BEFORE THE NATIONAL GREEN TRIBUNAL, WESTERN ZONE BENCH, PUNE

Original Application No. 151/2016 (WZ)

In the matter of:-

A.B. Infrabuild Pvt. Ltd. V/s Union of India & Ors.

CORAM: HON'BLE MR. JUSTICE U.D. SALVI, JUDICIAL MEMBER HON'BLE MR. RANJAN CHATTERJEE, EXPERT MEMBER

Present: Applicant/Appellant : Mr. Saurabh Kulkarni, Adv. a/w

Ms. Priti Joshi, Adv.

Respondent Nos.3, 4 : Mr. D.M. Gupte, Adv.

Respondent No.5 : Mrs. Supriya Dangare, Adv. h/f

Mr. Rohit Dangare, Adv.

Respondent No.6 : Mrs. Manasi Joshi, Adv.

Date and Remarks

Item No.15 6th March, 2017

Order No.6

Orders of the Tribunal

The Applicant has been carrying on the Ready Mix Concrete Plant at Survey No.137/1, Village Chene, Taluka and District Thane till its operations were stopped upon on account of the letter dated 20th July, 2016 (Annexure A-4) issued by Respondent No.5 –Mira Bhaindar Municipal Corporation.

It is revealed before us that the entire Village Chene has been declared 'Eco-Sensitive Zone' of Sanjay Gandhi National Park vide Notification dated 5th December, 2016.

The Applicant submits that its industry is environmental friendly and has been granted Consent to Operate dated 21st June, 2016 by Respondent No.6 – MPCB (Annexure A-2 to the application).

Notification dated 5th December, 2016 has categorised the industrial/developmental activities into prohibited and regulated categories and the Central Government has appointed Monitoring Committee for effective monitoring of the compliance of the provisions of the said Notification. It is, therefore, just and necessary that the Monitoring Committee examine the activity proposed by the Applicant at Village Chene and takes decision in accordance with law. We, therefore, direct the Monitoring Committee to consider the proposal for carrying out the operations of the Ready Mix Concrete Plant of the Applicant – M/s. A.B. Infrabuild Private Limited at Survey No.137/1, Village Chene, Taluka and Dist. Thane and to take appropriate decision in accordance with law. Liberty granted to Respondent No.3 – Chief Conservator of Forest, Respondent No.5 – Mira Bhaindar Municipal Corporation, Respondent

Item No.15

March, No.6 - MPCB and Respondent No.7 - Vanashakti to make submissions 2017 before the Monitoring Committee, if they are ready to make submissions. Order No.6 Parties to appear before the Monitoring Committee within a fortnight. Original **Application** No.151/2016 stands disposed of accordingly., JM (Justice U.D. Salvi), EM (Ranjan Chatterjee) mk