

Item No. 05

**BEFORE THE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI  
(Through Video Conferencing)**

Original Application No. 472/2018  
Earlier O.A. No. 19/2014 (EZ)

Rohit Chowdhury

Applicant(s)

Versus

Union of India & Ors.

Respondent(s)

Date of hearing: 18.12.2018

CORAM : HON'BLE MR. JUSTICE S.P. WANGDI, JUDICIAL MEMBER  
HON'BLE MR. JUSTICE K. RAMAKRISHNAN, JUDICIAL MEMBER  
HON'BLE DR. NAGIN NANDA, EXPERT MEMBER

For Applicant(s): Mr. Rahul Choudhary

For Respondent (s): Mr. Gora Chand Roy Choudhury, Advocate along with Mrs. S. Ray, Advocate for R-1  
Mr. Devajit Saikia, Senior Advocate and Mr. Santanu Bora, Advocate for R-2,3, 6 & 7  
Mr. S. Mazumdar, Advocate and Mr. S. Das Gupta, Advocate and Mr. S. Hasan, Advocate for R-4  
Mr. Swapan Banerjee, Advocate for R-8

**ORDER**

1. Affidavits have been filed on behalf of State of Assam and the Railway Authorities.
2. Let those be taken on record.
3. Mr. Devajit Saikia, learned Senior Additional Advocate General for the State of Assam, submits that Nine Members Committee has been constituted on 4<sup>th</sup> December, 2018 for identification of a suitable location for shifting the Municipal Solid Waste Plant presently situated on the 'Deepor Beel' for which two months period has been stipulated.
4. The affidavit filed by the Railway Authority as per Mr. Saikia indicates that the proposal for construction of tunnel between gate no. 273 and 274 has been submitted to the State Government,

regarding which he has been informed only today. He submits that an appropriate decision would be taken by the Government and decision conveyed to us expeditiously. He, however, contends that as the National Power Grid Corporation of India Ltd., would also be involved in the present case, it would be necessary to take them also on board.

5. Considering the importance of the project which cannot but be in national interest, we expect the National Power Grid Corporation of India Ltd. to extend its corporation in the matter. The Chief Secretary, Government of Assam, shall coordinate with the Corporation in this regard.

6. Considering the criticality of the issues concerned, we expect the State Government to deal with the Solid Waste Management Plant by according top priority to it and, by the Railway Authorities, in respect of construction of tunnel in coordination with the State Government and other authorities connected with the project.

7. Let affidavits be filed before the next date on the progress made in this regard.

8. Copies of the affidavits filed today by the Railway Authority and the States Respondents shall be handed over to the Applicant within a period of one week.

9. List on 26<sup>th</sup> February, 2019

S.P. Wangdi, JM

K.Ramakrishnan, JM

Dr.Nagin Nanda, EM

December 18, 2018  
Original Application No. 472/2018  
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