

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
WESTERN ZONE BENCH, PUNE**

Original Application No.17/2024(WZ)

[Earlier Letter Petition No.81/2023(WZ)]

Report of Maharashtra Pollution Control Board in compliance of the Order Dated 11/01/2024 passed by this Hon'ble NGT, in respect of Complaint received from Shri Dilip Tukaram Vede Patil, Pashan Road, Bavdhan- Khurd, Pune.

1. Applicant Shri Dilip Tukaram Vede Patil, Bavdhan- Khurd, Pune has made a complaint to the Hon'ble NGT, alleging that Respondent-Diamond RMC Plant situated at S.No.33 of PMC, Ward No.10 at Bavdhan-Khurd, emanates dust particles flying in the air, causing air and noise pollution. Near the area of RMC plant, there are residential buildings and large number of senior citizens and children are living there, who are facing lot of daily problems due to air and noise pollution. The complaint has been registered by the Hon'ble NGT as Original Application No.17/2024.
2. Hon'ble NGT vide order dtd.11/1/2024 directed Maharashtra Pollution Control Board (MPCB) to submit report about the truthfulness of this complaint, which shall be verified after visiting the spot by the responsible Officer of MPCB.
3. The MPCB has granted Consent to Operate to M/s.Diamond Readymix Concrete, Sr. No.33/2A, Near Jain Complex Bavdhan Khurd, Tal-Haveli, Dist-Pune for Commercial RMC plant- 75 m³/day on

7/12/2023, which is valid up to 31/12/2026. A copy of the Consent to Operate dated 7/12/2023 is enclosed herewith and marked as an **Annexure-‘I’**.

4. In order to verify the complaint made by the Applicant, the Officials of the MPCB at Pune visited to M/s.Diamond Readymix Concrete on 25/1/2024 and on the basis of non-compliances observed during the visit, the MPCB has issued Proposed Directions under section 33 A of Water (Prevention & Control of Pollution) Act, 1974, 31 A of Air (Prevention & Control of Pollution) Act, 1981 on 06/03/2024 to M/s.Diamond Readymix Concrete for not providing adequate pollution control system and not produced CGWA NOC for use of tanker water. A copy of the Proposed Directions dated 06/03/2024 is enclosed herewith and marked as an **Annexure-‘II’**.
5. M/s.Diamond Readymix Concrete has failed to submit reply to the Proposed Directions dated 06/03/2024 and NOC for extraction of ground water from CGWA and also failed to comply with the Consent Conditions. Therefore, the MPCB has issued Closure Directions vide letter dated 13/08/2024 to M/s.Diamond Readymix Concrete. A copy of the closure directions dtd.13/08/2024 is enclosed herewith and marked as an **Annexure-III**.

For & on behalf of the Maharashtra
Pollution Control Board,



(Kartikeya Langote)

Sub-Regional Officer, Pune-I

Date:- 20/8/2024

Place :- Pune

MAHARASHTRA POLLUTION CONTROL BOARD

Tel: 020 - 25811694
 Fax: 020 - 25811701
 Website: <http://mpcb.gov.in>
 Email: sropune1@mpcb.gov.in



Jog Center, 3rd floor,
 Mumbai Pune Road,
 Wakdevadi, Pune -
 411003.

GREEN/S.S.I (G37)
No:- Format1.0/SRO/UAN
No.0000179501/CR/2312000655

Date: 07/12/2023

To,
M/S DIAMOND READYMIX CONCRETE
S NO 33/2/A, NEAR JAIN COMPLEX,
BAVDHAN KHURD, HAVELI, Pune.



Sub: Consent to Operate under Section 26 of the Water (Prevention & Control of Pollution) Act, 1974 & under Section 21 of the Air (Prevention & Control of Pollution) Act, 1981 and Authorization under Rule 6 and Rule 18(7) of the Hazardous & Other Wastes (Management & Transboundary Movement) Rules 2016

Ref: Consent to Operate accorded by the Board under Green category vide Consent No. -No:- [Format1.0/SRO/UAN No.0000156320/CO/2305000988](#) dated 15.05.2023.

