

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

ORIGINAL APPLICATION NO. 62/2024(WZ)

IN THE MATTER OF

Mr. Suryakant J. Shelke ... Applicant

v/s

M/s. SKB Builders India Pvt. Ltd.

and Ors Respondents

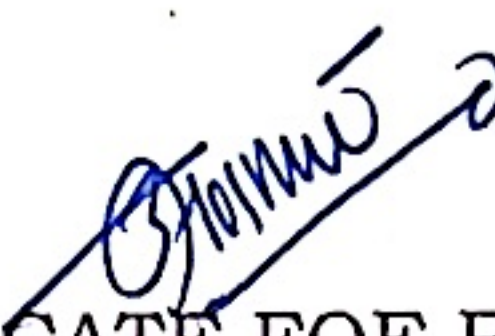
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PUNE

DATE-10/03/2025


ADVOCATE FOR RESPONDENT NO.1
(VAIBHAV JATHAR)

①

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

ORIGINAL APPLICATION NO. 62/2024(WZ)

IN THE MATTER OF

Mr. Suryakant J. Shelke ... Applicant

v/s

M/s. SKB Builders India Pvt. Ltd.

and Ors Respondents

**OBJECTIONS OF THE RESPONDENT NO.1 M/s. SKB
BUILDERS INDIA PVT. LTD. TO THE REPLY AFFIDAVIT
DATED 18/11/2024 AND CALCULATION OF EDC.**

MOST RESPECTFULLY SHOWETH:

- 1) The present objections are being filed by Mr. Nimesh Singh on behalf of Respondent No.1 i.e. M/s. SKB Builders India Pvt. Ltd. having its office at 1304, The Ambiance Court, Plot No.2, S-19D, Vashi, Navi Mumbai - 400705. That said Nimesh Singh is an employee of Respondent No.1, presently holding the designation of Senior Accountant since 2006 and he is well conversant with the facts and circumstances



(2)

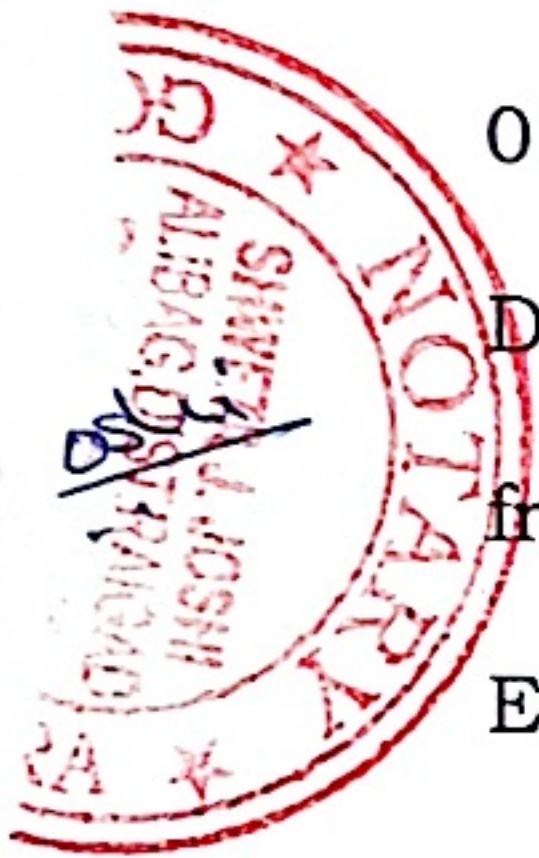
of this case on the basis of information derived by him from the records maintained by the Respondent No.1 which are believed by him to be true and correct. The Respondent No.1 has issued Letter of Authority dated 13/01/2025 authorizing said Nimesh Singh to represent the Respondent No.1 before this Hon`ble Tribunal and the same has been annexed at Exh. A of reply of Respondent No.1.

- 2) That it as has been submitted by the MPCB in its Reply Affidavit dated 18/11/2024, particularly in chart annexed at page 120 at sr no 1 that that the Respondent no.1 started the functioning of plant 20th July 2023 and calculated the days till the closure notice dated 20th December 2023 and calculated 145 days violation but it is nowhere mentioned by the MPCB how and from where it has been found by them that the plant was functioning since 20th July 2023. That Respondent No.1 paid an amount of Rs.6,99,538/- to Maharashtra State Electricity Distribution Company Limited on 28/08/2023 for supply and installation of 200 KVA transformer and



