

BEFORE THE NATIONAL GREEN TRIBUNAL  
EASTERN ZONE BENCH, KOLKATA

I.A. No. of 2025  
IN  
Original Application No.74 of 2017

In the matter of:

Tai Maya

...Applicant

Versus

The Union of India & Ors.

...Respondents

And

In the matter of:

National Highway & Infrastructure Development Corporation Limited  
(NHIDCL)

... Respondent No.6/ Present Applicant

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*Amal Ray*

Advocate

Enrolment No. WB/1335/2011

*Ved Prakash Anand*

I

BEFORE THE NATIONAL GREEN TRIBUNAL  
EASTERN ZONE BENCH, KOLKATA

I.A. No. of 2025  
IN  
Original Application No.74 of 2017

In the matter of:

An interim application for extension of time for compliance with the orders of this Hon'ble Tribunal dated 09.05.2022 and 07.11.2024 in O.A. No. 74 of 2017;

And

In the matter of:

An application under Article 226 of the Constitution of India;

And

In the matter of:

Tai Maya, S/o Shri Tai Nuku, aged about 55 years, resident of G-Extension, Naharlagaun, Itanagar, Arunachal Pradesh.

... Applicant in the Original

Application

-Versus-

Ved Praloksh Anja

1. The Principal Secretary,  
Ministry of Environment, Forest  
and Climate Change, 3<sup>rd</sup> Floor,  
Prithvi Wing, Indira Paryavaran  
Bhawan, Jor Bagh, New Delhi -  
110003; Email: moef@nic.in

2. The Chief Secretary,  
Government of Arunachal  
Pradesh, Itanagar - 791111,  
Arunachal Pradesh;  
Email: cs-arunachal@nic.in

3. The Additional Principal  
Chief Conservator of Forest  
(Central), North East Regional  
Office, Law-U-Sib, Lambatnagen,  
Near MTC Workshop, Shilong,  
Meghalaya - 793021;  
Email: pccfmeqh@gmail.com

4. The Member Secretary, The  
Arunachal Pradesh Pollution  
Control Board, Department of  
Environment & Forest,

Ved Prakash Arya

Paryavaran Bhawan, Yupia Road,  
Papu Nallah, Naharlagun -  
791110, Arunachal Pradesh;  
Email: arunachalspcb@gmail.com

5. The Principal Chief  
Conservator of Forest,  
Government of Arunachal  
Pradesh, Itanagar - 791111,  
Arunachal Pradesh;  
Email: pectnsecy-arn@nic.in

6. The Managing Director,  
National Highway Infrastructure  
Development Corporation  
Limited, 3<sup>rd</sup> Floor, PTI Building,  
Parliament Street, New Delhi;  
Email: md@nhidel.com

7. The Director, Geology &  
Mining Department, Itanagar,  
Arunachal Pradesh;  
Email: amdo-anjaw-arn@nic.in

8. The Chief Engineer, NH  
Itanagar, Arunachal Pradesh;  
Email: borraete@gmail.com

Ved Prakash Anja

IV

9. M/s TK Engineering Consortium Private Limited, Model Village, Naharlagun, Itanagar, Arunachal Pradesh, PIN - 791110;  
Email: [tkeconltd@gmail.com](mailto:tkeconltd@gmail.com)

10. M/s Puna Hinda Construction Private Limited, C/o Times Video Library, Akash Deep, PO & PS Itanagar, Arunachal Pradesh - 791111;  
Email: [punahinda@gmail.com](mailto:punahinda@gmail.com)

11. M/s Jugal Kishore Mohanta, Ivory Enclave, RGB Road, Guwahati, Kamrup, Assam - 781021;  
Email: [jkmho@jkminfra.net](mailto:jkmho@jkminfra.net)

12. M/s BSCPL 8-2-502/I/A, JIVI Towers, Road No. 7, Banjara Hills, Hyderabad, Telangana - 500034;  
Email: [info@bscpl.net](mailto:info@bscpl.net)

Ved Prakash Anji

V

13. M/s Dinesh Chandra R  
Agarwala Infracon Pvt. Limited,  
401, The Grand Mall, Opposite  
State Bank Zonal Office, SM  
Road, Ambawadi, PS - Sanand,  
Ahmedabad - 380015

Email: info@draipl.com,  
draaroddelhi@gmail.com

... Respondents

And

In the matter of:

The Managing Director, National  
Highway Infrastructure  
Development Corporation  
Limited, 3<sup>rd</sup> Floor, PTI Building,

Parliament Street, New Delhi

Email: md@nhidcl.com

...Applicant in the  
Interim Application/  
Respondent No. 6

Ved Prakash Anja

BEFORE THE NATIONAL GREEN TRIBUNAL  
EASTERN ZONE BENCH, KOLKATA

I.A. NO. \_\_\_\_\_ OF 2025

IN

ORIGINAL APPLICATION NO. 74 OF 2017

IN THE MATTER OF:

TAI MAYA

.... APPLICANT

versus

THE UNION OF INDIA & ORS.

