

Item No. 01

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

Original Application No. 95/2019 (WZ)

Bharat Patil

Applicant(s)

Versus

Ministry of Environment Forest and  
Climate Change & Ors.

Respondent(s)

Date of hearing: 29.01.2020

**CORAM : HON'BLE MR. JUSTICE S. P. WANGDI, JUDICIAL MEMBER  
HON'BLE MR. SIDDHANTA DAS, EXPERT MEMBER**

For Applicant(s):

Mr. Sachin Subhash Gore along with Mr.  
R. B. Mahabal, Advocates

**ORDER**

1. By filing this application the Applicant *inter alia* seeks for a relief to allow the Applicant to continue their business activities till such time alternative employment options become available.
2. The prayer arises out of Notification dated 11.09.2019 issued by the Ministry of Environment, Forest and Climate Change (MoEF&CC) declaring Eco-sensitive Zone (ESZ) for Tungareshwar Wildlife Sanctuary, Thane and Palghar Districts in the State of Maharashtra as the Tungareshwar Wildlife Sanctuary Eco-sensitive Zone.
3. The Applicant is specifically aggrieved by the prohibition imposed under the Notification in respect of all new and existing mining (minor

and major minerals), stone quarrying and crushing units within the Eco-sensitive Zone as provided under a table in the Notification.

4. In our considered opinion, the questions raised in the O.A. and the reliefs sought for are not questions relating to environment as those fall outside the scope of Section 14 of the National Green Tribunal Act, 2010 and thus beyond the jurisdiction of the Tribunal.
5. The O.A. is accordingly dismissed without prejudice to the rights and contentions that may be available to the Applicant under the law.

S.P. Wangdi, JM

Siddhanta Das, EM

29<sup>th</sup> January, 2020  
O.A. NO. 95/2019 (WZ)  
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