

Item No. 01 (Kolkata Bench)

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

Original Application No. 54/2020 (EZ)

Subash Mohapatra

Applicant

Versus

State of Odisha & Ors.

Respondent(s)

Date of hearing: 13.01.2021

**CORAM: HON'BLE MR. JUSTICE ADARSH KUMAR GOEL, CHAIRPERSON
HON'BLE MR. JUSTICE SHEO KUMAR SINGH, JUDICIAL MEMBER
HON'BLE DR. NAGIN NANDA, EXPERT MEMBER**

Applicant: Mr. Sankar Prasad Pani, Advocate

Respondent: Mr. Jana Kalyan Das, Senior Advocate along with Mr. Sandeep Das,
Advocate for M/s Sum Hospital

ORDER

1. Grievance in this application is against construction of a complex having more than 4,00,000 sq. m. built up area at Bhubneswar in Odisha by M/s Sum Hospital without the requisite statutory Environmental Clearance (EC).

2. According to the applicant, the complex in question involves covered area of more than 1.50 lacs and thus construction cannot proceed without the requisite EC in terms of EIA Notification dated 14.09.2006 under the provisions of the Environment (Protection) Act, 1986 (EP Act). The applicant has annexed an inspection report conducted by the Regional Office of MoEF&CC which mentions the details of the built up area and that the construction is in violation of the EIA Notification dated 14.09.2006.

3. In view of the above material, it appears to be necessary to seek a response from a joint Committee comprising representatives of the MoEF&CC, CPCB, SEIAA, Odisha and State PCB. The State PCB will be the nodal agency for coordination and compliance. The Committee may ascertain the facts, after giving opportunity to the project proponent and take such action as may found necessary, in accordance with law. It may furnish a factual and action taken report within three months by e-mail at judicial-ngt@gov.in preferably in the form of searchable PDF/ OCR Support PDF and not in the form of Image PDF.

4. The applicant may serve set of papers on the MoEF&CC, CPCB, SEIAA, Odisha, State PCB and the project proponent and file an affidavit of service within one week from today.

A copy of this order be forwarded to the MoEF&CC, CPCB, SEIAA, Odisha and State PCB by email for compliance.

List for further consideration on 17.05.2021.

Adarsh Kumar Goel, CP

S.K. Singh, JM

Dr. Nagin Nanda, EM

January 13, 2021
O.A. No. 54/2020 (EZ)
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