

Item No. 02

(Pune Bench)

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

(By Video Conferencing)

Original Application No. 17/2021 (WZ)

Tanaji Balasaheb Gambhire

Applicant

Versus

Union of India & Ors.

Respondent(s)

Date of hearing: 09.06.2021

**CORAM: HON'BLE MR. JUSTICE ADARSH KUMAR GOEL, CHAIRPERSON
HON'BLE MR. JUSTICE SUDHIR AGARWAL, JUDICIAL MEMBER
HON'BLE MR. JUSTICE M. SATHYANARAYANAN, JUDICIAL MEMBER
HON'BLE MR. JUSTICE BRIJESH SETHI, JUDICIAL MEMBER
HON'BLE DR. NAGIN NANDA, EXPERT MEMBER**

Applicant: Mr. Nitin Lonkar, Advocate

ORDER

1. Grievance in this application is against location of a building project developed by M/s XRBIA North Hinjewadi Developers Private Limited, Pune, Respondent No. 12 in prohibited area of blue flood line of 'Pawana River' and also in violation of conditions of Environmental Clearance (EC) dated 31.03.2015 and conditions of Consent to Operate dated 04.02.2020 under the Water (Prevention and Control of Pollution) Act, 1974 and the Air (Prevention and Control of Pollution) Act, 1981. There is also allegation of violations of Solid Waste Management Rules, 2016. The applicant has filed the blue flood line map of the river apart from order of EC and Consent to Operate in support of the above averments.

2. We have heard learned Counsel for the applicant and perused the record to which our attention has been drawn.

3. Since averments give rise to a substantial question of environment, we consider it appropriate to require a joint Committee of CPCB, SEIAA, Maharashtra, Maharashtra State PCB and District Magistrate, Pune to look into the matter and give its report about the status of compliance on above aspects within two months by e-mail at judicial-ngt@gov.in preferably in the form of searchable PDF/ OCR Support PDF and not in the form of Image PDF. If the report is adverse to the project proponent, copy of the report be furnished to it for compliance or if there are objections, the same be filed before the next date before this Tribunal.

The applicant is at liberty to furnish a set of papers to the CPCB, SEIAA, Maharashtra, Maharashtra State PCB and District Magistrate, Pune to facilitate compliance of the above order.

List for further consideration on 21.09.2021.

A copy of this order be forwarded to the CPCB, SEIAA, Maharashtra, Maharashtra State PCB and District Magistrate, Pune by e-mail for compliance.

Adarsh Kumar Goel, CP

Sudhir Agarwal, JM

M. Sathyanarayanan, JM

Brijesh Sethi, JM

Dr. Nagin Nanda, EM

June 09, 2021
Original Application No. 17/2021 (WZ)
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