

**BEFORE THE NATIONAL GREEN TRIBUNAL
SOUTHERN BENCH AT CHENNAI**

ORIGINAL APPLICATION NO. 263 of 2020

Meenava Thanthai K.R.Selvaraj Kumar
Meenavar Nala Sangam

Vs

... Applicant

Union of India and Ors.

... Respondents

Memo filed on behalf of the First Respondent

**ME SARASHWATHY
COUNSEL FOR THE 1ST RESPONDENT**

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... Applicant

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... Respondents

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It is humbly submitted that the notification No. S.O. 236(E) dated 16/01/2020 (*impugned notification*) has been challenged before the Hon'ble Supreme Court vide Writ Petition No. (C) No. 835 of 2020 titled Rituraj Phukan vs. Union of India and Ors. The matter was last listed for hearing on 16/09/2020 wherein the Hon'ble Court issued notice in the matter. The matter is still pending adjudication before the Hon'ble Supreme Court. A copy of the order dated 16/09/2020 has been enclosed as ANNEXURE A/1.

The impugned notification has also been challenged before the Hon'ble High Court of Guwahati vide PIL No. 35 of 2020 titled Mrinmoy Khantaniar and Anr vs. Union of India. The matter was last listed for hearing on 17/12/2021 wherein the Hon'ble Court adjourned the matter on the basis of the similar matter pending before the Hon'ble Supreme Court. Copy of the order dated 17/12/2021 has been enclosed as ANNEXURE A/2.

This matter may please be adjourned sine die or until the Hon'ble Supreme Court adjudicates upon the issue.

Dated at Chennai this the 30th day January, 2023.

COUNSEL FOR THE 1ST RESPONDENT

ITEM NO.3 Court No.1 (Video Conferencing)

SECTION PIL-W

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Writ Petition(s)(Civil) No(s).835/2020

RITURAJ PHUKAN

VERSUS

Petitioner(s)

UNION OF INDIA & ORS.

Respondent(s)

(FOR ADMISSION and IA No.75643/2020-STAY APPLICATION and IA No.75648/2020-EXEMPTION FROM FILING AFFIDAVIT and IA No.79737/2020 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

Date : 16-09-2020 The matter was called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE A.S. BOPANNA
HON'BLE MR. JUSTICE V. RAMASUBRAMANIANFor Petitioner(s) Mr. Ananga Bhattacharyya, Adv.
Mr. Rohit Rao. N, Adv.
Ms. Devahuti Tamuli, Adv.
For Respondent(s) Ms. Sania Perween, Adv.UPON hearing the counsel the Court made the following
O R D E R

Issue notice.

Tag with Writ Petition (Civil) No.625/2020.

(SANJAY KUMAR-II)
ASTT. REGISTRAR-cum-PS(INDU KUMARI POKHRIYAL)
ASSISTANT REGISTRAR

GAHC010086122020



THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

Case No. : PIL/35/2020

MRINMOY KHATANIAR AND ANR.
S/O- LATE BIJOY CH. KHATANIAR, R/O- NARIKALBARI PATH, MT ROAD,
GUWAHATI- 781024

2: AMAR JYOTI DEKA
S/O- LATE BHABENDRA NATH DEKA
R/O- H NO. 20
NAMONI PATH
KARBI PATH
MOTHER TERESA PATH
P.O- BAMUNIMAIDAM
P.S- GEETANAGAR
GUWAHATI- 781021
ASSA

VERSUS

THE UNION OF INDIA AND 14 ORS
REP. BY THE SECRETARY MIN OF PETROLEUM AND NATURAL GAS, GOVT
OF INDIA, SHASTRI BHAWAN, NEW DELHI-

2: THE SECRETARY TO THE GOVT OF INDIA
MIN OF ENVIRONMENT
FOREST AND CLIMATE CHANGE
INDIRA PARYAVARAN BHAWAN
JORBAGH ROAD
NEW DELHI- 110003

3: THE STATE OF ASSAM
REP. BY THE CHIEF SECRETARY TO THE GOVT OF ASSAM
DISPUR SECRETARIAT COMPLEX
GHY- 06

4: THE PRINCIPAL SECRETARY

TO THE GOVT OF ASSAM
ENVIRONMENT AND FOREST DEPTT
DISPUR
GHY- 6

5:THE PRINCIPAL CHIEF CONSERVATOR OF FORESTS AND HEAD OF
FOREST FORCE
H BLOCK
2ND FLOOR
JANATA BHAWAN
DISPUR
GUWAHATI- 781006
ASSAM

