

IN THE COURT OF THE METROPOLITAN MAGISTRATE,
65TH COURT, ANDHERI, MUMBAI.
C. C. NO. 207/SW/14

Date of offence In the year 2013-2014.

Date of complaint 21/04/2014.

Name, age and residence of the complainant Maharashtra Pollution Control Board, represented by Shri V.V. Shinde. Having Office at:- 3rd and 4th Floor, Kalpataru Point, Sion(East), Mumbai-22.

Name, age and residence of the accused.

- 1) M/s. Orbit Ventures Developers
- 2) Mr. Rajan V Dhuru (Partner)
- 3) Mr. Pratap L Kalra (Partner)
- 4) Mr. Pratik Tejendersingh Makkar (Partner)
- 5) Mr. Rajkumar K Sharma (Partner)

All having add. At - 4th Floor, Dheeraj Plaza, Opp Bandra Police Station, Hill Road, Mumbai- 400 050.

Under Section Under Section 15 of Environment (Protection) Act 1986 r/w the Environment Impact Assessment Notification 2006 (EIA Notification 2006).

Particulars of offence :- That you accused in 2013-2014 at CTS No.building NO. 1/2 on S.No.40 CTS 1 (pt) of village Oshiwara, Andheri(w), Mumbai, carried out construction of more than admeasuring 38675.52m2 at site without obtaining prior Environment Clearance from the Government of Maharashtra as per requirement of and thereby violated provisions of Environment Impact Assessment Notification 2006 and thereby committed an



offence punishable Under Section 15 of The Environment (Protection) Act 1986 and within the cognizance of this court.

Patil
19.1.17

(C. V. Patil),
Metropolitan Magistrate,
65th Court, Andheri, Mumbai.

Date:- 19/01/2017

PLEA OF THE ACCUSED.

- Q. 1 Have you received the papers?
Ans. Yes.
- Q. 2 Have you understood the charge?
Ans. Yes.
- Q. 3 Do you plead guilty to the charge?
Ans. Yes, we do plead guilty.

Patil
Signature of accused No. 1
(Accused No. 2 will sign for Accused No. 1
(Director) & Partner of the firm)

Patil
Signature of accused No. 2

Patil
Signature of accused No. 3

Patil
Signature of accused No. 4

Patil
Signature of accused No. 5

Patil
19.1.17

(C. V. Patil),
Metropolitan Magistrate,
65th Court, Andheri, Mumbai.

Date:- 19/01/2017



ORDER

Today complainant Maharashtra Pollution Control Board present with Advocate Kirti Purohit. Accused No. 1 to 5 present with their advocate. Accused no. 1 to 5 move application for plead guilty. ^{Accused no 1 to 5 appear for A NO 1} They had also put their signature on behalf of accused no. 1, being the director of the company. Here the offence alleged Under Section 15 of Environment (Protection) Act 1986 r/w the Environment Impact Assessment Notification 2006 (EIA Notification 2006) ^{is applied} Section 15 of that Act provides punishment for a term which may extend five years or with fine, which is extend to 1 lac rupees or more. I had called say of the complainant as well as the Ld. APP . The Ld. APP submitted that, maximum fine may be imposed on the accused. the complainant have no objection to accept the plea of accused, by imposing maximum fine. Here maximum fine amount is upto ^{50,000/-} 1 lac U/sec. 29 of Cr. P. C. ^{vide} amended provisions in the year 2007, this court can imposed maximum fine amount upto 50 thousand, in this case. Considering nature of offence and say of the prosecution I proceed to pass the following order.

ORDER

1) The accused no. 1 to 5 are Convicted vide Sec. 241 of Cr. P. C. for the offence i.e. Violation of Provisions of Environment Impact Assessment Notification 2006, punishable under section 15 of Environment (Protection) Act 1986 and accused no. 1 to 5 sentence to pay fine of ₹. 25,000/- each (Twenty Five thousand each) jointly and severally in default accused no. 1 to 5 suffer S. I. for two months each.

2) Copy of the order be given free of cost to the accused.

Accused No 1 to 5
 Rs 25000/- each
 Fine Paid
 19/1/17
 Cashier

gohil
 19-1-17
 (C. V. Patil),

Metropolitan Magistrate,
 65th Court, Andheri, Mumbai.



Mumbai.
 Date:- 19/01/2017

// True Copy //

Judicial Clerk
 Metropolitan Magistrate's
 65th Court, Andheri, Mumbai.

Appln. No - 70/17
 Applicant - Adv for Comp
 Applied On - 15/01/17
 Ready On -
 Delivered On - 20/02/17