

234

No. J-11013/24/2012-IA.II(I)
Government of India
Ministry of Environment & Forests

Paryavaran Bhavan,
C.G.O. Complex, Lodi Road,
New Delhi-110003.
Telefax: 24362434

Dated the 12th March, 2012

CIRCULAR

Sub: Order of Hon'ble National Green Tribunal dated 24.1.2012 in MA No. 30/2011 arising out of appeal no. 15/2011 in the matter of Satish Umesh Prabhu and Ors. Vs M/s Matoshri Infrastructure Pvt. Ltd. and Ors – Compliance thereof - Regarding.

Reference is invited to the above referred order of the Hon'ble National Green Tribunal which has arisen due to stipulation of a condition in the environment clearance granted by the Maharashtra State Level Impact Assessment Authority dated 5th July, 2011, which reads as under:

"Any appeal against this environmental clearance shall lie with the National Green Tribunal, Van Vigyan Bhawan, Sec-5, R.K. Puram, New Delhi – 110 022, if preferred, within 60 days as prescribed under Section 35 of the National Green Tribunal Act, 2010."

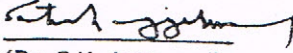
2. As the contents of the above referred condition are factually incorrect in terms of the prescribed time limit and the relevant section of the National Green Tribunal Act, 2010, the Hon'ble National Green Tribunal has directed as under:

"Therefore, we direct the authorities concerned as well as Ministry of Environment & Forests to henceforth refrain incorporating such a clause in the order of Environment Clearance".

3. In the light of the above background, all concerned are hereby directed to ensure that only a correct condition as given below is incorporated in this regard in the clearance letter.

"Any appeal against this environmental clearance shall lie with the National Green Tribunal, if preferred, within a period of 30 days as prescribed under Section 16 of the National Green Tribunal Act, 2010".

This issues with the approval of the Competent Authority.


(Dr. S.K. Aggarwal)
Director

To

1. All the Officers of IA Division
2. Chairpersons / Member Secretaries of all the SEIAAs/SEACs
3. Chairman, CPCB
4. Chairpersons / Member Secretaries of all SPCBs / UTPCCs

Copy to:-

1. PS to MEF
2. PPS to Secretary (E&F)
3. PPS to SS(JMM)
4. PPS to JS(RG)
5. Website, MoEF
6. Guard File