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on 01/09/2023 Tax Invoice of the same is issued to Respondent No.1 by one M.D.Electrial, therefore it is submitted that when transformer itself was installed in the month of September, 2023 there is no question of unit having been in function from July, 2023. In fact the plant started functioning in the month of December, 2023. At the cost of repetition, it is submitted that 200 KVA transformer was installed on 01/09/2023 and the unit actually started in December, 2023 on trial basis and same is evident from the Electricity Bills issued by Maharashtra State Electricity Distribution Co. Ltd (MSEDCL) for the months of September, October, November, and December, 2023. That for the months September and October, 2023 there is zero bill and for the month of November, 2023 there is bill of Rs.21,565/- for consumption of unit 634 and the said consumption was not for functioning of the plant but was for laborers hutment and therefore the calculation of 145 days violation for EDC of Rs. 5,43,750/- has been wrongly imposed on Respondent No.1. **Copy of**



(4)

receipt dated 28/08/2023 of Maharashtra State Electricity Distribution Company Limited and receipt of M.D. Electrical dated 01/09/2023 and Copies of Electricity Bills Issued by Maharashtra State Electricity Distribution Co. Ltd (MSEDCL) for the months of November, December, 2023, January, February, March, 2024 is collectively annexed hereto and marked as Exhibit-A.

3) It is further submitted that the MPCB has already on 17/09/2024 forfeited the Bank Guarantee of Rs.1,00,00/- (One Lakh Only) of the Respondent No.1 for non-compliances and therefore the EC calculated over and above the Bank Guarantee is totally arbitrary. **Copy of the said forfeiture of the Bank Guarantee is annexed hereto and marked as Exhibit-B.**


4) That MPCB issued notice/order dated 12/12/2024 bearing no MPCB.ROR/TB/Compensation/2024-24121210001 to Respondent No.1 for paying EDC of an amount of Rs.5,43,750/-. That the said EDC imposed and levied on the present respondent is



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without giving any notice and opportunity of hearing to the appellant and therefore it amounts to a breach of the Principle of Natural Justice. This opportunity is regarded as fundamental principle of Natural Justice that no material ought to be relied on against a party without giving him an opportunity to respond to the same. **Copy of the said notice/order dated 12/12/2024**

bearing no. MPCB.ROR/TB/Compensation/2024-24121210001 is annexed hereto and marked as Exhibit-C.

- 
- 5) That the alleged violations mentioned by MPCB does not constitute the damage to the environment and ecology and therefore question of imposition of EDC does not arise. That there is no generation of hazardous waste as well as solid waste from the RMC plant and whatever waste recovers from operation is recycled into RMC itself.
 - 6) Therefore present respondent is not liable to pay any amount as EDC as calculated by MPCB.

⑥

7) It is therefore humbly submitted and prayed that the notice of EDC dated 12/12/2024 may kindly be quashed and set aside *or in the alternative* MPCB may kindly be directed to give personal hearing to present Respondent before imposing the EDC.

Pune

Dated- 10/3/2025

Nimesh Singh for

M/s. SKB Builders India Pvt. Ltd.

(Respondent No.1)


Advocate for Respondent No.1

(Vaibhav Jathar)



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

ORIGINAL APPLICATION NO. 62/2024(WZ)

IN THE MATTER OF

Mr. Suryakant J. Shelke ... Applicant

v/s

M/s. SKB Builders India Pvt. Ltd.
and Ors Respondents



AFFIDAVIT IN SUUPPORT OF REPLY

I, Nimesh Singh, Aged about 44 years, occupation- Service having office at-1304, The Ambiance Court, Plot No.2, S-19D, Vashi, Navi Mumbai - 400705 do hereby solemnly affirm and state as under-

1. I say that I am authorized to file present objections on behalf of Respondent No.1 i.e. M/s. SKB Builders India Pvt. Ltd. I say that I am aware of the facts and circumstances of the present case and hence I am able to depose the same on oath. The Respondent No.1 has issued Letter of Authority dated

