

**BEFORE THE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA**

Original Application No. 77/2014/PB/1/EZ

M.A. No. 200/2014

Subhas Dutta Vs MoEF & Ors

**CORAM: Hon'ble Justice Dr. P. Jyothimani, Judicial Member
Hon'ble Prof. (Dr.) P. C. Mishra, Expert Member**

PRESENT:

**Applicant : Mr. Kallol Bose
Ms. Swaralipi Paul, Advocates**

Respondent 1 : Not appeared

**Respondent No. 2 : Mr. Nayan Chand Bihani
Ms. Papiya Banerjee Bihani, Advocates**

**Respondent No. 3 : Mr. Raj Panjwani, Sr. Advocates
Mr. Siddharth Mishra, Advocate
Mr. Pramod Kumar, Advocate**

Date & Remarks	Orders of the Tribunal
Item No. 1 July 4, 2014	<p>Learned Counsel appearing for the applicant seeks time to file affidavit of the applicant. Mr. Raj Panjwani, Senior Advocate appearing for the Respondent No. 3 submitted that they are carrying on the activities which does not require Environmental Clearance as per EIA Notification 2006. Since the learned Counsel appearing for the applicant is not able to produce affidavit signed by the applicant, the matter stands adjourned to 14.08.2014. A similar issue is stated to have been decided by the Principal Bench also.</p> <p>The stand of the MoEF is required in this case as to whether the project proponent required EC. There is no appearance on behalf of the Ministry of Environment and Forest. Accordingly we direct the Secretary, MoEF, New Delhi to depute a Senior Officer of the Ministry with appropriate instruction to appear before the next date of hearing or in the alternative nominate a counsel who shall file its reply by the next date of hearing failing which coercive steps would be taken. Registry is directed to send a copy of this order to the Secretary, MoEF, New Delhi.</p>

Stands over to 14/08/2014.

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Dr. P. Jyothimani, JM

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Prof. (Dr.) P. C. Mishra, EM

