



**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
WESTERN ZONE, PUNE
Appeal No 20/2025**

Sadanand Gangaram Kadam

...Appellant

Vs

Union of India, Ministry of Environment Forest
& Climate Change & Ors

... Respondents

**AFFIDAVIT IN REPLY ON BEHALF OF RESPONDENT NO. 3
Maharashtra Pollution Control Board (MPCB)**

I, Shripad R. Kulkarni, Age 42 years, Occupation-Service, the Sub Regional Officer of the Maharashtra Pollution Control Board, Respondent No. 3 having my office at Maharashtra Pollution Control Board, 2nd Floor, Parkar Complex, 224, Behind Nagar Parishad, Tal. Chiplun, Dist. Ratnagiri, 415605 do hereby state on solemn affirmation as under.

1. I say that I have examined the relevant records available in my office in respect of the above matter and am affirming the present Reply Affidavit based on the same. Nothing in the present Reply Affidavit may be deemed to be an admission of any of the contents of the above-captioned Appeal. Nothing in the above-captioned Appeal may be deemed to have been admitted for mere want of specific denial.
2. I say that the present Appeal has been filed by the Appellant calling for the Records and Proceedings to the impugned Show Cause Notice dated 17/12/2021, impugned OM dated 31/01/2022 and impugned letter dated 22/08/2022 issued by Respondent No.1 MOEF & CC, Govt of India.
3. I say that no prayers are sought against the present Respondent i.e. Respondent No.3 in the present Appeal. I say that the present Respondent has acted pursuant to the direction of Respondent No.1 and therefore addressed a letter dated 28/09/2022 to the Appellant calling upon to deposit an amount of Rs. 2,52,75,000/- with the present Respondent. I say that, Annexure II of the Annexure C (Page no. 68) to the Appeal has a mention about how the revised Environmental Compensation of Rs. 2,52,75,000/- is assessed by the CPCB. I say that the Respondent No.1 MOEF & CC, Govt of India vide order dated 30/06/2022, has constituted a joint committee comprising representatives from MPCB, National Centre for Sustainable Coastal Management (NCSCM), Chennai, Integrated Regional Office (IRO) of the Respondent No.1 Ministry, Nagpur and the MCZMA. I say that the committee was entrusted with the responsibility-

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at Sr. No. 379/2025
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- I. to assess the monetary value of the damage caused to Environment due to violation of CRZ Notification 2011 by M/s Sai Resorts owned by the Appellant, Tahsil Dapoli, District Ratnagiri, Maharashtra
 - II. to provide specific recommendations for mitigation of the damage caused.
4. I say that the Committee has recommended Rs. 25,27,500/- for M/s Sai Resorts as Environmental Compensation for the violation of CRZ Notification, 2011 under polluter pays principle. I say that Respondent No.1 MOEF & CC, Govt of India has referred the Joint Committee Report dated 15/07/2022 to CPCB to provide comments on methodology adopted and calculations done which in turn, would decide the correctness of Environmental Compensation amount arrived at by the Joint Committee. The Joint Committee Report is annexed at (Page No.59) to this Appeal.
 5. I say that Environmental Compensation evaluated by Respondent No.1 i.e. MOEF & CC, Govt of India, has been reviewed by the CPCB. I say that there were certain suggestions with regards to value of location factor and value of Rupee. I say that now the revised Environmental Compensation is Rs. 2,52,75,000/- for the illegal construction **and is deterrent**. I say that at (Page No.68) of the Appeal are the email conversations by the CPCB & Respondent No. 1 MOEF & CC along with the comments on Environmental Compensation in case of illegal construction in No Development Zone (NDZ).
 6. I say that all prayers are sought against Respondent No.1, MOEF & CC, Govt of India and therefore in view of the above, the Appeal may be dealt with accordingly.

Solemnly affirmed as on 3rd day of April ~~March~~ 2025.

BEFORE ME

Nitin S. Kelkar

NITIN S. KELKAR
 Reg. No. 1177
 NOTARY & ADVOCATE
 Krishneshwar Nagar,
 Office No. 7 Mumbai-Goa
 Highway, Pag Chiplun

For and on behalf of Maharashtra
 Pollution Control Board

(Signature)

(Shripad R. Kulkarni)
 Sub Regional Officer-Chiplun



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NOTARY IS NOT RESPONSIBLE FOR
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