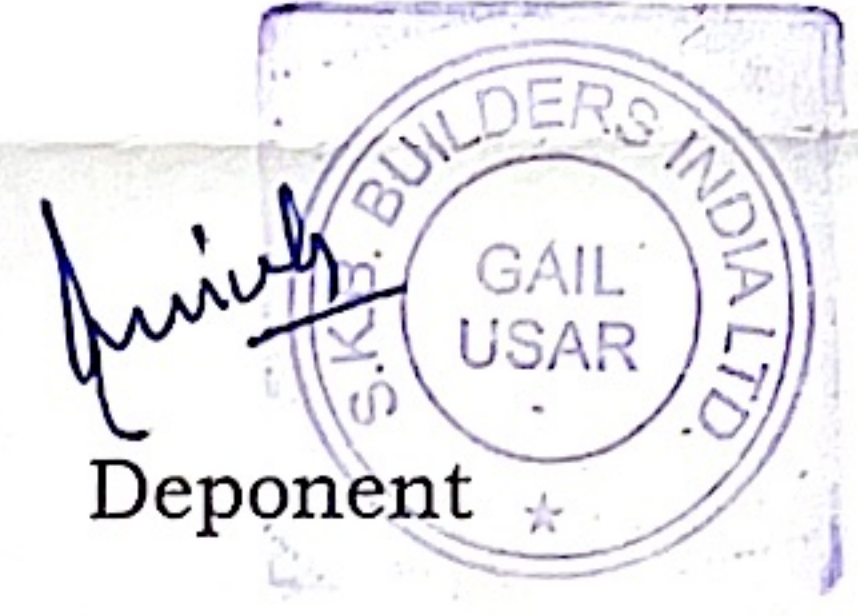


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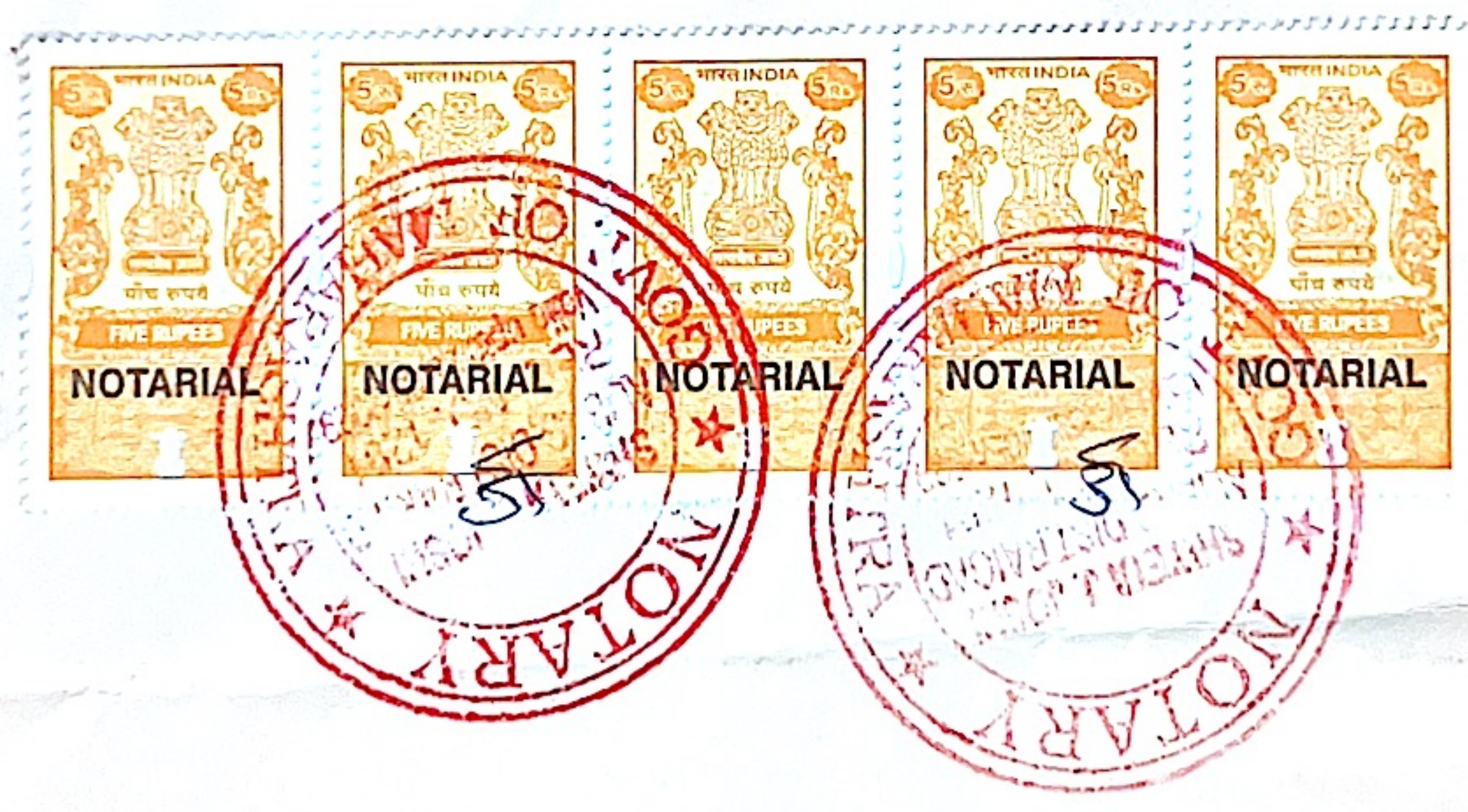
13/01/2025 authorizing me to represent the Respondent No.1 before this Hon`ble Tribunal.

2. I say that the contents of the present objections are read over to me in Hindi and whatever stated therein is true and correct to the best of my knowledge, belief and information and hence I have signed this at Pune today on 5th day of March, 2025.



