

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

M. A. No. 687 OF 2013

In

Original Application No. 174 of 2013

Rohit Choudhary 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 B. SESHASAYANA Reddy, JUDICIAL MEMBER
HON'BLE DR. D.K. AGRAWAL, EXPERT MEMBER
HON'BLE DR. R.C. TRIVEDI, EXPERT MEMBER

Present:

Applicant:	Mr. Ritwick Dutta and Mr. Rahul Choudhary, Advocates
Respondent No. 1:	Ms. Neelam Rathore, Advocate
Respondent No. 3:	Mr. Ritika Chawla, Advocate for Mr. M.K. Bhardwaj, Advocate
Respondent No. 4:	Mr. Pinaki Misra, Sr. Advocate and Mr. Tavinder Sidhu, Advocate
Respondent No. 6:	Mr. P. Sinha and Ms. Rashimi Sinha, Advocates
Respondent No. 7&8:	Mr. Avijit Roy, Advocate

Date and Remarks	Orders of the Tribunal
Item No. 3 October 9, 2013	<p>We have heard Learned counsel appearing for the parties at some length.</p> <p><i>Prima facie</i>, we are of the considered opinion that NH-37 passing through Jakhalabandha to Bokakhat going through Kaziranga National Park is not only violation of the conditions imposed by Ministry of Environment and Forests while granting permission for this Project but is certainly violation of environment particularly the wildlife. The photographs placed before us show ruthless killings of exceptional species of animals in these zones by heavy and rash traffic. We would have proceeded to pass an Order prohibiting plying of any vehicles on this road. However, Learned counsel appearing for the State of Assam submits that they would come out with a concrete proposal which they would implement forthwith to protect the wildlife and the national sanctuary as well.</p> <p>In view of the above, we grant one week's time to the State of Assam to prepare the complete project report in consultation with Ministry of Environment and Forests (for short 'MoEF') and place the same on record. Further, it should also state as that steps have been taken in furtherance to the Order of the MoEF dated 31st May, 1991 till today. An Affidavit in this regard will be filed by Chief</p>

Secretary of State of Assam.

In the meanwhile, we restrain the State of Assam from widening and shouldering of the road in question.

The Principal Secretary of Forest, Principal Secretary of Environment and Chief Engineer and Secretary of PWD shall be present before the Tribunal on 29th October, 2013.

The CEO of Respondent No. 6 shall also be present before the Tribunal on 29th October, 2013.

.....,CP
(Swatanter Kumar)

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

.....,JM
(B.S. Reddy)

.....,EM
(Dr. D.K. Agrawal)

.....,EM
(Dr. R.C. Trivedi)