6:THE PRINCIPAL CHIEF CONSERVATOR OF FORESTS (WILDLIFE)
H BLOCK
2ND FLOOR
JANATA BHAWAN
DISPUR
GUWAHATI- 781006
ASSAM

7:THE NATIONAL BOARD FOR WILDLIFE
REP. BY THE STANDING COMMITTEE OF NATIONAL BOARD FOR
WILDLIFE
MIN OF ENVIRONMENT
FOREST AND CLIMATE CHANGE (WILD LIFE DIVISION)
6TH FLOOR
VAYU WING
INDIRA PARYAVARAN BHAWAN
JOR BAGH ROAD
NEW DELHI- 110003

8:STATE BOARD FOR WILDLIFE
REP BY ITS CHAIRMAN
DISPUR SECRETARIAT COMPLEX
GUWAHATI - 6

9:OIL INDIA LIMITED
REPRESENTED BY THE CHAIRMAN / DIRECTOR CORPORATE OFFICE
PLOT NO. 19
NEAR FILM CITY
SECTOR 16A
NOIDA- 201301

10:GENERAL MANAGER
OIL INDIA LIMITED
REGD OFFICE OIL INDUSTRIAL AREA

DULIAJAN- 786602
ASSAM

11:THE DEPUTY COMMISSIONER
TINSUKIA DISTRICT
P.O- BORGURI
TINSUKIA
ASSAM
PIN- 786126

12:THE COMMISSIONER AND SECRETARY
MINES AND MINERALS DEPTT
GOVT OF ASSAM
DISPUR SECRETARIAT COMPLEX
GUWAHATI- 06

13:THE CENTRAL POLLUTION CONTROL BOARD
ENVIS SECRETARIAT
REP. BY ITS CHAIRMAN VAYU WING
6TH FLOOR INDIRA PARYAVARAN BHAWAN
JOR BAGH ROAD
ALIGANJ
NEW DELHI- 110003

14:THE STATE POLLUTION CONTROL BOARD
GOVT OF ASSAM
REP. BY ITS CHAIRMAN
MILANPUR WEST JYOTI NAGAR
BAMUNIMAIDAM
ASSAM
PIN- 781004

15:ASSAM STATE BIODIVERSITY BOARD

ARANYA BHAWAN
2ND FLOOR
PANJABARI
REPRESENTED BY ITS MEMBER SECRETARY

Advocate for the Petitioner : MR D K DAS

Advocate for the Respondent : ASSTT.S.G.I.

BEFORE
HONOURABLE MR. JUSTICE N. KOTISWAR SINGH
HONOURABLE MRS. JUSTICE MALASRI NANDI

ORDER

Date : 17.12.2021

(N. Kotiswar Singh, J.)

Heard Ms. R.S. Chowdhury, learned counsel for the petitioners. Also heard Mr. R.K.D. Choudhury, learned ASGI, for respondent Nos.1, 2 and 7; Ms. M. Bhattacharjee, learned Government Advocate, Assam for respondent Nos.3, 11 and 12; Mr. K.P. Pathak, learned Standing Counsel, Forest Department for respondent Nos.4, 5 and 6; Mr. S.N. Sarma, learned Standing Counsel, OIL assisted by Mr. K. Kalita, learned counsel, for respondent Nos.9 and 10; Mr. S. Baruah, learned Standing Counsel, PCBA for respondent No.14 and Mr. R.J. Das, learned counsel for respondent No.15.

Mr. Sarma, learned Standing Counsel, OIL submits that similar matter, more particularly, pertaining to challenge to the notification dated 16.01.2020 whereby the Ministry of Environment, Forest and Climate Change made an amendment to the Environment Impact Assessment Law thereby public hearing and consultation for all gas and exploration, development and production project converting them from category A to B has been dispensed, has been put to challenge before the Supreme Court in WP(C) No.835/2020.

In that view of the matter, since similar matter is pending before the Hon'ble Supreme Court, it will be advisable to keep the matter pending awaiting appropriate decision of the Hon'ble Supreme Court.

Accordingly, list the matter on 03.03.2022 on which date, the parties will inform this Court as to whether the Hon'ble Supreme Court has passed appropriate order in the said writ petition or not.

JUDGE

JUDGE

Comparing Assistant