... RESPONDENTS

AND IN THE MATTER OF:

NATIONAL HIGHWAY & INFRASTRUCTURE DEVELOPMENT  
CORPORATION LIMITED (NHIDCL)

... RESPONDENT NO. 6 / PRESENT APPLICANT

The humble application of the

Applicant above-named -

Most respectfully showeth:

1. The present application is being filed by the present applicant i.e. National Highway & Infrastructure Development Corporation Limited, hereinafter referred to as "applicant", which is otherwise arrayed as Respondent No. 6, in the captioned Original Application. That by way of the present

Ved Prakash Arora

application, the applicant is praying for a further period of 1 (one) week from 13.01.2025 for compliance with orders of this Hon'ble Tribunal dated 9.05.2022 and 7.11.2024, subject to orders of the Hon'ble Supreme Court in Miscellaneous Application Diary No. 59683 of 2024, preferred in light of the subsequent development, explained in the subsequent paragraphs. The said Miscellaneous Application filed before the Hon'ble Supreme Court is likely to be listed on 15.01.2025.

2. That by way of order dated 9.05.2022, this Hon'ble Tribunal directed that the Applicant to pay an interim compensation of Rs. 10 crores for alleged violations of environmental norms *to be utilized as per directions of the joint committee for restoration:*

“11. We find that as per affidavit filed by Respondent No. 6, NHIDC, the cost of projects executed by it is Rs. 989 crores. Having regard to the nature of violations so far found and cost of the projects, we determine interim compensation of Rs. 10 crores to be deposited by the NHIDC with the State PCB within one month, ***to be utilized as per directions of the joint Committee for restoration.*** NHIDC may recover the same from erring contractors, employed by it.”

(emphasis supplied)

3. The present applicant had challenged the above order, before the Hon'ble Supreme Court, by way a statutory appeal, being Civil Appeal No. 7393 of 2022. That initially, the Hon'ble Supreme Court, vide its order dated 10.10.2022, had granted

Ved Prakash Aggr

a stay of operation of the above order. However, the said Civil Appeal came to be dismissed vide order dated 12.07.2024 passed by the Hon'ble Supreme Court.

4. Thereafter, this Hon'ble Tribunal passed its order dated 7.11.2024, issuing notice to the present Applicant, directing it to show cause as to why action should not be taken against the Managing Director of the Applicant for not complying with order dated 9.05.2022. The Managing Director was directed to be physically present with affidavit / compliance affidavit. However, the personal presence was exempted if the Applicant complied with the order dated 9.05.2022. This Hon'ble Tribunal has fixed the next date in the matter on 13.01.2025.

5. That in the meantime, on 5.12.2024, the Applicant came across a Field Inspection Report of the Joint Committee, dated 19.10.2022. However, a copy of the same was never served upon the Applicant during the pendency of the Civil Appeal before the Hon'ble Supreme Court, as such the same could not be placed before the Hon'ble Supreme Court. In the said report, it was found that most violations with respect to improper muck dumping were found in the Akajan-Likabali-Bam stretch. Further, the Committee has suggested certain

Ved Prakash Arora

recommendations for restoration and mitigation. For the said purpose the Joint Committee recommended that the user agency i.e. NHIDCL (present Applicant) shall deposit an amount of Rs. 3 crores with the State Pollution Control Board as interim penalty for compensating the environmental loss due to haphazard muck dumping specially in regard to Akajan-Likabali-Bam Road. Relevant portion of the field inspection report regarding interim compensation is reproduced hereinbelow:

“Environmental compensation:

In light of the observation above the committee recommends that the user agency shall deposit an amount of Rs. 3.00 cr with the Arunachal Pradesh State Pollution Control Board as interim penalty for compensating the environmental loss due to haphazard muck dumping specially in regards to Akanjan-Likabali-Bam Road. The DFO and concerned CCF will submit comprehensive mitigation plan in consultation with Arunachal Pradesh State Pollution Control Board which will be approved by the PCCF & HoFF, Govt of Arunachal Pradesh. The total cost of mitigation plan will be funded by the user agency, i.e. NHIDCL.”