Your application No.MPCB-CONSENT-0000179501 Dated 21.08.2023

For: grant of Consent to Operate under Section 26 of the Water (Prevention & Control of Pollution) Act, 1974 & under Section 21 of the Air (Prevention & Control of Pollution) Act, 1981 and Authorization under Rule 6 and Rule 18(7) of the Hazardous & Other Wastes (Management & Transboundary Movement) Rules 2016 is considered and the consent is hereby granted subject to the following terms and conditions and as detailed in the schedule I, II, III & IV annexed to this order:

- The consent to renewal is granted for a period up to 31/12/2026**
- The capital investment of the project is Rs.2.26 Crs. (As per C.A Certificate submitted by industry)**
- Consent is valid for the manufacture of:**

Sr No	Product	Maximum Quantity	UOM
Products			
1	READY MIX CONCRETE	75	m3/day

(The consent is granted for Commercial Purpose Only)

- Conditions under Water (P&CP), 1974 Act for discharge of effluent:**

Sr No	Description	Permitted (in CMD)	Standards to	Disposal Path
1.	Trade effluent	1.0	As per Schedule-I	Recycle 100% to achieve ZLD
2.	Domestic effluent	1.00	As per Schedule-I	On land for gardening

5. **Conditions under Air (P& CP) Act, 1981 for air emissions:**

Sr No.	Stack No.	Description of stack / source	Number of Stack	Standards to be achieved
NA				

6. **Non-Hazardous Wastes:**

Sr No	Type of Waste	Quantity	UoM	Treatment	Disposal
1	CONCRETE SLUDGE	0.3	MT/M	Nil	Landfill

Solid waste from transit mixture washing, muck (debris/sludge) generated from RMC shall either be reused through recovery unit/ Reclaiming system OR disposed off at a designated approved site by local body, for debris / construction waste.

7. **Conditions under Hazardous & Other Wastes (M & T M) Rules 2016 for Collection, Segregation, Storage, Transportation, Treatment and Disposal of hazardous waste:**

Sr No	Category No./ Type	Quantity	UoM	Treatment	Disposal
NA					

8. The consent is issued subject to direction issued by CPCB under section 18(1) (b) of Water (Prevention and Control of Pollution) Act, 1974, regarding classification of Industries dated 07th March 2016.
9. Operation of RMC plant shall be in daytime only. The Day time is reckoned in between 6 a.m. and 6 p.m. i.e. from sun rise to sunset.
10. The Board may make the standards stringent for the RMC/batching plants located within Corporation areas.
11. Commercial plants shall install continuous ambient air quality monitoring station (CAAQMS) within the premises.
12. Captive plants shall carryout ambient air quality monitoring twice in a week for 24 hours.
13. The industry shall comply with the siting criteria as per RMC Notification dtd 16.10.2016.
14. The entire RMC Plant should be enclosed.
15. Industry shall provide covering at all the emission generating points.
16. Industry shall carry out monitoring of ambient air quality twice in a week for 24 hours at windward & lean ward direction and submit the data to Board office on monthly basis.
17. The Board reserves the right to review, amend, suspend, revoke etc. this consent and the same shall be binding on the industry.
18. This consent is issued as per deligation of powers issued vide office order no. 12/2020 dtd 23/12/2020
19. The RMC plants where the norms are not followed and the technology is old (Star type) shall be discarded within 1 year. Existing RMC plant shall implement the suggested guidelines within a year. The renewal of Maharashtra Pollution Control Board's consent shall be considered only after implementation of new guidelines. The RMC's having valid consent of Maharashtra Pollution Control Board shall amend their consent in compliance with guideline within a year
20. Operation of RMC plant shall be in day time only. However in notified MIDC area, notified industrial parks, outside corporation area timing are not applicable. The Day time shall mean from 6 a.m. to 10 p.m.

21. The industry strictly follows the Guidelines for Ready Mix Concrete Plant (RMC) for sitting criteria of RMC Plant in the State of Maharashtra as per notification dated 7/11/2016.



