

**BEFORE THE NATIONAL GREEN TRIBUNAL,
PRINCIPAL BENCH, NEW DELHI**

Original Application No. 23(T_{HC}) of 2013

Banshi Badan Jana &Ors.

Vs.

Union of India &Ors.

CORAM : HON'BLE MR. JUSTICE SWATANTER KUMAR, CHAIRPERSON
HON'BLE MR. JUSTICE U.D. SALVI, JUDICIAL MEMBER
HON'BLE MR. JUSTICE S.N. HUSSAIN, JUDICIAL MEMBER
HON'BLE MR. P. S. RAO, EXPERT MEMBER
HON'BLE MR. RANJAN CHATTERJEE, EXPERT MEMBER

Present: **Appellant:** Mr. Kaunik, Advocate for Mr. D. Bhattacharyya, Advocate
Respondent No.1: Ms.NeelamRathore, Advocate, Vikramjeet, Adv.
Respondent No. 2, 6, 9 & 10:Mr.BikasKar Gupta, Advocate
Respondent No. 5: Mr.Ruchir Mishra, Adv. and Mr.SanjeevSaxena, Adv.
Respondent No.7: Mr. Raj Panjwani, Sr. Advocate and Ms. Swati Sinha, Advocate
Respondent No. 8: Mr.AmitAgarwa, Adv.

Date and Remarks	Orders of the Tribunal
Item No. 4 August 22, 2013	<p>Having heard the Learned Counsel appearing for the parties at some length, we direct:</p> <ol style="list-style-type: none">a) MoEF to take a final view on the Report submitted by the Expert Appraisal Committee constituted under and by the State of West Bengal and Report to this Tribunal on the next date of hearing by placing the copy of the decision on record.b) We further direct MoEF to inform us by filing an Affidavit of a very Senior Officer in the Ministry as to whether the terms of the Notification letter dated 28-01-2008 have been complied with or not and what is the actual status of the Nayachar Island as of today in relation to CRZ and Coastal Zone Management Plan.c) State of West Bengal through the Secretary of Environment shall file an Affidavit stating as to what steps have been taken in furtherance to the letter of the MoEF dated 28-01-2008 with complete details and documentation to support such decision if the Coastal Zone Management Plan has been prepared, copy thereof shall be placed on record. <p>The Affidavit shall categorically make available comparative information which is data based, in regard to inhabitation in the Nayachar island.</p>

Liberty to MoEF to file reply during the course of the day is granted.

List on 25th September, 2013.

.....,CP
(Swatanter Kumar)

.....,JM
(U.D. Salvi)

.....,JM
(S.N. Hussain)

.....,EM
(P.S. Rao)

.....,EM
(Ranjan Chatterjee)