6. Thus, the present Applicant has filed a Miscellaneous Application vide Diary No. 59683 of 2024, in the disposed of Civil Appeal No. 7393 of 2022, seeking a clarification before the Hon'ble Supreme Court, by urging that direction contained in this Hon'ble Tribunal's order dated 9.05.2022, for depositing Rs. 10 cores further directed that the same was *“to be utilized*

Ved Prakash Arya

as per the directions of the joint committee". Thereafter, the Joint Committee has filed a Field Inspection Report, dated 19.10.2022, requiring the Applicant to deposit Rs. 3 crores as interim penalty for compensating the environmental loss. This is a crucial fact, which could not be brought to the notice of this Hon'ble Court. It is submitted in the Miscellaneous Application, before the Hon'ble Supreme Court, that when the joint committee has for the time being sought Rs. 3 crores only as interim penalty for compensating the environmental loss, and when the order dated 9.05.2022 also directed that the compensation amount is to be utilized as per the directions of the joint committee, grave injustice and financial hardship would be caused if the Applicant, a Public Sector Company entrusted with the responsibility of infrastructure development in the nation, is divested of Rs. 10 crores when the joint committee has categorically stated that the present Applicant may be directed to deposit Rs. 3 crores only as interim penalty for compensating the environmental loss. Thus, a prayer has been made before the Hon'ble Supreme Court for a clarification that the Applicant be allowed to pay an interim compensation of Rs. 3 crores, as per the report dated 19.10.2022 of the joint committee, instead of Rs. 10 crores, in compliance with order dated 9.05.2022, passed by this Hon'ble Tribunal.

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A true copy of the Miscellaneous Application Diary No. 59683 of 2024, dated 18.12.2024, filed before the Hon'ble Supreme Court is annexed herewith and marked as **Annexure A-1**.

7. The above MA was mentioned for early listing before the Hon'ble Supreme Court, upon which a direction is passed that the MA be listed on 15.01.2025.

A true copy of the case-status page in respect of MA Diary No. 59683 of 2024, on the official website of Hon'ble Supreme Court, is annexed herewith and marked as **Annexure A-2**.

8. Hence, the present application is being filed seeking further period of 1 (one) week from 13.01.2025 for compliance with orders of this Hon'ble Tribunal dated 9.05.2022 and 7.11.2024, subject to orders of the Hon'ble Supreme Court in Miscellaneous Application Diary No. 59683 of 2024, which is likely to be listed before the Hon'ble Supreme Court on 15.01.2025. It is further being prayed that the Managing Director of the Applicant PSU be exempted from physical appearance before this Hon'ble Tribunal on 13.01.2025, in view of the above circumstances.

Ved Prakash Anja

9. The present application is *bona fide* and made in the interest of justice. It is further submitted that grave prejudice will be caused to the Applicants if the present application is not allowed.

### P R A Y E R

In view of the facts and circumstances stated above, it is most humbly prayed that this Hon'ble Tribunal be pleased to:

- a. Grant a further period of 1 (one) week from 13.01.2025 for compliance with orders of this Hon'ble Tribunal dated 9.05.2022 and 7.11.2024, subject to orders of the Hon'ble Supreme Court in Miscellaneous Application Diary No. 59683 of 2024; and
- b. Exempt the Managing Director of the Applicant PSU from physical appearance before this Hon'ble Tribunal on 13.01.2025; and / or
- c. Pass any other order that this Hon'ble Tribunal may deem fit.

FOR THIS ACT OF KINDNESS THE APPLICANT AS IN DUTY BOUND SHALL EVER PRAY

Ved Prakash Arora

National Infrastructure &  
Development Corporation Limited  
(Applicant / Respondent No. 6)

GENERAL MANAGER (LEGAL)

Through

Ashab Ray.