(Handwritten signature)

I know the Deponent
(Vaibhav Jathar)



BEFORE ME

(Handwritten signature)

SHWETA J. JOSHI
NOTARY STATE OF MAHARASHTRA
ALIBAG, DIST. RAIGAD
REGN. NO. 1291
Valid upto 26/05/2029
Noted and Registered at
Sr. No. 358/25
Date : 05/03/2025

Exp "A" colly

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https://mail.google.com/mail/u/0/?ogbl/sent/KbXLIhZgidWkUjFCrZMXQjMVICRZBbzg?projector=1&messagePartId=0.1

Var. No: 2-6-81

RECEIPT

MAHARASHTRA STATE ELECTRICITY DISTRIBUTION CO. LTD.

0570054137001-PSIDCL SUB DIVISION ALIBAG 1

Collection Centre: 024648003851 BU-PC: A137-8 Date: 29-Aug-23 12:23:30 PM

Name of Client: SKS BUILDERS INDIA LTD.

Consumer No: Rs Six Lakh Ninety Nine Thousand Five Hundred Thirty Eight Only

Received from: The sum of (In Words):

Rs 699538/-

No: 764447 Dated: 28/08/2023

Bank Name: CANARA BANK-VARSOLI **Cheque/DD subject to realization.

02-Service Connection Charges-₹23380, 03-First S.D-₹671950, 32-GST@18%-₹4208 | Stamp Duty of
 Rs. 1/- Is paid as provided under Article 53 of Indian Stamp Act, 1899 and included in Consignee Stamp
 Duty Paid to the Government of Maharashtra Treasury vide Order of Addl. Controller Of Stamps, Mumbai at
 General Stamp Office, Fort, Mumbai - 400001, vide this Order No.(LO/CSO-81-2023) validity period
 01/07/2023 to 31/12/2024. CNR No: 3092 K/15.07.2023) GRASIDEEFACE NO10003141106202374 ad.
 03/07/23
 Registered Office: Plot No. C-9, Prakashgad, Prof. Anant Kanekar Marg, Bandra (E), Mumbai - 400050

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M.D.ELECTRICAL

PRO-MAHENDRA DHARMA CHOUKAR

Sai Ashirwad Co.Op. Hsg. Society, Flat No.2, Gr. Floor, Balaji Naka, Alibag -Raigad

Mo.No-9272713369,7350568758

mahendrachaulkar7@gmail.com

TAX INVOICE

M/S.M.D.ELECTRICAL

Sai Ashirwad Co.Op. Hsg. Society, Flat No.2, Gr. Floor,
Balaji Naka, Tal-Alibag, Diste-Raigad, State-Maharashtra.

PIN NO:-402201

GSTIN :- 27ADBPC0031H1ZD

PAN NO:-ADBPC0031H

MOBILE NO:-9272713369/7350568758

To,

M/s. SKB Builders India Limited

The Ambience Court, Plot No. 2, Sector - 19 D,

Vashi, Navi Mumbai - 400705

GSTIN :- 27AANCSS021R1ZJ

INVOICE NO. MDE / 68

INVOICE DATE :- 01/09/2023

MSEDCTECHNICALLY SANCTION REG.
EE/ABG DN/NSC (Departmental)/2023-24/13MSEDCTECHNICALLY SANCTION
Date:- 07/08/2023

Respected Sir,

Bill for Supply & Installtion of 200 KVA Transfarmar.

Sr.NO.	PARTICULARS	UNIT	QTY	RATE	AMOUNT
1	Supply of 200 KVA/433V Transformer "Deltron" Brand Distribution Transformer All Standared Fittings & fist Fill of Oil Required Level.	Nos	1	525750	525750
	Total Amount Before Tax				525750.00
	Add : CGST @ 9.00%				47317.5
	Add : SGST @ 9.00%				47317.5
	Total Amount After Tax				620385.00

Say Rs.620385/-

GSTIN :- 27ADBPC0031H1ZD

TOTAL AMOUNT (IN WORDS) SIX LACK TWENTY THOUSAND THREE HUNDRED EIGHTY FIVE RUPESS ONLY.

BANK DETAILS :- CENTRAL BANK OF INDIA, BRANCH :- ALIBAG.

ACCOUNT NO:-3249407171

IFSC CODE :- CBIN0282554

I /We hedreby certify that our registration under Goods and service Tax Act,2017 is in force on
the date on which the sale of goods specified in this TaxInvoice has been effected by us shall be
accounted

For M. D. ELECTRICAL

For M.D.ELECTRICAL
PROPRIETOR
Authorised Signatory

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B. plant

Maharashtra State Electricity Distribution Co. Ltd.

