

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

(By Video Conferencing)

ORIGINAL APPLICATION NO.41 OF 2023 (WZ)

Arun Nathuram Gaikwad

.... Applicant

Versus

Secretary, Environment Department,
Govt. of Maharashtra & Ors.

....Respondents

Date of Hearing : 11.04.2023

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

Applicant : Mr. Yogesh Pratap Singh, Advocate

ORDER

1. The learned counsel for the applicant submits that the applicant is claiming the project by name "Wadala Notified Area" as Township and Area Development Project, which needs prior Environmental Clearance (EC) under clause 8b of the Schedule to EIA Notification 2006 because it covers area exceeding 50 hectares. He has drawn our attention in this regard to Annexure-A2, which is said to be the layout plan of this project. However, in our estimation, it does not appear to be a layout of the said project.

2. We find that the applicant has not impleaded the Ministry of Environment, Forest and Climate Change (MoEF&CC) as well as SEIAA, Maharashtra as respondents in this case, which, in our opinion, are necessary parties. Therefore, we direct the learned counsel for the applicant to implead above two Authorities as respondents in the present proceeding forthwith and thereafter, the Registry shall issue notice to them, returnable within two weeks, in order to have clarification from

them as to whether the project falls in the definition of 'Township and Area Development Project', requiring prior EC or not ?

3. Put up this matter for admission on 27.04.2023.

Dinesh Kumar Singh, JM

Dr. Vijay Kulkarni, EM

April 11, 2023
O.A.NO.41/2023 (WZ)
npj