Advocate

Enrolment No. WB/1335/2011

Dated: 09.01.2025

7A

VERIFICATION

I, Ved Prakash Arya, Son of Late Ram Baksh Arya, residing at Triveni Height, Dwarka Sector 16 B, New Delhi PIN - 110078, aged 60 years, by occupation- Service, do hereby solemnly declare and verify that I am the General Manager (Legal) of the National Highway & Infrastructure Development Corporation Limited (NHIDCL) at NHIDCL Headquarters, World Trade Centre, Tower A, 2<sup>nd</sup> Floor, Nauroji Nagar, New Delhi - 110029, and I am competent to swear Application in the instant litigation on behalf of the NHIDCL, and competent to affirm the same and, as such, I am well acquainted with the facts and circumstances of the present case, and that the averments made in paragraphs 1, 6 and 8 in the foregoing Application are true to the best of my knowledge, the averments made in paragraphs 2 to 5 and 7 therein are obtained from the records kept and maintained at the office of the NHIDCL which I verily believe to be true and the rest are my respectful submissions before this Hon'ble Tribunal. I have not suppressed any material facts. I am competent to sign this Verification.

I signed this verification on this the 10th day of January, 2025.

  
Signature of the deponent



**वेद प्रकाश आर्य / Ved Prakash Arya**  
**महाप्रबन्धक (वैधिक) / General Manager (Legal)**  
**राष्ट्रीय राजमार्ग एवं अवसंरचना विकास निगम लिमिटेड**  
**National Highways & Infrastructure Development Corporation Limited**  
**सार्वजनिक क्षेत्र उपक्रम / A Public Sector Undertaking**  
**सड़क परिवहन एवं राजमार्ग मंत्रालय के अधीन**  
**Under the Ministry of Road Transport & Highways**  
**भारत सरकार / Govt. of India**

Identified by me

**ATTESTED**  
  
Notary Public, Delhi

10 JAN 2025

7B

**AFFIDAVIT**

I, Ved Prakash Arya, Son of Late Ram Baksh Arya, residing at Triveni Height, Dwarka Sector 16 B, New Delhi, PIN - 110078, aged 60 years, by occupation Service, do hereby solemnly affirm and say as follows:-

1. I am the General Manager (Legal) of the National Highway & Infrastructure Development Corporation Limited (NHIDCL) at NHIDCL Headquarters, World Trade Centre, Tower A, 2<sup>nd</sup> Floor, Nauroji Nagar, New Delhi - 110029, and, as such, I am competent to swear Application in the instant litigation on behalf of the NHIDCL, and competent to affirm the same. I am well acquainted with the facts and circumstances of the present case.
2. The averments made in paragraphs 1, 6 and 8 in the foregoing Application are true to the best of my knowledge, the averments made in paragraphs 2 to 5 and 7 therein are obtained from the records kept and maintained at the office of the NHIDCL which I verily believe to be true and the rest are my respectful submissions before this Hon'ble Tribunal.



Ved Prakash Arya  
Signature of the deponent  
General Manager (Legal) NHIDCL

Identified by me

**ATTESTED**

Notary Public, Delhi

11 JAN 2025

IN THE SUPREME COURT OF INDIA  
(CIVIL APPELLATE JURISDICTION)

MISCELLANEOUS APPLICATION NO. \_\_\_\_\_ OF 2024

IN

CIVIL APPEAL NO. 7393 OF 2022

IN THE MATTER OF:

National Highway & ...Appellant/  
Infrastructure Development Applicant  
Corporation Ltd.  
Through its General Manager  
(Tech.)  
Having office at 3rd Floor, PTI  
Building, Parliament Street,  
New Delhi

*Versus*

1. Union of India ...Respondent No.1  
Ministry of Environment,  
Forest and Climate Change,  
Through the Principal  
Secretary  
Having office at 3rd Floor,  
Prithvi Wing, Indira  
Paryavaran Bhawan, Jor  
Bagh, New Delhi- 110003
2. Government of Arunachal Pradesh ...Respondent No.2  
Through the Chief  
Secretary, Itanagar,  
Arunachal Pradesh- 791111
3. Additional Principal Chief ...Respondent No.3  
Conservator of Forest

(Central) North East  
Regional Office, Law-u-sib,  
Lambatnagen, Near MTC  
Work Shop, Shilong,  
Meghalaya- 793021

