

**BEFORE THE NATIONAL GREEN TRIBUNAL
WEST ZONE BENCH, PUNE.**

I.A. No.184/2023(WZ)

In

Appeal No.27/2023(WZ)

Spacebound Web Labs Pvt. Ltd.,Applicant

Versus

Goa State Pollution Control BoardRespondent

**REPLY TO APPLICATION FOR
CONDONATION OF DELAY DATED
17/07/2023 FILED BY THE APPLICANT.**

MAY IT PLEASE YOUR HONOUR:

The Respondent most respectfully states and submits as
under:

17/07/23



I, Shri. Sanjeev Joglekar, major in age, married, in service, Indian National, residing at Porvorim, Bardez-Goa, do hereby solemn affirmation, state and submit as under:

1. I am presently working as the Member Secretary Incharge, Goa State Pollution Control Board, and the Respondent herein. I have been authorised to file the present Reply on behalf of the Respondent.
2. I state that I am filing the present reply for a limited purpose of responding / objecting to the application for Condonation of delay filed by the Applicant, wherein the Applicant has sought Condonation of delay of 60 days, in filing present appeal under section 16 of the National Green Tribunal Act 2010 to challenge the Impugned direction issued by the answering respondent dated 06/04/2023.
3. Application under Reply is not maintainable as the same is barred under section 16(j) proviso as the appeal is filed after expiry of 90days of



15/12/23



communication of the Impugned direction to the Applicant. Upon passing of the Order, the same was communicated to the Appellant vide e mail dated 6/04/2023. **A Copy of the e mail is Annexed hereto as Annexure R-1 Colly.** Therefore the Limitation period for filing appeal has began on 07/04/2023. That 30 days period expired on 07/05/2023 and 90 days expired on 07/07/2023. Therefore the appeal is being filed beyond 90days is barred by the NGT Act, 2010.

4. The Applicant has approached this Hon'ble Court with most unclean hands and suppressed material facts from this Hon'ble Tribunal. The appellant in PIL Writ Petition No.2824/2022(F) has filed an Affidavit in Compliance before Hon'ble High Court of Bombay at Goa disclosing the details of the directors wherein the email address of the appellant is mentioned. **Annexed herewith as Annexure R-2 Colly is the copy of Affidavit along with annexures.**

15/12/24

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5. The Applicant in response to the Show Cause Notice issued by respondent, on several times communicated with the respondent through e-mail. The respondent has answered the queries and requirements of applicants through e-mail I D provided by the Applicant. **Annexed hereto as Annexure R3 Colly are some of the e-mails received by the respondent.**
6. The Respondent denies all and singular these averments made in the application and no averment therein be deemed admitted for the lack of a specific traverse, unless specifically admitted herein. The averments which have not specifically been dealt with and/or denied by may not be taken as having been admitted.
7. The answering Respondent at this stage, in all fairness, also finds it expedient to place on record the fact that there is a PIL Writ Petition No. 24/2018 in the matter of



LSR

Sherwin Correia versus State of Goa and Others pending before the Hon'ble High Court of Bombay at Goa, in which petition the Hon'ble High Court is seized of the issues concerning the subject matter of Noise Pollution.

8. The answering Respondent states that the Hon'ble High Court is monitoring the issue and has been passing orders from time to time in respect of the noise pollution occurred during the event conducted by the applicant. Infact it is pertinent to further highlight that the present Applicant is one of the Respondent i.e. Respondent No.10 in the aforesaid PIL Writ Petition No. 2824/2020(F) and are therefore fully aware and sized of the issue sought to be wrongly espoused or contented by it in the present application therefore the reason for the delay as stated in Para 4 to 7 of the application is nothing but a concocted story which deserves to be rejected out rightly.



25.12.20

9. The answering respondent states that perusal of the application for Condonation of delay reveals that the applicant herein has acted in most casual manner and conducted themselves in a negligent manner which is evident from the fact that there is absolutely no explanation as regards to the dates between 06/05/2023 to 15/06/2023. Even otherwise the explanation given by the applicant are not reasonable by any measure, and that the same are habitual unacceptable explanations meted out in the matter to seek Condonation of delay.

