

Item No. 01

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI
(Through Video Conferencing)**

Original Application No. 56/2019 (WZ)

Mangesh Mahadev Parab

Applicant(s)

Versus

M/s. New Monarch Builders and Contractors & Ors.

Respondent(s)

Date of hearing: 03.09.2019

**CORAM : HON'BLE MR. JUSTICE S. P. WANGDI, JUDICIAL MEMBER
HON'BLE DR. NAGIN NANDA, EXPERT MEMBER**

For Applicant(s): Mr. Asim Sarode, Advocate

For Respondent (s): None

ORDER

1. The question raised in this application is with regard to the applicability of the EIA Notification, 2006, for the constructions being undertaken by Respondent No. 1, M/s. New Monarch Builders and Contractors in respect of Slum Redevelopment Project on CTS Nos. 706, 706/1 to 106/11, 706/14 to 15 and 706/22 of village Marol at Andheri (East), Mumbai-400059 under the Slum Rehabilitation Scheme. It is contended that apart from the layout approved in the Letter of Intent (LoI) issued by the Slum Rehabilitation Authority prior to publication of the EIA Notification, 2006, no construction can be undertaken as it would fall within the mischief of sub-clause (i) (ii) and (iii) of clause 2 of the EIA Notification, 2006. It is further contended that after issuance of EIA Notification, 2006, many

amendments and changes have been made to the original plan and construction carried out without obtaining the Environmental Clearance (EC).

2. Before we issue formal notice, we direct the SEIAA, Maharashtra and the Municipal Corporation of Greater Mumbai, to jointly inspect the project in question, verify on the factual aspects and submit a report.
3. In the event the allegations are found to be correct, it would naturally fall within the purview of the violation Notification issued by the MoEF&CC.
4. A report shall be filed to this Tribunal through e-mail at judicial-ngt@gov.in, within a period of six weeks.
5. Since, SEIAA, Maharashtra is a necessary party, we direct it to be impleaded as Respondent No. 6. The Registry to take appropriate steps for amending the cause title.
6. The Applicant shall furnish complete set of papers including copy of this order to the aforesaid Authorities to enable them to take steps as directed within one week from hence.
7. List on 07.11.2019.

S.P. Wangdi, JM

Dr. Nagin Nanda, EM

3rd September, 2019
O.A. NO. 56/2019(WZ)
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