4. Arunachal Pradesh Pollution Control Board  
Through Member Secretary,  
Department of Environment  
and Forest, Paryawaran  
Bhawan Yupia Road,  
Papunallah, Naharlagun,  
Arunachal Pradesh- 791110  
...Respondent No.4
5. Principal Chief Conservator  
of Forest Government of  
Arunachal Pradesh  
...Respondent No.5
6. Director, Geology and  
Mining Department,  
Itanagar, Arunachal Pradesh  
...Respondent No.6
7. Chief Engineer NH Itanagar,  
Arunachal Pradesh  
...Respondent No.7
8. M/S TK Engineering  
Consortium Pvt. Ltd.  
Model Village, Naharlagun,  
Itanagar, Arunachal  
Pradesh- 791110  
...Respondent No.8
9. M/S Punahinda Construction  
Pvt. Ltd.  
C/O Times Video Library,  
Akash Deep, PO PS  
Itanagar, Arunachal  
Pradesh- 791111  
...Respondent No.9

- 10.M/S Jugal Kishore Mohanta ...Respondent No.10  
Ivory Enclave, RGB Road,  
Guwahati, Kamrup, Assam-  
781021
- 11.M/S BSCPL ...Respondent No.11  
8-2-5021/1/A, JIVI Towers,  
Road No. 7, Banjara Hills,  
Hyderabad, Telangana-  
500034
- 12.M/S Dinesh Chandra R. ...Respondent No.12  
Agarwala Infracom Pvt. Ltd.  
401, The Grand Mall, Opp  
State Bank Zonal Office,  
S.M. Road, Ambawadi, PS  
Sanand, Ahmedabad,  
Gujarat- 380015
- 13.Tai Maya ...Respondent No.13  
S/o Shri Tai Nuku  
Aged about 55 years  
R/o G Extension,  
Naharlagun, Itanagar,  
Arunachal Pradesh

**APPLICATION FOR DIRECTION**

TO,  
HON'BLE THE CHIEF JUSTICE OF INDIA AND  
HIS HON'BLE COMPANION JUSTICES OF THE  
SUPREME COURT OF INDIA AT NEW DELHI

THE HUMBLE APPLICATION OF  
THE APPELLANT / APPLICANT ABOVENAMED:

MOST RESPECTFULLY SHOWETH:

1. That the Appellant / Applicant had filed the captioned civil appeal challenging the order dated 09.05.2022, in O.A. No. 74/2017/EZ, passed by the Hon'ble National Green Tribunal, Eastern Zone, Special Bench, whereby the Hon'ble Tribunal has directed the Appellant to pay an interim compensation of Rs. 10 crores for alleged violations of environmental norms *to be utilized as per directions of the joint committee for restoration*. This Hon'ble Court has dismissed the Civil Appeal vide order dated 12.07.2024. That after the passing of the said order, recently on 05.12.2024, the lawyer appearing for the Appellant / Applicant, before the Hon'ble NGT, has come across a copy of the report dated 19.10.2022, filed by the Joint Committee wherein it has required the Appellant / Applicant to deposit Rs. 3 crores with Arunachal Pradesh State Pollution Control Board as interim penalty for compensating the environmental loss. That since the said report was neither in the knowledge of the Appellant / Applicant nor was the same brought on record before this Hon'ble Court by any of the parties before it, the Appellant / Applicant, by way of the present application, is seeking a clarification, that the Appellant / Applicant, be allowed to pay an interim compensation of Rs. 3 crores, as per the report

dated 19.10.2022 of the joint committee, instead of Rs. 10 crores, in compliance with order dated 9.05.2022, passed by the Hon'ble NGT.

A true copy of the order dated 12.07.2024, passed by this Hon'ble Court, in Civil Appeal No. 7393 of 2022, is annexed herewith and marked as **Annexure A-1 (Pages 23 to 25 )**.

2. It is submitted that vide order dated 09.05.2022, the Hon'ble NGT upon considering the affidavit filed by the State Pollution Control Board observed that the compensation may be utilised for restoration of environment as per action plan to be approved by the Joint Committee constituted by the Hon'ble NGT. The relevant part reads as under:

“10. In view of above, since continuing violation of environmental norms has been found by the State PCB in the matter of dumping of muck and requisite statutory clearances, particularly EC, are not shown, remedial action needs to be taken and monitored for which we constitute a joint committee to be headed by Regional Officer, MoEF&CC with (i) Regional Officer, CPCB, (ii) State PCB and (iii) PCCF (HoFF), Arunachal Pradesh or his representative not below the rank of the Chief Conservator of Forests, as members. The State PCB will be the nodal agency for coordination and compliance. The joint committee may also associate the concerned District Magistrates. The joint committee may undertake visit to the sites and interact with the project proponents, their agencies and

other stakeholders. Action be taken for the violations, for compliance of the environmental norms as well as fixing accountability for past violations, including recovery of compensation. *The compensation assessed may be utilized for restoration of environment as per action plan to be approved by the Committee.*

(emphasis supplied)

3. Thereafter, vide order dated 09.05.2022 the Hon'ble NGT, further directed as follows, in paragraph 11:

“11. We find that as per affidavit filed by Respondent No. 6, NHIDC, the cost of projects executed by it is Rs. 989 crores. Having regard to the nature of violations so far found and cost of the projects, we determine interim compensation of Rs. 10 crores to be deposited by the NHIDC with the State PCB within one month, *to be utilized as per directions of the joint Committee for restoration.* NHIDC may recover the same from erring contractors, employed by it.”