10. The Applicant was aware of all the orders made by the Hon'ble High Court from time to time in PIL Writ Petition No. 2824/2020(F) as they were actively participating in the matter. The substantial delay which have been caused in filing the present appeal is solely on account of casual and negligent attitude of the Applicant and the Applicant has not been diligent in filing of the captioned appeal. Further it is submitted that the Applicant has failed to make out sufficient cause for



↓
S/A

Condonation of 60 days delay in filing the captioned appeal and consequently the present application is liable to be dismissed.

11. As regards to the contention that the question involved in the present matter is issuance of the direction in arbitrary manner without following principles of natural justice and imposing penalty under Polluters Pay Principal is totally an incorrect statement as the Applicant was issued Show Cause Notice and was duly represented in the matter.

12. The contentions raised or the reasons stated in Para 4 to 7 are not supported with any substantiating material. It is evident that the applicant is merely attempting to somehow overcome the delay cause in filing the present appeal by creating imaginary stories.

In above conspectus, it is most humbly prayed that present Applicant for Condonation of Delay which is



without any merits/ substance, should be dismissed with exemplary cost.

Panaji-Goa.

Respondent

20/10/2023

Adv. For Respondent



VERIFICATION

I, Shri. Sanjeev Joglekar, major in age, married, in service, Indian National, residing at Porvorim, Bardez-Goa, presently working as the Member Secretary Incharge, Goa State Pollution Control Board, do hereby verify that contents of above mentioned reply are based on the records available with office of the Respondent Board to which I have access and which I believe to be true and correct.

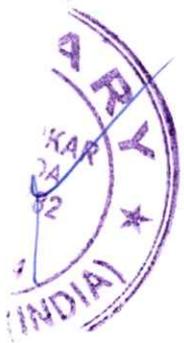
h. s. j.

Solemnly affirm at Panaji-Goa.

LSM

On this 20th day of October 2023

Deponent



SOLEMNLY AFFIRMED AND VERIFIED
BEFORE / ME BY Sanjeev Jagtapkar
WHO IS IDENTIFIED BEFORE / ME
BY Adv. Prasad Khollay
WHOM I KNOW
SERIAL No. 21153 DATED 20/10/2023

[Signature]
ARUN WADKAR
NOTARY AT TISWADI TALUKA
STATE OF GOA-INDIA
REG. No. 382/14
DATED 19/9/2014

Email

Goa PCB

Order

From : Goa PCB <mail.gspcb@gov.in>

Thu, Apr 06, 2023 04:08 PM

Subject : Order

3 attachments

To : karan singh <karan.singh@sunburn.in>

Sir,

With respect to above cited subject matter please find the attached order.

Regards
Member SecretaryGOA STATE POLLUTION CONTROL BOARD
Near Pilerne Industrial Estate, Opp Saligao Seminary,
Saligao - Goa - 403511**www.goaspcb.gov.in**

333-IN THE MATTER OF SHOW CAUSE NOTICE - SPACEBOUND**WEB LABS PVT LTD.pdf**521 KB

Email

Goa PCB

Order

From : Goa PCB <mail.gspcb@gov.in>

Thu, Apr 06, 2023 04:04 PM

Subject : Order

📎 3 attachments

To : mayank manek
<mayank.manek@bookmyshow.com>,
legal@bookmyshow.com

Sir,

With respect to above cited subject matter please find the attached order.

Regards
Member SecretaryGOA STATE POLLUTION CONTROL BOARD
Near Pilerne Industrial Estate, Opp Saligao Seminary,
Saligao - Goa - 403511**www.goaspcb.gov.in**

333-IN THE MATTER OF SHOW CAUSE NOTICE - SPACEBOUND📎 **WEB LABS PVT LTD.pdf**521 KB

GOA STATE POLLUTION CONTROL BOARD

गोंय राज्य प्रदूषण नियंत्रण मंडळ

(An ISO 9001-2015, ISO 14001:2015, ISO 45001:2018 Certified Board)

Phone Nos : 0832- 2407700,
2407701, 2407703



Email Ids:

