

Item No. 01

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

Original Application No. 45/2019 (EZ)

R.K. Singh

Applicant(s)

Versus

Union of India & Ors.

Respondent(s)

Date of hearing: 05.05.2020

**CORAM: HON'BLE MR. JUSTICE S. P. WANGDI, JUDICIAL MEMBER  
HON'BLE MR. SIDDHANTA DAS, EXPERT MEMBER**

For Applicant(s): Mr. Gora Chand Roy Choudhury,  
Advocate

For Respondent(s): Mrs. Aishwarya Rajyashree,  
Advocate for Respondent Nos.2, 4 &  
5.

Mr. Ashok Prasad and Mr. Saranjeet  
Kaur, Advocates for Respondent  
No.3.

Mr. Surendra Kumar, Advocate for  
Respondent No. 6.

**ORDER**

1. Case taken up by Video Conference on Vidyo App.
2. As will appear from the order dated 16.01.2020, the case of the applicant that there are large number of major structures in the State of Jharkhand which have not undergone the EIA process, appear to have been

substantiated. We have set out the details of the facts and circumstances of the case and the position noted by the Committee in its report in our order dated 06.01.2020.

3. In view of the alarming situation and the fact that the window available in the violation notification dated 14.03.2017 had already expired, we had directed the MoEF& CC to examine the matter in depth and to work out a viable measure to deal with the situation. It may be relevant to note that so far as the Vidhan Sabha building is concerned, it had been informed on behalf of State that application had already been submitted before the MoEF & CC for consideration under the violation notification. The MoEF & CC thus had been directed to submit a report vide order dated 16.01.2020 listing 16.03.2020 for the purpose. Unfortunately instead of filing the report further time of eight weeks was sought for for the purpose. However, considering the gravity of the situation, 30 days' time was granted as decision could be taken based on the materials on record, particularly the report of the Committee constituted by the Tribunal.

4. When the case was taken up today, none has appeared for the MoEF&CC except for the State of Jharkhand represented by Ms. Aishwarya Rajyashree and SPCB by Mr. Surendra Kumar, Advocates.
5. Ms. Aishwarya Rajyashree, Advocate informed us that the EIA proceedings pertaining to Vidhan Sabha building has since been completed and Environmental Clearance also granted.
6. So far as the other structures are concerned she is not able to give us any information for which she prays that she be granted time to file a status report.
7. Later Mr. Gora Chand Roy Choudhury, Advocate also joins us in the Video Conference proceedings and submits that a fresh draft notification relating to violation cases has already been published and uploaded in the website of the Ministry but due to the circumstances arising out of Covid-19, information relating to further steps is not available and prays for time to place one by way of an affidavit.

8. Prayers of Ms. Aishwarya Rajyashree and Mr. Gora Chand Roy Choudhury, advocates are granted. Let the reports be filed before the next date of hearing.
9. So far as the compliance of the direction to file Show Cause Notice by the State as to why the compensation assessed by the CPCB be not directed to be paid, it is submitted by Ms. Aishwarya Rajyashree that the State is yet to receive a copy of the CPCB report. Mr. Surendra Kumar, learned counsel appearing for the SPCB submits that he shall hand over a copy of the report to Ms. Aishwarya Rajyashree within a week
10. Let the Show Cause be also filed by the State before the next date with copies on the other side.
11. List on 27<sup>th</sup> July, 2020.

S.P. Wangdi, JM

Siddhanta Das, EM

05<sup>th</sup> May, 2020  
O.A. No. 45/2019 (EZ)  
PU