

**BEFORE THE NATIONAL GREEN TRIBUNAL, WESTERN ZONE
BENCH, PUNE**

Application No.45 /2016 (WZ)
(M.A.No.93/2016)

In the matter of :-

**Bombay Environment Action Group Vs. Union of India through Secretary
MoEF&CC & Ors.**

**CORAM: HON'BLE MR. JUSTICE U.D. SALVI, JUDICIAL MEMBER
HON'BLE DR. AJAY A. DESHPANDE, EXPERT MEMBER**

Present: Applicant/Appellant : Mr. Sanjay Upadhyay, Adv.
Respondent No.4 : Mr. D.M. Gupte, Adv.
Respondent Nos.2 & 5 : Mr. Vilas A. Jadhav, Adv.
Respondent No.7 : Mr. Saurabh Kulkarni, Adv. a/w.
Priti Joshi, Adv.

Date and Remarks	Orders of the Tribunal
Item No.13 10th January, 2017 Order No.12	<p>Respondent No.8 District Collector, Raigad had filed his reply (page No.158) controverting the present case and raising a contention that allegations regarding inaction in preparation of master plan / zonal master plan comes within the ambit of Respondent No.3 MMRDA. None present on behalf of Respondent No.3 and 8. We direct Chief Town and Country Planning MMRDA and Member Secretary, Monitoring Committee of the District Collector Raigad-Respondent No.8 to remain present before us on the next date.</p> <p>The Appolicant contends that the notification dated 4th February 2003 has declared the entire area of Matheran Municipal Council in Karjat Taluka, District Raigad as the eco sensitive zone wherein there is an obligation cast on the local authority to ensure that no new construction is allowed and if any such construction comes up, it shall be removed. We, therefore direct the Respondent Nos.3, 7 and 8 Matheran Hill Council of Matheran to ensure that no new construction come up within the entire Municipal area of Matheran Hill Station and any new construction coming up in the area is demolished in accordance with law. Necessary Police Protection shall be given to the enforcement authorities / officers.</p> <p style="text-align: center;">List the case on 21st February, 2017.</p> <p style="text-align: right;">....., JM (Mr.Justice U.D. Salvi)</p> <p style="text-align: right;">....., EM (Dr. Ajay A. Deshpande)</p>