22. This consent should not be construed as any exemption from obtaining necessary NOC from other Govt. agencies / local bodies as may deemed fit necessary.
23. PP shall construct/repared the collection cum settling tank in Reinforced Cement Concrete (RCC) within 03 months
24. The applicant shall make an application for renewal of consent 60 days prior to date of expiry of the consent. (Operate/Renewal)



Nitin Shinde

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Signed by: **Shri. Nitin Rajaram Shinde**
Sub Regional Officer
For and on behalf of,
Maharashtra Pollution Control Board
sropune1@mpcb.gov.in
2023-12-13 18:23:40 IST

Received Consent fee of -

Sr.No	Amount(Rs.)	Transaction/DR.No.	Date	Transaction Type
1	15000.00	TXN2308004527	26/08/2023	Online Payment

Copy to:

1. Regional Officer, MPCB, Pune
2. Chief Accounts Officer, MPCB, Sion, Mumbai



SCHEDULE-I**Terms & conditions for compliance of Water Pollution Control:**

1. A] As per your application, you have provided Effluent Treatment Plant (ETP) of designed capacity of 1.00 CMD consisting of Primary (Collection tank, Equalization tank) for the treatment of 1.0 CMD of trade effluent.
- B] The Applicant shall operate the effluent treatment plant (ETP) to treat the trade effluent and recycle the entire treated effluent into the process for various purposes such as for cooling, process & Scrubbing with metering system so as to achieve Zero Liquid Discharge. There shall be no discharge on land or outside factory premises.
- C] The treated effluent shall be recycled for secondary purposes to the maximum extent and remaining shall be discharged on land for gardening within premise after confirming above standards. In no case, effluent shall find its way for gardening / outside factory premises.
2. A] As per your application, you have provided Septic Tank followed by Soak pit for the treatment of 1.00 CMD of sewage.
- B] The Applicant shall operate the sewage treatment system to treat the sewage so as to achieve the following standards.

Sr.No	Parameters	Standards (mg/l)	
1	Suspended Solids	Not to exceed	50
2	BOD 3 days 27°C	Not to exceed	30
3	COD	Not to exceed	100

- C] The treated sewage shall be recycled for secondary purposes to the maximum extent and remaining shall be discharged on land for gardening within premise after confirming above standards. In no case, sewage shall find its way for gardening / outside factory premises.
3. The Board reserves its rights to review plans, specifications or other data relating to plant setup for the treatment of waterworks for the purification there of & the system for the disposal of sewage or trade effluent or in connection with the grant of any consent conditions. The Applicant shall obtain prior consent of the Board to take steps to establish the unit or establish any treatment and disposal system or an extension or addition thereto.
4. The industry shall ensure replacement of pollution control system or its parts after expiry of its expected life as defined by manufacturer so as to ensure the compliance of standards and safety of the operation thereof.

5. The Applicant shall comply with the provisions of the Water (Prevention & Control of Pollution) Act, 1974 and as amended, by installing water meters and other provisions as contained in the said act:

Sr. No.	Purpose for water consumed	Water consumption quantity (CMD)
1.	Industrial Cooling, spraying in mine pits or boiler feed	0.00
2.	Domestic purpose	1.50
3.	Processing whereby water gets polluted & pollutants are easily biodegradable	13.50
4.	Processing whereby water gets polluted & pollutants are not easily biodegradable and are toxic	0.00
5.	Gardening	0.00

6. The Applicant shall provide Specific Water Pollution control system as per the conditions of EP Act, 1986 and rule made there under from time to time/ Environmental Clearance/ CREP guidelines.

SCHEDULE-II

Terms & conditions for compliance of Air Pollution Control:

Not Applicable

SCHEDULE-III

Details of Bank Guarantees:

Sr. No	Consent (C2E/ C2O /C2R)	Amt of BG Imposed	Submission Period	Purpose of BG	Compliance Period	Validity Date
1	consent to operate	1 Lakh	15 days	Towards compliance of consent condition	continues	31/12/2026

The above Bank Guarantee(s) shall be submitted by the applicant in favour of Regional Officer at the respective Regional Office within 15 days from the date of issue of Consent.