BILL OF SUPPLY FOR THE MONTH OF Nov 2022
 Website: www.mahadiscom.in GSTIN: 2718000000

PEN CIRCLE - 525 ALIBAG DIVISION - 542 ALIBAG-I - 137 BU 4137 Bill No: 000092215320005

Consumer No.:	Consumer Name:	Address:	BILL DATE:	₹	21570.00
024640003851	024640003851	SKB BUILDERS INDIA LTD. 149 VELVALI ALIBAG RAIGAD Welhavali	DUE DATE:	₹	21360.00
			IF PAID UPTO	₹	21830.00
			IF PAID AFTER	₹	21830.00
			Last Receipt No./Date:		
			Last Month Payment:		0.00
			Scale / Sector		Small Scale / Private Sector

Village: Pin Code: 402203

E-mail:	Activity:	CEMENT FACTORY
Mobile No.:	Meter No.:	Seasonal: N/
Sanctioned load (KW):	Connected Load (KW):	Urban/Rural Flag: R
Contract Demand (KVA):	50% of Con. Demand (KVA):	Express Feeder Flag: N
Tariff:		Feeder Voltage (KV): 11

Date of Connection:	Category:	GSTIN:
18/10/2023	Industrial	
Supply at:	Elec. Duty:	PAN:
LT	10 PART F	
Prev. Highest (Mth):	Prev. Highest Bill Demand (KVA):	AMRI
Security Deposit Hold Rs.:	Addl. S.D. Demanded Rs.:	
671950.00	0.00	
Bank Guarantee Rs.:	S. D. Arrears Rs.:	
	0.00	

Maintain Harmonic distortion within limit as prescribed by IEEE STANDARD 519-1992 to avoid penalty

Avail Power factor incentive up to 3.5% maintaining power factor above 95% to 100%

Avail load factor incentive up to 15% by maintaining constant load profile.

Avail 1% prompt payment discount by paying bills within prompt payment date.

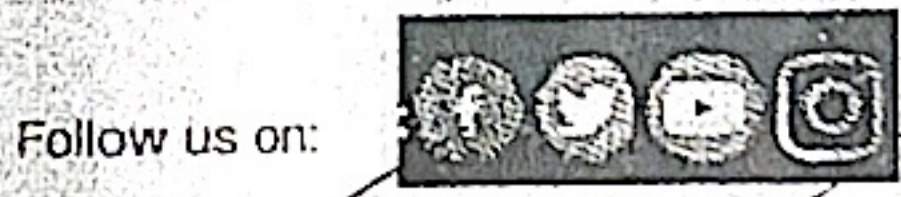
BILLING HISTORY			
Bill Month	Unlts	Bill Demand (KVA)	Bill Amount
Oct-2023	0	0	
Sep-2023	0	0	

CUSTOMER CARE Toll Free No.
 1912,1800-233-3435,
 1800-102-3435

Rule & Procedure for Consumer Grievances Redressal is available at www.mahadiscom.in>consumer portal>CGRF

Instead of Printed bill, register for E-bill and avail Rs. 10 per bill as a "Go-green" discount.

For registration visit at www.mahadiscom.in->consumer portal->Quick access->Go-green request



Revised Mah

MAHAVITARAN
 महाराष्ट्र राज्य विद्युत वितरण कंपनी मर्यादित
STAY HOME, PAY ONLINE & STAY SAFE
 FOR MORE DETAILS VISIT WWW.MAHADISCOM.IN
 OR
 CALL MSEDCL TOLL FREE 1912/19120/1800-102-3435/1800-233-3435

- MSEDCL ONLINE PAYMENT FACILITY**
- Pay Online to Save your Time and Money
 - Safe and Secure
 - Pay Online from MSEDCL Official Website, Mahavitaran Mobile App.
 - Online payment facility available through Net-Banking, Credit Card, Debit Card, Cash Cards, UPI etc.
 - 0.25% discount (up to Rs. 500) in next month Bill.
 - RTGS Payment facility for HT and LT consumers above 20 kw load' For RTGS payment, Virtual account number of consumer and bank details are printed on Consumer bill.

- Important Message**
- Consumers can pay online using Net banking, Credit/Debit cards at https://wss.mahadiscom.in/wss/wss after registration.
 - Submit / update your E-mail id and mobile number to Circle Office for receiving prompt alerts through SMS.
 - Submit / update your PAN & GSTIN to Circle Office with copies of PAN & GSTIN for verification.
 - Special desk is operational for HT Consumers, please contact: htconsumer@mahadiscom.in for any clarification / query or grievance.
 - This Electricity Bill should not be used for the address proof and as a proof of property ownership.
 - For any payment to MSEDCL, ENSURE & INSIST for computerized receipt with unique system generated receipt number. Do not accept hand written receipt. Pay online to avoid any inconvenience.

Maharashtra State Electricity Distribution Co. Ltd.