Chairman, GSPCB: chairman-gspcb.goa@nic.in

Member Secretary, GSPCB: ms-gspcb.goa@nic.in

Office: mail.gspcb@gov.in

Date: 6/04/2023

No. 1/25/2023-PCB/Legal/333

ORDER

In the matter of Show Cause notices dated 06/01/2023 and 12/1/2023 issued to M/s. Spacebound Web Labs Pvt. Ltd. and its Directors

The Board vide Show Cause Notices bearing nos. 1/25/PCB-2022/Legal/18920 dated 06/01/2023, 1/25/PCB/Legal/19522 dated 12/01/2023, 1/25/PCB/Legal/19524 dated 12/01/2023, 1/25/PCB/Legal/19520 dated 12/01/2023, 1/25/PCB/Legal/19516 dated 12/01/2023 and 1/25/PCB/Legal/19518 dated 12/01/2023 has directed M/s. Spacebound Web Labs Pvt. Ltd. through Mr. Parag Uke, its Directors namely Mr. Karan Harindra Singh, Mr. Ajaykumar Upadhyay, Mr. Kislaya Srivastava, Mr. Kunal Khambhati and Mr. Anil Biharilal Makhija, respectively, (hereinafter referred to as the Respondents) to Show Cause as to why security deposit of Rs. 10 lakhs as submitted by them to the GSPCB in respect of the event organised by them 'Sunburn Music Festival' on 28th, 29th and 30th December 2022 at Anjuna, Bardez, Goa; should not be forfeited.

Vide the said Show Cause Notice; the GSPCB has stated that;

- a) Vide letter dated 28/12/2022 various measures were stipulated that were required to be complied with by the Respondents that included measures for the effective disposal of solid waste and sewage generated at the Event organized by the Organizers as well as measures for the control of Air pollution and Noise that would be emitted during the Event being organized by the Respondents.

b) Vide letter dated 28/12/2022 the GSPCB specifically stipulated as follows;

For Noise Pollution:-

- *The Unit should comply with all the standards as prescribed under the Noise Pollution (Regulation and Control) Rules, 2000.*
- *The Project Proponent shall install the Noise Limiters to regulate the Noise Levels within the prescribed limits.*
- *The unit shall install online noise monitoring system and also provide display Boards along the periphery of the venue so as to display the noise levels recorded at the venue.*

c) During the course of site inspections and monitoring by the Officials of the Board on 28/12/2022, 29/12/2022 and 30/12/2022 it was observed that the Respondents had failed to comply with all the standards as prescribed under the Noise Pollution (Regulation and Control) Rules, 2000 during the event organized by them on 28th, 29th and 30th December 2022 at Anjuna, Bardez, Goa; as the Reports of Noise Monitoring conducted by the Board officials at the event on 28th, 29th and 30th December 2022 indicate that recorded noise level exceeded the permissible limits.

d) During the course of the site inspections and monitoring; it was further observed by the Board Officials that the Respondents had installed online noise monitoring system and also provided a display Board along the periphery of the venue so as to display the noise levels recorded at the venue only on 30th December 2022 while the same was not installed and/or operated on 28th and 29th December 2022. It was further observed that this system was not connected to the Goa State Pollution Control Board as well as office of the Sub-divisional Magistrate and Deputy Superintendent, server. It was also observed during the aforesaid site inspections and Monitoring that the

organizers had not installed Noise Limiters to regulate the noise levels within the prescribed limits.

- e) The observations as above and as contained in the Report of site inspections and Monitoring is indicate that the Respondents had failed to comply with the conditions as laid down by the Board for the control and management of Noise pollution caused during the conduct of the Event organized by them namely 'Sunburn Music Festival' on 28th, 29th and 30th December 2022 at Anjuna, Bardez, Goa.

The Advocate appearing for the Respondents has appeared before the undersigned on 16/01/2023, 07/02/2023, 20/02/2023 and 03/03/2023 in order to submit the say of the Respondents to the Show Cause Notice in question.