BG Forfeiture History

Srno.	Consent (C2E/C2O/C2R)	Amount of BG imposed	Submission Period	Purpose of BG	Amount of BG Forfeiture	Reason of BG Forfeiture
NA						

BG Return details

Srno.	Consent (C2E/C2O/C2R)	BG imposed	Purpose of BG	Amount of BG Returned
NA				

SCHEDULE-IV**General Conditions:**

1. The Energy source for lighting purpose shall preferably be LED based
2. The PP shall harvest rainwater from roof tops of the buildings and storm water drains to recharge the ground water and utilize the same for different industrial applications within the plant
3. The applicant shall maintain good housekeeping.
4. The non-hazardous solid waste arising in the factory premises, sweepings, etc. be disposed of scientifically so as not to cause any nuisance / pollution. The applicant shall take necessary permissions from civic authorities for disposal of solid waste.
5. The applicant shall not change or alter the quantity, quality, the rate of discharge, temperature or the mode of the effluent/emissions or hazardous wastes or control equipments provided for without previous written permission of the Board. The industry will not carry out any activity, for which this consent has not been granted/without prior consent of the Board.
6. The industry shall ensure that fugitive emissions from the activity are controlled so as to maintain clean and safe environment in and around the factory premises.
7. The industry shall submit official e-mail address and any change will be duly informed to the MPCB.
8. The industry shall achieve the National Ambient Air Quality standards prescribed vide Government of India, Notification No. B-29016/20/90/PCI-L dated. 18.11.2009 as amended.
9. The Board reserves its rights to review plans, specifications or other data relating to plant setup for the treatment of waterworks for the purification thereof & the system for the disposal of sewage or trade effluent or in connection with the grant of any consent conditions. The Applicant shall obtain prior consent of the Board to take steps to establish the unit or establish any treatment and disposal system or an extension or addition thereto.
10. The industry shall ensure replacement of pollution control system or its parts after expiry of its expected life as defined by manufacturer so as to ensure the compliance of standards and safety of the operation thereof.
11. Whenever due to any accident or other unforeseen act or even, such emissions occur or is apprehended to occur in excess of standards laid down, such information shall be forthwith Reported to Board, concerned Police Station, office of Directorate of Health Services, Department of Explosives, Inspectorate of Factories and Local Body. In case of failure of pollution control equipments, the production process connected to it shall be stopped.
12. The applicant shall provide an alternate electric power source sufficient to operate all pollution control facilities installed to maintain compliance with the terms and conditions of the consent. In the absence, the applicant shall stop, reduce or otherwise, control production to abide by terms and conditions of this consent.
13. An inspection book shall be opened and made available to the Board's officers during their visit to the applicant.
14. Industry shall strictly comply with the Water (P&CP) Act, 1974, Air (P&CP) Act, 1981 and Environmental Protection Act, 1986 and industry specific standard under EP Rules 1986 which are available on MPCB website (www.mpcb.gov.in).

15. Separate drainage system shall be provided for collection of trade and sewage effluents. Terminal manholes shall be provided at the end of the collection system with arrangement for measuring the flow. No effluent shall be admitted in the pipes/sewers downstream of the terminal manholes. No effluent shall find its way other than in designed and provided collection system.
16. Neither storm water nor discharge from other premises shall be allowed to mix with the effluents from the factory.
17. The industry should not cause any nuisance in surrounding area.
18. The industry shall take adequate measures for control of noise levels from its own sources within the premises so as to maintain ambient air quality standard in respect of noise to less than 75 dB (A) during day time and 70 dB (A) during night time. Day time is reckoned in between 6 a.m. and 10 p.m. and night time is reckoned between 10 p.m. and 6 a.m.
19. The applicant shall provide ports in the chimney/(s) and facilities such as ladder, platform etc. for monitoring the air emissions and the same shall be open for inspection to/and for use of the Board's Staff. The chimney(s) vents attached to various sources of emission shall be designated by numbers such as S-1, S-2, etc. and these shall be painted/ displayed to facilitate identification.
20. The industry should comply with the Hazardous and Other Wastes (M & TM) Rules, 2016 and submit the Annual Returns as per Rule 6(5) & 20(2) of Hazardous and Other Wastes (M & TM) Rules, 2016 for the preceding year April to March in Form-IV by 30th June of every year.
21. The applicant shall bring minimum 33% of the available open land under green coverage/ plantation. The applicant shall submit a yearly statement by 30th September every year on available open plot area, number of trees surviving as on 31st March of the year and number of trees planted by September end.
22. The Board reserves its rights to review plans, specifications or other data relating to plant setup for the treatment of waterworks for the purification thereof & the system for the disposal of sewage or trade effluent or in connection with the grant of any consent conditions.
23. The firm shall submit to this office, the 30th day of September every year, the Environment Statement Report for the financial year ending 31st March in the prescribed FORM-V as per the provisions of Rule 14 of the Environment (Protection) (second Amendment) Rules, 1992.
24. The Applicant shall obtain necessary prior permission for providing additional control equipment with necessary specifications and operation thereof or alteration or replacement/alteration well before its life come to an end or erection of new pollution control equipment.
25. The Board reserves its rights to vary all or any of the condition in the consent, if due to any technological improvement or otherwise such variation (including the change of any control equipment, other in whole or in part is necessary).
26. The applicant shall provide facility for collection of environmental samples and samples of trade and sewage effluents, air emissions and hazardous waste to the Board staff at the terminal or designated points and shall pay to the Board for the services rendered in this behalf.

