Prior Environmental Clearances granted under the provisions of this notification in view of outbreak of Corona Virus (COVID-19) and subsequent lockdowns (total or partial) declared for its control, however, all activities undertaken during this period in respect of the Environmental Clearance granted shall be treated as valid."

The Board has issued Circular dated 12/7/2022 regarding provision of penal fees for occupiers violating combine consent regime prescribed under Air/Water Act.

Now therefore, the period from 1st April, 2020 to 31st March, 2021 is exempted for submission of application for consent/Authorization. For this period only regular consent fees will be charged.

This circular is issued with approval of competent authority.


(Dr. Y.B. Sontakke)
Joint Director (WPC)

Copy Submitted for information to:

1. The Hon'ble Principal Secretary, Dept. of Env. & CC, GoM, Mumbai.
2. The Hon'ble Chairman, MPC Board, Mumbai.
3. The Member Secretary, MPC Board, Mumbai.

Copy to:

1. Joint Director (WPC)/Joint Director (APC)/Principal Scientific Officer/Asst. Secretary (Tech) /RO(HQ)/ RO(BMW) – MPC Board, Mumbai.
2. All Regional Officers, MPC Board.
3. All Sub-Regional Officer, MPC Board.

MAHARASHTRA POLLUTION CONTROL BOARD

Tel: 24010437/24020781/24014701		Kalpataru Point, 2nd - 4th Floor
Fax: 24024068 / 24023515		Opp. Cine Planet Cinema,
Website: http://mpcb.gov.in		Near Sion Circle, Sion (E)
E-mail: ast@mpcb.gov.in		Mumbai-400 022.

No. BO/MPCB/AS(T)/Circular/B- 220712FTS0047

Date: 12/07/2022

CIRCULAR

Sub: Provision of penal fess for occupiers violating combine consent regime prescribed under Air/Water Act – reg.

Ref: Minutes of 178th Board Meeting held on 24/02/2022.

It is mandatory on the part of industries/entrepreneurs to obtain Consent to Establish and Operate under section 25/26 of the Water (Prevention & Control of Pollution Act) 1974, under section 21 of Air (Prevention & Control of Pollution) Act 1981 and Authorization under Hazardous & Other Waste (Management & Transboundary Movement) Rule 2016. However, it has been noticed that, often industries were found to be violating the aforesaid provisions and the violations noticed are as below:

1. To take effective steps towards establishment of project/unit without obtaining Consent to Establish from the Board
2. To take effective steps without revalidating Consent to Establish from the Board.
3. To start Commercial production/to hand over occupancy without obtaining Consent to Operate from the Board
4. To carry out expansion activity and applying directly for Consent to Operate without obtaining Consent to Establish of the Board.
5. To operate the activity without valid consent to operate of the Board and applying after lapse of validity period.
6. To store and disposal of Hazardous Waste not consistent with provisions of rules

The MPC Board has published Enforcement Policy for issuance of directions on account of degree of violation by imposing/forfeiting proportionate Bank Guarantee. The matter of such violations was discussed during Consent Appraisal Committee/Consent Committee and was decided to formulate the deterrent policy towards above mentioned violations and such other violations. Hence, it is important to discourage the defaulting industries by adopting "Polluter Pays" principal by imposing appropriate cost for violation of provisions of Environment enactments.

The MPC Board in its 178th Board meeting held on 24/02/2022 vide item No. 12 has considered to impose appropriate penal fees towards violation of Environmental enactments, the penal fees shall be imposed as below:

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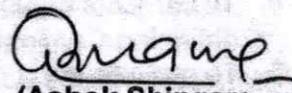
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Sr. No.	Violation	Cost of Violation
01	Taking effective steps towards establishment of project/unit prior to obtain Consent to Establish from the Board	Red Category: 5 times of one term consent fee X no. of years of violation*
02	Taking effective steps without revalidating Consent to Establish of the Board.	
03	Industry: Starting Commercial production prior to obtain Consent to Operate of the Board.	Orange Category: 3 times of one term consent fee X no. of years of violation*
	Infrastructure Project: Handing over possession prior to obtaining Consent to Operate of the Board and Occupancy certificate from Local Body.	
04	Operating the industry/activity without valid consent to operate of the Board and applying after lapse of validity period.	Green Category: 1 time of one term consent fee X no. of years of violation*

* Calculations of number of years shall be calculated on the basis of number of days of non-compliance.