The Respondents had filed an Application dated 3/3/2023 for dismissal of the Show Cause Notice bearing no. 1/25/PCB/Legal/19522 dated 12/01/2023.

The aforesaid application was rejected vide order dated 10/03/2023. The matter was heard on 20/03/2023 upon which time after considering that as the matter was delayed considerably; the respondents were directed to submit written arguments to the Show Cause Notices in question by 27/03/2023. The respondents were further informed that these arguments will be considered as say of the Respondents to the Show Cause Notices and the matter would be decided finally.

Accordingly, the matter was fixed for hearing on 27/03/2023 at which time the Respondents filed a reply in the matter, written arguments, an application seeking to orally argue the matter and to an application to lead evidence in the matter; all dated 27/03/2023.

In view of the decision taken on 20/03/2023 in the matter and in view of the detailed nature of the reply and written arguments submitted by the Respondents dated 27/03/2023;

the application dated 27/03/2023 filed by the respondents seeking to orally argue the matter stands rejected.

In so far as the application dated 27/03/2023 filed by the respondents in the matter to lead evidence; it is noted that there is no specific procedure for recording evidence in the present proceedings; as such the application to lead evidence stands rejected.

Upon considering the reply filed by the respondents in the matter and the written arguments; both dated 27/03/2023, filed in the matter it is observed that the primary stand/submissions of the respondents to the Show Cause Notices issued to them are as follows;

1. The Respondents submit that all the conditions mentioned in the permission dated 26th December 2022 granted to Respondent no. 1 Company by GSPCB were complied with including all compliances required under the Noise Rules including setting up of noise limiters and maintaining Ambient Air Quality Standards in respect to Noise.
2. The Respondents state that Section 11 of the Environment (Protection) Act 1986, has not been complied with by the GSPCB while conducting noise monitoring at the event and as such the Show Cause Notice issued to the Respondent by the GSPCB that is based on samples collected in violation of Section 11 of the Environment Act inadmissible as evidence in legal proceedings.
3. The Respondent state that all the equipment installed at the said Event contained in-built noise limiters which strictly ensured that the Ambient Air Quality Standards with respect to Noise were not breached by the sound emitting devices ("loudspeakers or speakers") installed at the said Event.
4. The respondents state and submit that the security deposit was towards the noise monitoring system being set up at the Event. Upon completion of the event, the noise

monitoring system and the noise monitoring equipment deployed by GSPCB were safely and without any damage returned to GSPCB. Accordingly, the security deposit amount of Rs. 10,00,000/- must be refunded, as there was no damage to any equipment.

5. Retention/forfeiture of the security deposit as sought by GSPCB in the SCN for alleged violation of the said Rules at the said Event would amount to GSPCB overreaching the provisions of Section 15 of the Environment (Protection) Act, 1986.
6. The forfeiture of the security deposit as sought by the GSPCB for allegedly breaching the Ambient Air Quality Standards with respect to noise when the security deposit was obtained to secure the noise monitoring systems and equipments, which has been since returned by the Respondents undamaged, is illegal.
7. GSPCB has already initiated proceedings under Section 15 read with section 16 and 19 along with Section 39 of the Air (Prevention and Control of Pollution) Act, 1981 before the Court of the Judicial Magistrate First Class at Mapusa, Goa being case no. IPC/26/2023. The Respondents state and submit that since the GSPCB has already initiated appropriate proceedings under the relevant provisions of the said Act and Air act against the Respondents, to additionally issue the SCN would amount to the Respondents being prosecuted for the same offence twice.

On considering the reply and written arguments dated 27/03/2023 and on considering the documents and records regarding the Show Cause Notices in questions available before me and in the records of the GSPCB; I arrive at the following findings;

- a. In so far as the submissions of the Respondents that they have complied with all the conditions mentioned in the permission dated 26/12/2022 granted to them by the GSPCB including all compliances required under the Rules including setting up of Noise limiters and maintaining of Ambient Air Quality Standards in respect of Noise;

it is pertinent to note that the GSPCB has not granted any permission to the Respondents as stated by them; rather the GSPCB vide letter dated 28/12/2022 has informed the Collector and District Magistrate about the various measures that were required to be complied by the Respondents during the conduct of the "Sunburn Music Festival" from 28 December 2022 at Anjuna Bardez Goa. Vide the said letter the GSPCB stipulated various measures for effective disposal of solid waste and sewage generated at the event as well as measures for control of Air pollution and noise that would be generated /emitted during the event.

