

Item No. 01

(Pune Bench)

**BEFORE THE NATIONAL GREEN TRIBUNAL
WESTERN ZONE BENCH, PUNE**

(By Video Conferencing)

Original Application No.07/2022(WZ)

Shashikant Vitthal Kamble

Applicant(s)

Versus

MoEF & CC & Ors.

Respondent(s)

Date of hearing: 22.02.2022.

**CORAM: HON'BLE MR. JUSTICE SHEO KUMAR SINGH, JUDICIAL MEMBER
HON'BLE DR. VIJAY KULKARNI, EXPERT MEMBER**

Applicant(s): Ms. Ranu Purohit, Advocate

ORDER

1. The grievances in this Application are construction of project of residential units in Mhalunge in District Pune by the Respondent No.13 Naiknavare Developers Private Limited-Project Proponent (PP) in violation of environmental norms and the following:-

- (i) Plot area of Environmental Clearance (EC) and the plot area of the commencement certificate are different.
- (ii) The configuration of the buildings has been changed.
- (iii) Construction without prior permission of the competent authority.
- (iv) Construction of the building (A-1 and B-2) without having any environmental clearance.
- (v) Construction and action of the Respondent in contravention of the sanctioned layout plan and the environmental clearance conditions.

2. It is further alleged that in spite of the repeated applications/representations, the State Environment Impact Assessment

Authority, Maharashtra (SEIAA) ignored the facts and thereby directly or indirectly permitted to violate the environmental norms. SEIAA Maharashtra has no mechanism or has not developed a mechanism to control the illegal constructions in violation of environmental norms.

3. Issue notice to the Respondents. Returnable within four weeks.

4. Applicant is directed to provide copy of the Application and relevant documents to the Respondents within a week.

5. Respondents are directed to submit their reply affidavit within six weeks.

6. Applicant is also directed to take necessary steps for service to the respondents by both ways and also on available email.

7. We deem it just and proper to call a report on the matter in issue in present application, from a Joint Committee consisting of:-

- (i) The State Environment Impact Assessment Authority, Maharashtra (SEIAA);
- (ii) Representative of the Central Pollution Control Board (CPCB);
- (iii) Representative of the Maharashtra State Pollution Control Board (MSPCB).

8. The Committee is directed to visit the place and submit a factual and action taken report within six weeks. The Maharashtra State Pollution Control Board (MSPCB) will be the nodal agency for coordination and logistic support.

9. The report in the matter be filed by the Committee by e-mail at ngt-pune@gov.in preferably in the form of searchable PDF/ OCR Support PDF and not in the form of Image PDF.

10. Applicant is directed to supply the required documents and copy of the application to the members of the Committee within a week.

Put up with the report on 22.04.2022.

Sheo Kumar Singh, JM

Dr. Vijay Kulkarni, EM

February 22, 2022
Original Application No.07/2022(WZ)
JG