

**BEFORE THE NATIONAL GREEN TRIBUNAL  
EASTERN ZONE BENCH, KOLKATA**

Original Application No. 29/2015/EZ

**Pradip Kumar Bhuyan & Anr  
Vs  
Union of India & Ors.**

**CORAM:** Hon'ble Mr. Justice S.P. Wangdi, Judicial Member  
Hon'ble Prof. (Dr.) P. C. Mishra, Expert Member

**PRESENT:**

<b>Applicants</b>	<b>: Mr. Sanjay Upadhyay, Advocate. Ms. Esha Krishen, Advocate</b>
<b>Respondent No.1</b>	<b>: Mr. Kallol Guha Thakuratha, Advocate Md. Sharique Afzal, Advocate</b>
<b>Respondent No. 2</b>	<b>: Mr. Gora Chand Roy Choudhury, Advocate.</b>
<b>Respondent No.3</b>	<b>: Mr. Gautam Choudhury, Advocate Mr. Asit Kumar Hazra, Advocate Mr. Mrinal Maity, Advocate</b>
<b>Respondent No.4</b>	<b>: Mr. A.D.N Rao, Advocate.</b>
<b>Respondent No.5</b>	<b>: Mr. Kallol Guha Thakurtha, Advocate Ms. Santana Mudoi, Advocate</b>
<b>Respondent No.6</b>	<b>: Mr. Surya Prakash, Advocate</b>
<b>Respondent No.7</b>	<b>: Mr. Kallol Guha Thakurtha, Advocate Md. Sharique Afzal, Advocate</b>

<b>Date &amp; Remarks</b>	<b>Orders of the Tribunal</b>
<b>Item No. 15 10<sup>th</sup> May, 2016.</b>	<p>Ms. Santana Mudoi, Id. advocate puts in appearance on behalf of Respondent No. 5 by filing vakalatnama. Let it be taken on record. She prays for time to file reply to the original application.</p> <p>Prayer is considered and allowed.</p> <p>Mr. Kallol Guha Thakurtha, Id. Advocate puts in appearance on behalf of Respondents No.1 &amp; 7.</p> <p>Mr. Sanjay Upadhyay, Id. counsel appearing for the applicant seeks for leave to file rejoinder to the affidavits filed on behalf of Respondents No.1 &amp; 2 viz., Ministry of Power and</p>

MoEF during the course of the day.

Prayer is considered and allowed.

Mr. Upadhyay submits that the address of NAFRA Power Corporation Project, which is added as party Respondent No.8 could not be furnished earlier and prays that he may be permitted to do so today. Leave as prayed for is granted. Issue notice upon the Respondent No.8 after the address is furnished returnable in two weeks.

Mr. Gora Chand Roy Choudhury, Id. counsel appearing on behalf of MoEF viz., Respondent No.2 prays for some more time to file response on the application for interim order filed on behalf of the applicant.

Prayer is considered and allowed.

Let response be filed within four weeks as prayed for Mr. Gora Chand Roy Choudhury. We expect that the Ministry of Environment, Forest and Climate Change to file a comprehensive affidavit dealing with all issues including the following:-

- 1) Cumulative impact assessment;
- 2) Strategic Impact Assessment;
- 3) Bio-diversity Assessment as mandated under Section 36 of the Biological Act, 2002
- 4) The issue of E-flow demarcation;
- 5) The impact on Dihang Debang bio-sphere reserve;
- 6) Down Stream Impact on the State of Assam;
- 7) Picking Dam and panic release;

Mr. Kallol Guha Thakurtha, Id. Counsel prays that the respondents No.1 and 7 may also be permitted to file responses on these aspects.

Mr. Gautam Chaudhury, Ld. Counsel appearing for the State of Assam and Mr. A.D.N. Rao, Id. Counsel for Respondent No.4, may file any affidavit in reference to this order.

Prayer is considered and allowed.

Affidavits and responses permitted by us shall be filed on or before the next date with copies on the other side.

**List on 21.07.2016.**

.....  
Justice S.P. Wangdi, JM

.....  
Prof. (Dr.) P. C. Mishra, EM