The conditions stipulated in respect of the noise pollution are as follows;

For Noise Pollution:-

- *The Unit should comply with all the standards as prescribed under the Noise Pollution (Regulation and Control) Rules, 2000.*
- *The Project Proponent shall install the Noise Limiters to regulate the Noise Levels within the prescribed limits.*
- *The unit shall install online noise monitoring system and also provide display Boards along the periphery of the venue so as to display the noise levels recorded at the venue.*

The report of inspection and noise monitoring conducted by the Officials of the GSPCB on 28/12/2022 to 30/12/2022 at the said event clearly indicates that the noise level generated at the said event clearly exceeds the noise limits stipulated under the Noise Rules 2000. The report of inspection also indicates that the event organisers had not installed sound limiters and had not installed online noise Monitoring System and display board at the venue during the event on 28th and 29th December 2022. The

report further indicates that though this online noise Monitoring System and display board was installed at the event venue on 30/12/2022 the same was not connected to the server of the GSPCB, SDM and DYSP.

These findings have not been proved wrong by the respondents and as such it is apparent that the event organisers have failed to comply with the said conditions.

- b. In so far as the submissions of the Responds that the security deposits sought to be forfeited by the GSPCB was for securing noise monitoring system and equipments at the venue and not for assuring compliance with the ambient Air Quality standards with respect to noise during the event; this submission would need to be rejected outright as letter dated 26/12/2022 issued by the Board to the Respondent and letter dated 28/12/2022 to the District Collector clearly indicate that the security deposit in question was obtained by the Board from the Respondent specifically for ensuring compliance with the ambient Air Quality standards with respect to control of emitted noise during the event.
- c. In so far as the submissions of the Responds that the GSPCB has not complied with the provisions of section 11 of the Environment (Protection) Act 1986 while conducting Noise Monitoring at the event and Rule 6 -11 of the Environment (Protection) Rules; perusal of the said statute indicates that there is no provision provided for monitoring 'noise levels' therein and as such the procedure for taking of samples as claimed by the Respondents will not be applicable in the present case.
- In any event the noise Monitoring has been carried out with Noise Level Monitoring Stations as per the specifications of the CPCB.

- d. In so far as the submissions of the Respondents that the GSPCB could not institute the present proceedings for forfeiture of security deposits for violation of the Noise levels during the event as the GSPCB have already initiated proceeding before the Court of the Judicial Magistrate First Class at Mapusa; it is seen that the proceeding initiated before the Judicial Magistrate First Class at Mapusa are for specific violations of the provisions of the relevant Acts while the present proceedings are specifically instituted for the purpose of forfeiting the security deposits submitted by the Respondents for ensuring that the Noise Levels emitted during the event were maintained within the permissible limits.

All the facts as above have also been considered by the Hon'ble High Court of Bombay at Goa in PILWP/2824/2022 (F) vide order dated 30/12/2022 and order dated 03/01/2023.

In view of the findings as above, I am of the firm and considered opinion that the Respondents have grossly failed to maintain the Noise Levels emitted during the event within the permissible limits. As such the Board is mandated to forfeit the Security Deposit of Rs. 10,000,00/- submitted by them to the Respondent Board.

The Respondents will be accordingly intimated.

Issued on 6 day of April, 2023.

Place : Saligão, Goa


Member Secretary

For the Goa State Pollution Control Board

IN THE HIGH COURT OF BOMBAY AT GOA

PIL Writ Petition (F) No. of 2022

Ramesh Sinary Petitioner

Versus

State of Goa and others Respondents

AFFIDAVIT IN COMPLIANCE OF ORDER DATED**30TH DECEMBER 2022**

I, Parag Unke, son of Narendra Unke, aged about 38 years, Indian National, Authorised Representative of Respondent No. 10 authorised vide Authority Letter dated 25th April 2022 issued by Respondent No.10 do hereby on solemn affirmation do state and submit as under:

1. I am the Authorised Representative of Respondent No.10 and am authorized to file the present Affidavit on behalf of Respondent No.10 in terms of the Authority Letter dated 25th April 2022. I am filing the

*Unke*

present Affidavit based on the available records with the office of Respondent No.10 which I have access to and am able to depose thereto.