(12)

(14)

B. Pawar

000002334838821

PEN CIRCLE :525

ALIBAG DIVISION :542

ALIBAG-I : 137 1

Consumer No. : 024640003851
 Consumer Name : SKB BUILDERS INDIA LTD.
 Address : 149 VELVALI ALIBAG RAIGAD Welhavali

BILL DATE	21-02-2024	26,110.00
DUE DATE	12-03-2024	
IF PAID (PTC)	27-02-2024	000.00
IF PAID (FE R)	12-03-2024	000.00
Last Receipt Date	00-01-2024	
Last Month Payment	02,000.00	
Scale / Secto.	Small Scale / Rural Sector	

Village : Pincode : 402203

Email ID :	Activity	CEMENT FACTORY	
Mobile No. : 77*****49	Meter No. : 065-06746652	Season : N	Load Shed Ind
Tariff : 36 LT-V B II	Connected Load (KW): 200.00 HP	Urban/Rural Flag : R	Express Meter Flag :
Contract Demand (KVA) : 186.00	40% of Con. Demand(KVA) 74.40	Feeder Voltage (KV) : 11	LIS Indicator
Sanctioned load (KW) : 200.00 HP			
DTC : 4137596	PC-MR-ROUTE-SEQ : 00-21-0708-2577	BU : 4137	PC : 00
Date of Connection : 18-10-2023	Category :	LT Industry General above 20 KW	GSTIN :
Supply at : LT	Elec. Duty :	10	PAN :
Prev. Highest (Mth) :	Prev. Highest Bill Demand (KVA) :		
Security Deposit Held Rs. 6,71,950.00	Add. S.D. Demanded Rs. :	00.00	
Bank Guarantee Rs. 0.00	S.D. Arrears Rs. :	00.00	

BILLING HISTORY

Bill Month	Consumption (Units)	Bill Demand (KVA)	Bill Amount
Jan 2024	1,942	74	50,004.31
Dec 2023	1,674	74	46,163.49
Nov 2023	634	74	21,565.19

CUSTOMER CARE Toll Free No.
 1912, 1800-102-3435,
 1800-233-3435

Rule & Procedure for Consumer Grievances Redressal is available at www.mahadiscom.in>consumer portal>CGRF Instead of Printed bill, register for E-bill and avail Rs. 10 per bill as a "Go-green" discount. For registration visit at www.mahadiscom.in>consumer portal>Quick access->Go-green request

Scan this QR Code with BHIM App for UPI Payment



If paid by QR Code then Prompt Pay Discount/Delay Payment Charges will be adjusted in subsequent bill.

For making Energy Bill Payment through RTGS/NEFT mode, use following details

- Beneficiary Name: MSEDCL
- Beneficiary Account Number: MSEDCL01024640003851
- IFS Code: SBIN0008965
- Name of Bank: STATE BANK OF INDIA
- Name of Branch: IFB BKC
- Bill Amount: 26,110.00

Disclaimer: Please use above bank details only for payment against consumer number mentioned in beneficiary account number.

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38240299416001 - 49999 / 09/02/2024.
PC25240296046961 - 2832 / 26/01/24.



Maharashtra State Electricity Distribution Co. Ltd.

BILL OF SUPPLY FOR THE MONTH OF Jan 2024
000002277533796
GSTIN: 27AAECM2933K1ZB Website: www.mahadiscom.in HSN CODE 27160000

PEN CIRCLE :525 ALIBAUG DIVISION : 542 ALIBAG-I : 137 1

Consumer No. : 024640003851
Consumer Name : SKB BUILDERS INDIA LTD.
Address : 149 VELVALI ALIBAG RAIGAD Welhavali
Village : Pincode : 402203

BILL DATE	07-01-2024	96,430.00
DUE DATE	29-01-2024	
IF PAID UPTO	15-01-2024	95,960.00
IF PAID AFTER	29-01-2024	97,050.00
Last Receipt No./Date	/25-11-2023	
Last Month Payment	00.00	
Scale / Sector	Small Scale /Private Sector	

Email ID :	Activity :	CEMENT FACTORY				
Mobile No. : 77*****49	Meter No.:	065-06746652	Seasonal :	N	Load Shed Ind :	
Tariff : 36 LT-V B II	Connected Load (KW):	200.00 HP	Urban/Rural Flag :	R	Express Feeder Flag :	N
Contract Demand (KVA) : 186.00	40% of Con. Demand(KVA) :	74.40	Feeder Voltage (KV) :	11	LIS Indicator :	
Sanctioned load (KW) :	200.00 HP					
DTC : 4137596	PC-MR-ROUTE-SEQ :	00-21-0708-2577	BU :	4137	PC :	00
Date of Connection :18-10-2023	Category :	LT Industry General above 20 KW		GSTIN :		
Supply at : LT	Elec. Duty :	10	PAN :			
Prev. Highest (Mth) :	Prev. Highest Bill Demand (KVA) :					
Security Deposit Held Rs. 6,71,950.00	Addl. S.D. Demanded Rs :	00.00				
Bank Guarantee Rs. 0.00	S.D. Arrears Rs. :	00.00				

BILLING HISTORY			
Bill Month	Consumption (Units)	Bill Demand (KVA)	Bill Amount
Dec 2023	1,674	74	46,163.49
Nov 2023	634	74	21,565.19