This certificate is digitally & electronically signed.

11

MAHARASHTRA POLLUTION CONTROL BOARD
REGIONAL OFFICE - PUNE

Annexure -II **12**

Phone No. 020-25811694
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e-mail : ropune@mpcb.gov.in
visit us : www.mpcb.gov.in



"Your Service is our Duty"

Jog Centre, 3rd Floor,
Wakdevadi,
Old-Pune Mumbai Road,
Pune- 411003

MPCB/ROP/PD/240306008

Date: 06/03/2024

To,
M/S. DIAMOND READYMIX CONCRETE,
S. NO.33/2/A, NEAR JAIN COMPLEX BAVDHAN KHURD,
TAL-MULSHI, DIST-PUNE

- Sub:** Proposed Directions under section 33 A of Water (Prevention & Control of Pollution) Act, 1974, 31 A of Air (Prevention & Control of Pollution) Act, 1981.
- Ref:** 1) Consent to Operate granted by the Board which is valid upto 31/12/2026.
2) Complaint received from Shri Dilip Tukaram Vedepatil dated 28/12/2023 regarding air pollution from RMC Plant.
3) Visit of Board Official Dtd. 25/01/2024
4) Sub Regional Officer, Pune-1 submitted legal action proposal vide no. MPCB-LEGAL_ACTIONS-290124002, Dtd. 29/01/2024.

WHEREAS, the Maharashtra Pollution Control Board has granted Consent to Operate u/s 26 of the Water (Prevention and Control of Pollution) Act, 1974 and u/s 21 of the Air (Prevention and Control of Pollution) Act, 1981 & Authorization under Rule 6 of the Hazardous and Other Wastes (Management and Trans-boundary Movement) Rules, 2016, vide above reference (1), subject to certain terms and conditions.

AND WHEREAS, it is obligatory on your part to provide adequate pollution control devices and comply with the consent conditions so as to achieve the standards prescribed by the Board in its consent.

AND WHEREAS, complaint received vide reference (2) regarding Air Pollution.

AND WHEREAS Board Official has visited to your project on 29/01/2024 to verify the and investigate the complaint, accordingly, Sub Regional Officer, Pune-1 has submitted the legal action proposal vide ref (4), there in reported that-

- (1) You have stored crushed sand openly and without provision of water sprinkling arrangement.
- (2) You have not provided air pollution control system to siloes as emission was observed.
- (3) You have not carried out daily cleaning/removal of dust accumulation within premises as dust emissions are observed during movement of vehicles in premises.
- (4) You have not produced CGWA NOC for use of tanker water.

AND WHEREAS it has been observed that you have failed to comply with the conditions stipulated in the Consent granted by the Board and thereby causing water/air pollution into the environment.

NOW THEREFORE, in view of the above non-compliance, you are hereby directed to show cause as to:

1. Why your consent shall not be refused or revoked?
2. Why your construction activities shall not be stop / closed down?
3. Why the competent Authorities shall not be directed to disconnect water / electricity supply to your project?

You are hereby given an opportunity to respond **within 7 days** from issuance of these directions, failing which, MPCB will initiate legal action against your construction project without giving any further notice in accordance with the provisions of the Water (prevention & Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981, which please note.

For and on behalf of
Maharashtra Pollution Control Board



(Ravindra Andhale)
Regional Officer,
M. P. C. Board Pune

Copy Submitted for information to

1. Joint Director (WPC), M.P.C. Board, Mumbai.
2. Law Officer, M.P.C. Board, Mumbai.

Copy to- The Sub-Regional Officer, M.P.C. Board, Pune-1 :- You are directed to keep the follow up and report the compliance from time to time.

