

BEFORE THE NATIONAL GREEN TRIBUNAL  
WESTERN ZONE BENCH, PUNE

ORIGINAL APPLICATION NO.102/2022 (WZ)

Mr. Sagar K Devare

---Applicants

Vs

State of Maharashtra & Ors

---Respondents

**Affidavit on behalf of Respondent No.2 & 3 -Maharashtra Pollution Control Board in compliance of the Order dtd.1/5/2023 passed by this Hon'ble Tribunal.**

I, Ravindra Andhale, Age-55 Adult, Occupation -Service , the Regional Officer of the Maharashtra Pollution Control Board at Thane, having my office address at Plot No.P-30, 5<sup>th</sup> Floor, Office Complex Building, Near Mulund Checknaka, Thane-400 605, do hereby state on solemn affirmation as under:-



1. I am filing this Affidavit in compliance of this Hon'ble Tribunal order dated 18/5/2023 on behalf of the Respondent No.2 & 3 i.e. Maharashtra Pollution Control Board before this Hon'ble Tribunal.
2. I say and submit that this Hon'ble Tribunal vide order dated 18/5/2023 directed the Respondent Board to calculate the environment compensation prior to issuance of Show Cause Notice dated 15/6/2022 issued to Respondent No. 13- M/s One Team RMC.
3. I say & submit that in compliance of the directions of this Hon'ble Tribunal, the Respondent Board has calculated the environment compensation as under:-

## Respondent No. 13 to M/s One Team RMC

Name and address of RMC Plant	: M/s. One Team RMC Co. (S.No.51/2, Village-Maljipada, W.E. Highway, Tal-Vasai, Dist-Palghar)
Visit Date	: 31.05.2022
SCN Date	: 15.06.2022
Industry Closed Date	: 30.11.2022
No.of days violations	: 184 days (31.05.2022 to 30.11.2022)

Values considered

PI-25 (Green category industry)

N- 184 (Period calculated from Date of visit 31.05.2022 to 30.11.2022.

R - 250 (case of violation)

S - 0.5 (small scale industry)

LF - 1.0 (population less than 1 million)

EC =  $25 * 184 * 250 * 0.5 * 1 = \text{Rs. } 5,75,000/-$ 

Environmental Compensation = 5,75,000/-

4. I say & submit that the Respondent Board has issued letter to Respondent No. 13 industry to deposit the environment Compensation of Rs. 5,75,000/- vide letter dated 3/8/2023. A copy of the letter dated 3/8/2023 is enclosed & marked as **Annexure-I**

Solemnly affirmed on this ..... day of August, 2023 at .....

I know the Affiant,

For and on behalf of Maharashtra  
Pollution Control Board i.e.  
Respondent Nos.2 & 3,BEFORE ME  
NOTARYSUJATA VADKAR  
ADVOCATE & NOTARY101/102, Vishal Bldg., Station Road,  
Kalwa (W), Thane-400 605.

NOTED &amp; REGISTERED

Sr. No.

60502023

21 AUG 2023



*Ravi*  
( Ravindra Andhale )  
Regional Officer - Thane



Annexure - I

1360

## MAHARASHTRA POLLUTION CONTROL BOARD

Tel : 25802272

Fax : 25805398

Visit us at:

Website : <http://mpcb.gov.in/>

E-mail Id: [rothane@mpcb.gov.in](mailto:rothane@mpcb.gov.in)



Regional Office, Thane  
5<sup>th</sup> Floor, Office Complex Bldg.,  
Near Mulund Check Naka,  
Wagale Estate,  
Thane-400 604

No. MPCB/ROT/B-324

Date :- 03 / 08 / 2023

To,  
M/s. One Team RMC Co.  
S.No.51/2, Village-Maljipada,  
W.E. Highway, Tal-Vasai, Dist-Palghar.

Sub : To deposit Environment Compensation.

Ref : Hon'ble NGT order dated 18.05.2023.

Shri. Sagar Devare has filed an Original Application bearing No.102/2022 (WZ) before the Hon'ble NGT against the illegal RMC plants at NH 8, Near Honda Service Center, Maljipada, Tal- Vasai, Dist – Palghar.

In the aforesaid matter, the Hon'ble NGT vide order dated 18.05.2023 directed to calculate the Environment Compensation for non-compliance period.

In compliance of the Order dated 18.05.2023 and based on the non-compliance period calculated, you are directed to deposit an amount of Rs – 5,75,000/- (Rupees Five Lakhs Seventy Five thousand only) towards the assessment of damage already caused to the environment and recovery of environment compensation as per 'Polluter's Pay Principle' to the Maharashtra Pollution Control Board within a period of 15 days from the date of receipt of this letter, failing which, the Board will have no option than to initiate appropriate legal action against you, which please note.

This is issued with the approval of the Competent Authorities of the Board.

*Ravi*

(Ravindra Andhale)  
Regional Officer, Thane

Copy submitted to:

1. Regional Officer HQ, MPCB, Mumbai – for information.
2. Law Officer, MPCB, Mumbai – for information.