CUSTOMER CARE Toll Free No.
1912, 1800-102-3435,
1800-233-3435

Rule & Procedure for Consumer Grievances Redressal is available at www.mahadiscom.in>consumer portal>CGRF. Instead of Printed bill, register for E-bill and avail Rs. 10 per bill as a "Go-green" discount. For registration visit at www.mahadiscom.in->consumer portal->Quick access->Go-green request

Scan this QR Code with BHIM App for UPI Payment



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For making Energy Bill Payment through RTGS/NEFT mode, use following details

- Beneficiary Name: MSEDCL
- Beneficiary Account Number: MSEDCL01024640003851
- IFS Code: SBIN0008965
- Name of Bank: STATE BANK OF INDIA
- Name of Branch: IFB BKC
- Bill Amount: 96,430.00

Disclaimer: Please use above bank details only for payment against consumer number mentioned in beneficiary account number.

MAHARASHTRA POLLUTION CONTROL BOARD

REGIONAL OFFICE, RAIGAD

Tel. No. 2757 2620
 Fax No. 2756 2132
 Email: roraid@mpcb.gov.in
 Visit us at: <http://mpcb.gov.in>

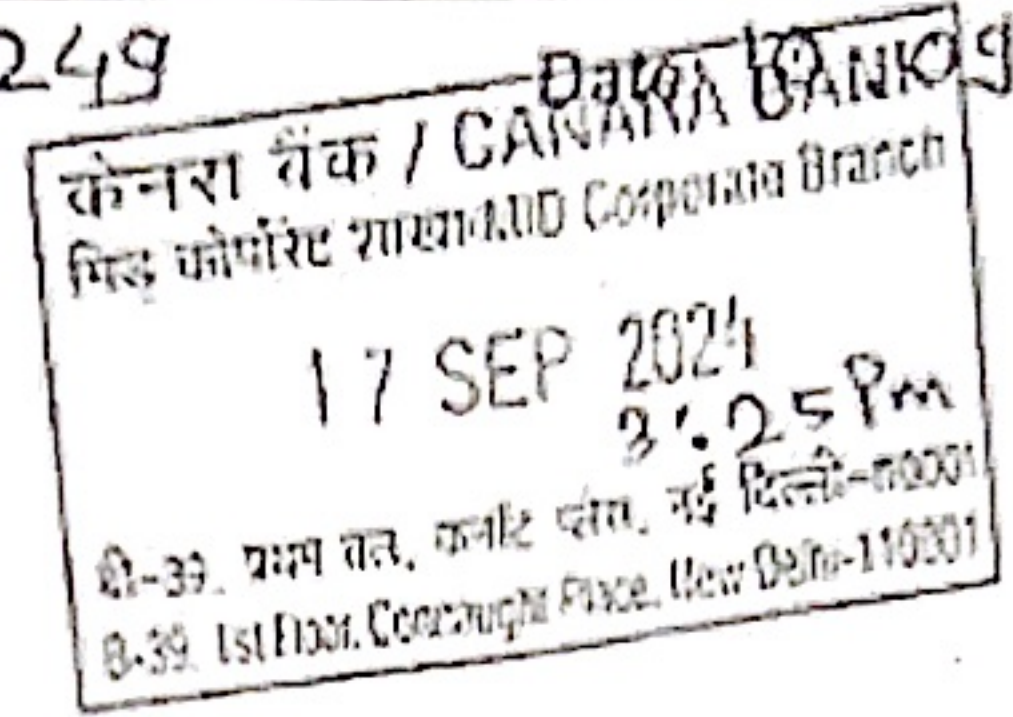


"Your Service is our Duty"

Raigad Bhavan, 6th Floor,
 Sec-11, C.B.D. Belapur,
 Navi Mumbai 400 614.

Ref No: MPCB/ROR/BG/TB- 240910-FTS-0249

To,
 The Branch Manager,
 Canara Bank,
 MID Corporation Branch, B-39,
 1st Floor, Connaught Place,
 New Delhi-110001.



Sub:- Forfeiture of the Bank Guarantee of Rs. 1,00,000/- (One Lakh Only) issued by you in favor of M/s. SKB Builder India Ltd., At- Khanav, Alibag Road, Tal-Alibag, Dist-Raigad.

Ref:- 1. Conditional Restart Direction issued by the Board vide no. MPCB/ROR/Conditional Restart Direction/2407310001 dtd. 31.07.2024.
 2. B.G. submitted by industry of Rs. 1.0 Lakh vide no. VP2G0PG242150578 dtd. 02.08.2024 valid up to 31.07.2025.