2. I state that am conversant with the facts and circumstances of the issues involved in the present Petition. I state that I am competent to depose to this Affidavit on behalf of Respondent No.10. I state that I am at the moment, not dealing with each and every contention/averment made in the present Petition, and the averments/contentions which have not been dealt with and/or denied by me, may not be taken as having been admitted by me. I state that Respondent No.10 has not yet received a complete copy of the present Petition and was informed pursuant to the email dated 30th December 2022 by the Advocate for the Petitioner. I state that Respondent No. 10 was not served through a private notice via email on 29th December 2022 as claimed by the Petitioner.
3. I state that I am filing this Affidavit in order to oppose Admission and / or Grant of any interim reliefs in

R. M.



favour of the Petitioner and in compliance of Order dated 30th December 2022 passed by this Hon'ble Court. I crave leave of this Hon'ble Court to file a detailed Affidavit.

4. I state that the following persons are Directors of Respondent No. 10 Company as on 05th December 2022:

- a. Ajaykumar Upadhyay
- b. Karan Harindra Singh
- c. Kislaya Srivastava
- d. Anil Biharilal Makhija
- e. Kunal Khambhati

A copy of the extract of the master data of Respondent No. 10 Company downloaded from the Ministry of Corporate Affairs website is hereto annexed and marked as **Annexure – 1.**

5. I state that whatever is stated by me in paragraphs nos. 1 to 4 of the above Affidavit is partly based on records available with the office of Respondent No. 10



Fulla

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which I have access to and partly based on legal advice which I believe to be true and correct.

Solemnly affirmed at Porvorim, Goa)

On this 03rd day of January 2022)

[Signature]

DEPONENT

Identified by me:-

Adv. Siddhiya Y. Arlekar
MAH/2182/2016.



Solemnly affirmed before me by Francis Unkle who is identified before me by Adv Siddhiya Arlekar whom I personally know. Dated this 3rd day of January 2022.

[Signature]
Section 10
High Court of Bombay
at Goa, Porvorim

SPACEBOUND WEB LABS PRIVATE LIMITED

CIN: U74140MH2013PTC339301 | Phone No.:022-6868 9898 | Email id: mayank.manek@bookmyshow.com

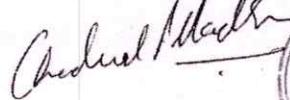
April 25, 2022

TO WHOMSOEVER IT MAY CONCERN**Subject: Authority Letter in favour of Mr. Parag Uke**

Dear Sir,

With reference to the above, we Spacebound Weblabs Private Limited ("the Company") hereby authorize Mr. Parag Uke, holding PAN AADPU1345D to sign and execute necessary applications, documents, letters, communications, and other additional documents and perform all obligations in relation to obtaining licenses or permissions from the various authorities for the event "Sunburn Festival - Goa 2022" that will be necessary in respect of the said authority on behalf of the Company.

In addition to the above, the Company hereby authorize Mr. Parag Uke to represent the company and to appear in before Civil Court or High Court of Bombay at Panaji, to file affidavits, appeals, writ petition or any other proceedings on behalf of the Company.