**MAHARASHTRA POLLUTION CONTROL BOARD
REGIONAL OFFICE - PUNE**

Phone No. 020-25811694
Fax No. 020-25811701
e-mail : ropune@mpcb.gov.in
visit us : www.mpcb.gov.in



"Your Service is our Duty"

Jog Centre, 3rd Floor,
Wakdevadi,
Old-Pune Mumbai Road,
Pune- 411003

MPCB/ROP/CD/ 2408130008

Date: 13/08/2024

To,
M/s. Diamond Readymix Concrete,
S. No. 33/2/A, Near Jain Complex Bavdhan Khurd,
Tal. Mulshi, Dist. Pune.

Sub: Closure Directions u/s 33A of the Water (Prevention & Control of Pollution) Act, 1974 and u/s 31A of the Air (Prevention & Control of Pollution) Act, 1981.

Ref: 1) Consent to Operate granted by the Board vide no. SRO Format1.0/SRO/UAN No.0000179501/CR/2312000655, Dtd. 07/12/2023
2) Proposed directions issued by the Board vide no. MPCB/ROP /PD/240306008, Dtd. 06/03/2024
3) Legal Action Proposal submitted by Pune-I vide no. MPCB-LEGAL-ACTION-290124002 and approved by Board's HQ on Dtd. 12/08/2024

WHEREAS, the Maharashtra Pollution Control Board has granted Consent to Operate u/s 26 of the Water (Prevention and Control of Pollution) Act, 1974 and u/s 21 of the Air (Prevention and Control of Pollution) Act, 1981 & Authorization under Rule 6 of the Hazardous and Other Wastes (Management and Trans-boundary Movement) Rules, 2016, vide reference (1) above, subject to certain terms and conditions.

AND WHEREAS, In order to the verification of compliance the Sub Regional Officer Pune-I submitted the legal action proposal vide reference (3) above with following non-compliances,

- 1) You have not produced NOC of your water supply tanker for extraction of the ground water.
- 2) You have failed to comply with the Gazette Notification Dtd. 07/11/2016 regarding Guidelines for Ready Mix Plant (RMC) for sitting criteria of RMC plant in the State of Maharashtra.
- 3) You have failed to comply with the consent conditions prescribed in the consent to operate granted by the Board.

AND WHEREAS, this office issued proposed directions vide reference (2) for above non-compliances and directed to comply the same. However, you have not yet fully complied.

AND WHEREAS, in spite of giving reasonable opportunity, you have failed to comply with the Consent Conditions, Board's directions and also failed to provide adequate pollution control devices and thereby causing air pollution into the environment.

NOW THEREFORE, in view of the above non-compliances, you are hereby directed to stop your manufacturing activities forthwith and not to resume any activity without prior permission from the Board, failing which, the Board will have no option than to initiate appropriate legal action under the provisions of the Water (Prevention & Control of Pollution) Act, 1974 and the Air (Prevention & Control of Pollution) Act, 1981.

..2..

This is issued with the approval of the Competent Authority of the Board.

For and on behalf of
Maharashtra Pollution Control Board


(Ravindra Andhale)
Regional Officer,
M. P. C. Board Pune

Copy submitted for favor of information to:-

1. The Member Secretary, MPCB, Mumbai.
2. Joint Director (APC), MPCB, Mumbai.
3. Law Officer (P & L Div), MPCB, Mumbai.

Copy forwarded with compliments for necessary action to:

1. **Executive Engineer, MSEDCL Rastapeth Division / Haveli Division, Pune :-** He is directed to disconnect the electric supply of above unit and communicate report accordingly.
2. **Executive Engineer, Water Supply, Pune Municipal Corporation, Pune :-** He is directed to disconnect the water supply of above unit and communicate report accordingly.

Copy to Sub Regional Officer, Pune-I :-

He is directed to serve the directions to addressee and competent authorities and submit acknowledgement copy to this office timely & submit further compliance report of same.

For and on behalf of
Maharashtra Pollution Control Board


(Ravindra Andhale)
Regional Officer,
M. P. C. Board Pune