M/s. SKB Builder India Ltd., At- Khanav, Alibag Road, Tal-Alibag, Dist-Raigad had submitted the bank guarantee of your esteem bank amounting Rs. 1,00,000/- (One Lakh Only) (B.G. No. VP2G0PG242150578 dtd. 02.08.2024) which is valid for a period up to 31.07.2025 towards compliance of Conditional Restart Direction as referred above no. 01.

As per Conditional Restart Direction, it is decided to forfeit the bank guarantee of Rs. 1,00,000/- (One Lakh Only) towards non compliance of consent conditions.

Therefore, you are requested to forfeit the Bank Guarantee of Rs. 1,00,000/- (One Lakh Only) of said industry and send the Demand draft amounting to Rs. 1,00,000/- (One Lakh Only) in favor of the 'Maharashtra Pollution Control Board, Navi Mumbai' on above mentioned address. The Bank Guarantee duly discharged in original is enclosed herewith for encashment.

(Sanjay R. Bhosale)
 Regional Officer, Raigad

D.A.:- Original Bank Guarantee (B.G. No. VP2G0PG242150578 dtd. 02.08.2024)

Copy to:-

- 1) Sub Regional Officer, Raigad-II, M.P.C. Board, Raigad.
- 2) M/s. SKB Builder India Ltd., At- Khanav, Alibag Road, Tal-Alibag, Dist-Raigad.

Appl' 6" (15)

MAHARASHTRA POLLUTION CONTROL BOARD

REGIONAL OFFICE - RAIGAD

Tel. No: 2757 6034
 Fax No. 2756 2132
 Email: roraigad@mpcb.gov.in
 Visit us at: mpcb.gov.in



Raigad Bhavan,
 6th Floor, Sec-11,
 C.B.D. Belapur,
 Navi Mumbai 400 614.

"Your Service is our Duty"

MPCB/ROR/TB/Compensation/2024-24/2/2000

Date: 12/12/2024

To,
 M/s. SKB Builders India Limited,
 At Khanav, Alibag Road,
 Tal. Alibag, Dist. Raigad. 410220

- Sub:-** Environmental Compensation by invoking the 'Polluter Pays' principal for operating plant without consent reg ...
- Ref -**
1. Case file before Hon'ble Human Rights Commission Mumbai vide No. KKT/Case No. 6716/13/16/2023.
 2. Case filed before, Hon'ble NGT in the O.A. No- 62 of 2024 and Order passed dtd. 03.09.2024.
 3. Closure Direction issued by the Board on 25.06.2024 and restart direction dtd. 28.08.2024 and restart direction issued on 31.07.2024.
 4. Legal action proposal along with EDC Calculation and verification report submitted by SRO-II and combine approval received from competent authority.

Sir,

The case was filed by Suryakant Shelke before Hon'ble Human Rights Commission Mumbai vide No. KKT/Case No. 6716/13/16/2023 for illegal operation of Ready Mix Concreate (RMC) Plant and thereby causing air pollution in the surrounding area.

Accordingly, the Board issued Closure Direction to you Ready Mix Concreate Plant vide above reference No-3 and directed competent authorities to disconnect the electric and water supply of your plant. Further, after submitting the compliance report, the Board has issued the conditional direction dtd. 31.07.2024.

Further, Original Application No. 62 Of 2024 (WZ) has been filed before Hon'ble NGT, wherein directed to the respondent No.9 (i.e. MPCB) to calculate the Environmental Damage Cost (EDC) (also referred as Environmental Compensation) for the non-compliance period and imposed the Environmental Damage Cost to the respective unit and submit a report before Hon'ble NGT.

From the available documents it came to know that, the total number of violation days is 145 days.

(16)


In view of the above you are hereby directed to pay an amount of Rs. 5,43,750/- (Rs. Five Lakhs-Forty-Three Thousand Seven Hundred Fifty Only). Environmental compensation assessed on 'Polluter Pays" principle for air pollution control measures noncompliance and formula framed by CPCB for calculation of Environmental compensation.

The Environmental compensation has been assessed as per the Central Pollution Control Board guidelines regarding "Methodology for Assessing Environmental Compensation and Action Plan to Utilize the Fund" (2019 guidelines) and the record produced by Sub Regional Officer, Raigad-II.

The Environmental compensation of Rs. 5,43,750/- (Rs. Five Lakhs Forty-Three Thousand Seven Hundred Fifty Only) may kindly be deposited in favor of Regional Officer, M P C Board, Navi-Mumbai at the earliest.

This is issued with the approval of the competent authority of the Board.

For and on behalf of
Maharashtra Pollution Control Board


(Sanjay R. Bhosale)
Regional Officer, Raigad

Copy submitted for favor of information to:-

1. PS to the Hon'ble Member Secretary, MPC Board, Mumbai
2. The Joint Director (APC), MPC Board, Mumbai
3. The Law Officer, MPC Board, Mumbai.

Copy for information necessarily follow up action to

1. Sub Regional Officer, Raigad-II
- You are directed to serve this direction to the report of direction.