For Spacebound Web Labs Private Limited**Authorized Signatory**

REGISTERED OFFICE:
CTS No. 125, Village Vile Parle,
Near W.E. Highway, Next to Neelkanth Complex,
Sahar Road, Vile Parle (East), Mumbai 400099

Company Master Data

CIN U74140MH2013PTC339301
 Company Name SPACEBOUND WEB LABS PRIVATE LIMITED
 ROC Code RoC-Mumbai
 Registration Number 339301
 Company Category Company limited by Shares
 Company SubCategory Non-govt company
 Class of Company Private
 Authorised Capital(Rs) 1660000
 Paid up Capital(Rs) 1448200
 Number of Members(Applicable in case of company without Share Capital) 0
 Date of Incorporation 29/01/2013
 Registered Address CTS NO. 125, VILLAGE VILE PARLE, NEAR W.E.HIGHWAY NEXT TO NEELKANTH COMPLEX SAHAR ROAD VILEPARLE (E) MUMBAI Mumbai City MH 400099 IN
 Address other than R/o where all or any books of account and papers are maintained -
 Email Id legal@bookmyshow.com
 Whether Listed or not Unlisted
 ACTIVE compliance ACTIVE compliant
 Suspended at stock exchange -
 Date of last AGM 28/09/2022
 Date of Balance Sheet 31/03/2022
 Company Status(for efilling) Active

Charges

Charge Id	Assets under charge	Charge Amount	Date of Creation	Date of Modification	Status
No Charges Exists for Company/LLP					

Directors/Signatory Details

DIN/PAN	Name	Begin date	End date	Surrendered DIN
00032046	AJAYKUMAR UPADHYAY	05/08/2022	-	
05227729	KARAN HARINDRA SINGH	11/07/2022	-	
08180689	KISLAYA SRIVASTAVA	11/07/2022	-	
08184357	ANIL BIHARILAL MAKHIJA	11/07/2022	-	
08589708	KUNAL KHAMBHATI	22/10/2019	-	

Email

Goa PCB

SHOW CAUSE NOTICE ISSUED TO - Kunal Khambhati

From : Goa PCB <mail.gspcb@gov.in>
Subject : SHOW CAUSE NOTICE ISSUED TO -
Kunal Khambhati

Thu, Jan 12, 2023 05:01 PM

3 attachments

To : legal@bookmyshow.com, mayank manek
<mayank.manek@bookmyshow.com>

Sir,

With respect to above cited subject matter please find the attached show cause notice issued to Mr. Kunal Khambhati (Director).

Member Secretary

GOA STATE POLLUTION CONTROL BOARD
Near Pilerne Industrial Estate, Opp Saligao Seminary,
Saligao - Goa - 403511

www.goaspcb.gov.in



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GSPCB.png
17 KB

19516-SPACEBOUND WEB LABS PVT LTD - KUNAL KHAMBHATI -
SHOW CAUSE NOTICE.pdf
1 MB

Email

Goa PCB

SHOW CAUSE NOTICE No. 18920 dated 06-01-2023 on Sunburn Music Festival

From : Goa PCB <mail.gspcb@gov.in> Wed, Jan 11, 2023 10:45 AM
Subject : SHOW CAUSE NOTICE No. 18920 dated 06-01-2023 on Sunburn Music Festival 3 attachments
To : mayank manek
<mayank.manek@bookmyshow.com>,
legal@bookmyshow.com

Sir,

With respect to above cited subject matter please find the attached document.

Regards
Member Secretary



GOA STATE POLLUTION CONTROL BOARD
Near Pilerne Industrial Estate, Opp Saligao Seminary,
Saligao - Goa - 403511

www.goaspcb.gov.in

18920-SPACEBOUND WEB LABS PVT LTD - SHOW CAUSE
NOTICE.pdf
1 MB

Email

Goa PCB

Your request for documents.

From : Goa PCB <mail.gspcb@gov.in>

Mon, Jan 30, 2023 03:45 PM

Subject : Your request for documents.

📎 3 attachments

To : legal@bookmyshow.com, mayank manek
<mayank.manek@bookmyshow.com>

With regards to your letter dated 16/01/2023, please find attached herewith the letter issued by the Board.

