

Order below Exh. 09 in Regular Criminal Case no. 123/2014
(Maharashtra Pollution Control Board Vs. M/s. Kashmirira Ceramic
Products Ltd.)
(CNR No. MHTH05-000291-2014)

1. By the application of Exh. 16, accused has voluntarily pleaded guilty. He has appended the self attested copy of his PAN card no. ADMPL9782D. He has prayed that he is admitting the guilt and has prayed for leniency in sentence of fine. He has also submitted that all other requisite permissions are granted by the Maharashtra Pollution Control Board, but inadvertently this permission was remained to be obtained. Later on the said permission is granted by the said Board. In view of this admission of guilt, accused held guilty for the offence under Section 15(1) of the Environment (Protection) Act.

2. Learned advocate for the Maharashtra Pollution Control Board has submitted that later on the said permission is granted to the accused. However, offence is technically committed. Hence, this complaint. Learned advocate for the Board has also prayed for maximum punishment of fine.

3. Considering technical nature of the offence, it is necessary to mention that later on the permission is sought by the accused from the Board. The present offence is punishable with imprisonment or with fine, which may extend to Rs. 1,00,000/- or with both. In view of Section 29 of the Code of Criminal Procedure, this Court may pass the sentence of fine upto Rs. 1,00,000/-. Accordingly, I proceed to pass the following order.

ORDER

- 1] Accused M/s. Kashmirira Ceramic Products Limited is convicted for the offence under Section 15(1) of the



Exh. 01

(2)

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Environment (Protection) Act and he is sentenced to suffer simple imprisonment till rising of the Court and to pay fine of Rs. 1,00,000/- (Rupees One Lack only) in default to suffer simple imprisonment of 1 month.

2] Bail bonds of accused are forfeited.

Pronounced and dictated in open Court.




(J. S. Bhatia)


Date : 06/03/2018

8th Additional Chief Judicial Magistrate
Thane

2387/18
आपत्ती रकम
1,00,000/-
6/3/18
थाने न्यायालय, ठाणे



छायांकित करणार 
रुजवात करणार 

न्याय प्रव

न्यायवाहक अधिकारी प्रथम श्रेणी
थाने न्यायालय, ठाणे