

**BEFORE THE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA
(Through Video Conferencing)**

Original Application No.88/2022/EZ

Centre for Environment
Protection

Applicant(s)

Versus

Union of India & Ors.

Respondent(s)

Date of hearing: 26.09.2022

**CORAM: HON'BLE MR. JUSTICE B. AMIT STHALEKAR, JUDICIAL MEMBER
HON'BLE MR. SAIBAL DASGUPTA, EXPERT MEMBER**

For Applicant(s) : Ms. Paushali Banerjee, Advocate

For Respondent(s) : Mr. Ashok Prasad, Advocate for R-1,
Ms. Ana Upadhay, Advocate (in Virtual Mode) for State
Respondents (Mizoram),
Mr. Debasish Ghosh, Advocate for R-6, (in Virtual Mode)

ORDER

1. Ms. Paushali Banerjee, learned Counsel for the Applicant is present.
2. Ms. Ana Upadhay, learned Counsel appearing (in Virtual Mode) for the State Respondents, Mizoram and Mr. Debasish Ghosh, learned Counsel appearing (in Virtual Mode) for MoEF & CC; pray for and are granted two weeks time for filing counter-affidavits. Let the counter-affidavits be filed positively within two weeks.
3. From the letter of the Principal Chief Conservator of Forests, Govt. of Mizoram dated 07.10.2015, we find that the User Agency i.e., State PWD has not implemented conditions of the In-Principle Approval of Stage-I granted by the Ministry of Environment, Forests & Climate Change. The Further RTI reply from the Office of Executive Engineer, PWD, Multi Model Project Division, Lawngtlai, Government of Mizoram also mentions that the Mizoram, PWD has not yet paid the Compensatory Afforestation and Net Present Value for construction of

the KMMTTP Road as District Collector has admitted several land passes on degraded *jhumland* portion which overlapped the claim made by landowners. Forest issue has also not been cleared till date.

4. Considering the complaints made by the Government of Mizoram itself from the Office of the Principal Chief Conservator of Forests, we direct that there shall be stay on all further construction of the road in question till conditions of In-Principle Approval of Stage-I granted by Ministry of Environment & Climate Change are complied with.

5. **List on 13.10.2022.**

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B. Amit Sthalekar, JM

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Saibal Dasgupta, EM

September 26, 2022
Original Application No.88/2022/EZ
BD