The penal fees amount to be paid by PP through online e-payment gateway.

All the Officers of the Board should implement this circular scrupulously without fail.


(Ashok Shingare, IAS)
Member Secretary

Copy submitted to: The Hon'ble Chairman, MPC Board Mumbai- for favour of information

Copy to:

1. The Assistant Secretary (Tech)/Joint Director (APC)/Joint Director (WPC)/Principal Scientific Officer/Regional Officer (HQ) MPC Board Mumbai
2. Law Officer/Statical Officer, MPC Board Mumbai

Copy to:

1. All Regional Officer, MPC Board
2. All Sub-Regional Officer, MPC Board
3. EIC- He is directed to place the circular on Board's website.

MAHARASHTRA POLLUTION CONTROL BOARD

Tel: 24010437/24020781/24014701		Kalpataru Point, 2nd - 4th Floor
Fax: 24024068 / 24023515		Opp. Cine Planet Cinema,
Website: http://mpcb.gov.in		Near Sion Circle, Sion (E)
E-mail: ast@mpcb.gov.in		Mumbai-400 022.
No. BO/MPCB/AS(T)/Circular/B- 220712FTS0047		Date: 12/07/2022

CIRCULAR

Sub: Provision of penal fess for occupiers violating combine consent regime prescribed under Air/Water Act – reg.

Ref: Minutes of 178th Board Meeting held on 24/02/2022.

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1. To take effective steps towards establishment of project/unit without obtaining Consent to Establish from the Board
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3. To start Commercial production/to hand over occupancy without obtaining Consent to Operate from the Board
4. To carry out expansion activity and applying directly for Consent to Operate without obtaining Consent to Establish of the Board.
5. To operate the activity without valid consent to operate of the Board and applying after lapse of validity period.
6. To store and disposal of Hazardous Waste not consistent with provisions of rules

The MPC Board has published Enforcement Policy for issuance of directions on account of degree of violation by imposing/forfeiting proportionate Bank Guarantee. The matter of such violations was discussed during Consent Appraisal Committee/Consent Committee and was decided to formulate the deterrent policy towards above mentioned violations and such other violations. Hence, it is important to discourage the defaulting industries by adopting "Polluter Pays" principal by imposing appropriate cost for violation of provisions of Environment enactments.

The MPC Board in its 178th Board meeting held on 24/02/2022 vide item No. 12 has considered to impose appropriate penal fees towards violation of Environmental enactments, the penal fees shall be imposed as below:

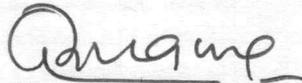
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Sr. No.	Violation	Cost of Violation
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02	Taking effective steps without revalidating Consent to Establish of the Board.	
03	Industry: Starting Commercial production prior to obtain Consent to Operate of the Board.	Orange Category: 3 times of one term consent fee X no. of years of violation*
	Infrastructure Project: Handing over possession prior to obtaining Consent to Operate of the Board and Occupancy certificate from Local Body.	
04	Operating the industry/activity without valid consent to operate of the Board and applying after lapse of validity period.	Green Category: 1 time of one term consent fee X no. of years of violation*

* Calculations of number of years shall be calculated on the basis of number of days of non-compliance.

The penal fees amount to be paid by PP through online e-payment gateway.

All the Officers of the Board should implement this circular scrupulously without fail.


(Ashok Shingare, IAS)
Member Secretary

Copy submitted to: The Hon'ble Chairman, MPC Board Mumbai- for favour of information

Copy to:

1. The Assistant Secretary (Tech)/Joint Director (APC)/Joint Director (WPC)/Principal Scientific Officer/Regional Officer (HQ) MPC Board Mumbai
2. Law Officer/Statistical Officer, MPC Board Mumbai

Copy to:

1. All Regional Officer, MPC Board
2. All Sub-Regional Officer, MPC Board
3. EIC- He is directed to place the circular on Board's website.