

Item No.7

(Pune Bench)

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

(By Video Conferencing)

Original Application No. 107/2021(WZ)

Manoj Markendeyrao Wahane

.....Applicant(s)

Versus

Maharashtra Bamboo Development Board & Ors.

....Respondent(s)

Date of hearing: 22.08.2022

**CORAM: HON'BLE MR. JUSTICE DINESH KUMAR SINGH, JUDICIAL MEMBER  
HON'BLE DR. VIJAY KULKARNI, EXPERT MEMBER**

Applicant(s) : Mr. Rahul Choudhary, Advocate  
Respondent : Mr. Kartik N. Shukul, Advocate for R-1  
Mr. D.M. Gupte, Advocate for R-2 & 6 (MoEF&CC)  
Mr. Aniruddha Kulkarni, Advocate for R-3(MPCB)

**ORDER**

1. Heard the arguments of Learned Counsels at length and during the arguments of Respondent No. 1, he pointed out that he has received the reply affidavit of Respondent No. 3 on 18.08.2022 and therefore, he did not have enough time to file its reply in rebuttal, therefore, he may be granted time till afternoon tomorrow to file the rebuttal and the same is allowed.

2. From the side of Respondent Nos. 2 & 6(MoEF&CC)-Mr. D.M. Gupte, Learned Counsel has appeared and very critic reply affidavit has been filed from his side, saying that the approval of the Central Government under Section 2 of the Forest (Conservation) Act, 1980 is required for carrying any non-forestry activity on forest land and that no

proposal for diversion of forest land has been received from the side of Respondent No. 1. When enquired as to whether the activity of chemical treatment plant for bamboo processing would fall in non-forestry activity, he replied orally that it will fall in non-forestry activity but we find that the same has not been stated in the said affidavit. He is directed to file supplementary affidavit, clearly stating the said fact therein that the activity being undertaken by the Respondent No. 1 i.e. running of chemical treatment plant and bamboo processing for research and development work would fall in the non-forestry activity and certainly require an application from the side of Respondent No. 1, seeking permission for diversion of forest land.

3. He is directed to file the said affidavit by tomorrow afternoon with advance copy to the other Respondents as well as Applicant and post this matter for hearing of remaining arguments on 24.08.2022.

4. We directed the Registry to take on record supplementary affidavit filed by the Respondent No. 3.

List this case on 24.08.2022.

Dinesh Kumar Singh, JM

Dr. Vijay Kulkarni, EM

August 22, 2022  
Original Application No. 107/2021(WZ)  
P.Kr