Regards
Member Secretary

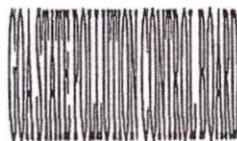


GOA STATE POLLUTION CONTROL BOARD
Near Pilerne Industrial Estate, Opp Saligao Seminary,
Saligao - Goa - 403511

www.goaspcb.gov.in

**ONLY LOGOBLUE.png**

28 KB

**GSPCB.png**

17 KB

**Spacebound letter_0001.pdf**

39 KB

SPACEBOUND WEB LABS PRIVATE LIMITED

CIN: U74140MH2013PTC339301 | Phone No.:022-6868 9898 | Email id: legal@bookmyshow.com

Date: 16th January 2023

To,
The Member Secretary,
Goa State Pollution Control
Board, Near Pilerne Industrial
Estate, Opp. Saligao Seminary,
Saligao, Bardez, Goa – 403 511.

Re: Preliminary Reply to Show Cause Notice bearing no. No. 1/25/PCB/legal/19522 dated 12th January 2023.

Madam,

Our Company ("Spacebound Web Labs Pvt. Ltd.") is in receipt of the captioned Show Cause Notice (hereinafter referred to as the "SCN") directing us to submit our say to the allegation contained therein. In response to the SCN, we state that we have not received all the documents from Goa State Pollution Control Board ("GSPCB"), which are more particularly mentioned hereinbelow and in absence of these documents, we are constrained to file this preliminary reply, with liberty to file a more detailed reply, upon receipt of the documents mentioned herein. In response to the SCN, we state and submit as under:

1. At the outset, we deny all the allegations contained in the SCN against our Company pertaining to the violations of the Noise Pollution (Regulation and Control) Rules, 2000 ("said Rules") at the Sunburn Music Festival event ("said Event") held at Anjuna, Goa from 28th December 2022 to 30th December 2022. We state and submit that all the conditions mentioned in the permission dated 26th December 2022 granted to our Company by GSPCB were complied with scrupulously by our Company at the said Event including all compliances required under the said Rules including setting up of noise limiters and maintaining Ambient Air Quality Standards in Respect to Noise. We further state that any additional directions which were issued by GSPCB to our Company in relation to the said Event were forthwith complied by our Company.

REGISTERED OFFICE:
CTS No. 125, Village Vile Parle,
Near W.E. Highway, Next to Neelkanth Complex,
Sahar Road, Vile Parle (East), Mumbai 400099

SPACEBOUND WEB LABS PRIVATE LIMITED

CIN: U74140MH2013PTC339301 | Phone No.:022-6868 9898 | Email id: legal@bookmyshow.com

2. We further state that the noise monitoring equipment maintained by our Company at the said Event clearly showed that the Ambient Air Quality Standards with Respect to Noise were breached at no point in time. As a matter of fact, the Inspection Report dated 02nd January 2023 clearly mentions that the background noise monitoring on 27th December 2022 (one day before the said Event from 14.15 hours to 15.15 hours) clearly logs a noise level Leq dB of 63.8. This was the situation even before the said Event started and the same is attributable to the area being a tourist area which is surrounded by a football ground, Hotels, Guest Houses, Cottages, Bars, Restaurants, Clubs, etc. and therefore, there are additional factors which contribute to the noise levels cannot be attributed to the said Event and our Company being made responsible for the additional factors causing the breach of Ambient Air Quality Standards in Respect to Noise.
3. We state that all the equipment installed by our Company contained in-built noise limiters which strictly ensured that the Ambient Air Quality Standards with Respect to Noise were not breached by the sound emitting devices ("loudspeakers or speakers") installed by our Company at the said Event. We state with great emphasis and vehemence that the additional factors contributing to the noise levels cannot be attributed to the said Event and our Company being sought to be penalised for the same is completely unfair and illegal.
4. At the further outset, it is stated that by letter dated 26th December 2022 issued by the GSPCB, our Company were directed to pay a noise monitoring fee of Rs.3,50,000/- for a total of four (4) monitoring stations and two (2) background noise monitoring stations which included the installation of noise monitoring system and a security deposit of Rs. 10,00,000/- for installation and security of the noise monitoring system was deposited by our Company. We state and submit that the said security deposit was towards the noise monitoring system being set up at the said Event. Upon completion of the said Event, the noise monitoring system and the noise monitoring equipment deployed by GSPCB were safely and without any damage returned to GSPCB and accordingly, the security deposit amount of Rs. 10,00,000/- must be returned to our Company.

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