(emphasis supplied)

A true copy of the order dated 9.05.2022, passed by the Hon'ble National Green Tribunal, in OA/74/2017/EZ, is annexed herewith and marked as **Annexure A-2 (Pages 26 to 32 )**.

4. That the Appellant challenged the impugned order dated 09.05.2022 passed the Hon'ble NGT, by filing of Civil Appeal No. 7393 of 2022, before this Hon'ble Court.

5. That initially on 10.10.2022, this Hon'ble Court had issued notice in the Appeal and had granted stay of the operation of impugned order dated 09.05.2022.
  
6. That it has been learnt recently that sometime in October or November, 2022 the joint committee has submitted its report, before the Hon'ble NGT, dated 19.10.2022, in terms of the direction contained in Hon'ble NGT's order dated 9.05.2022. However, a copy of the same was not served upon the Appellant / Applicant then. Thus, the same could not be brought to the notice of this Hon'ble Court. In the said report, it was found that most violations with respect to improper muck dumping were found in the Akajan-Likabali-Bam stretch. Further, the Committee has suggested certain recommendations for restoration and mitigation. For the said purpose the Joint Committee recommended that the user agency i.e. NHIDCL (Appellant) shall deposit an amount of Rs. 3 crores with the State Pollution Control Board as interim penalty for compensating the environmental loss due to haphazard muck dumping specially in regard to Akajan-Likabali-Bam Road. Relevant portion of the field inspection report regarding interim compensation is reproduced hereinbelow:

**“Environmental compensation:**

In light of the observation above the committee recommends that the user agency shall deposit an amount of Rs. 3.00 cr with the Arunachal Pradesh State Pollution Control Board as interim penalty for compensating the environmental loss due to haphazard muck dumping specially in regards to Akanjan-Likabali-Bam Road. The DFO and concerned CCF will submit comprehensive mitigation plan in consultation with Arunachal Pradesh State Pollution Control Board which will be approved by the PCCF & HoFF, Govt of Arunachal Pradesh. The total cost of mitigation plan will be funded by the user agency, i.e. NHIDCL.”

A true copy of the Filed Inspection Report, dated 19.10.2022, by the Joint Committee, is annexed herewith and marked as **Annexure A-3 (Pages 33 to 86 )**.

7. It is pertinent to mention that in the meantime the Original Application i.e. OA No. 74/2017/EZ, was listed before the Hon’ble NGT on various dates, after the passing of its order dated 9.05.2022, however, the same was simply adjourned on those dates, after noting the interim order passed by this Hon’ble Court. It may be pointed out that in none of the orders there is any observation regarding the submission of the joint committee’s report dated 19.10.2022.

A true copy of order dated 10.10.2022, passed by the Hon’ble National Green Tribunal, in OA/74/2017/EZ, is annexed

herewith and marked as **Annexure A-4 (Pages 87 to --)**.

A true copy of order dated 9.11.2022, passed by the Hon'ble National Green Tribunal, in OA/74/2017/EZ, is annexed herewith and marked as **Annexure A-5 (Pages 88 to 89)**.

A true copy of order dated 11.01.2023, passed by the Hon'ble National Green Tribunal, in OA/74/2017/EZ, is annexed herewith and marked as **Annexure A-6 (Pages 90 to --)**.

A true copy of order dated 8.02.2023, passed by the Hon'ble National Green Tribunal, in OA/74/2017/EZ, is annexed herewith and marked as **Annexure A-7 (Pages 91 to --)**.

A true copy of order dated 14.02.2023, passed by the Hon'ble National Green Tribunal, in OA/74/2017/EZ, is annexed herewith and marked as **Annexure A-8 (Pages 92 to --)**.

A true copy of order dated 23.03.2023, passed by the Hon'ble National Green Tribunal, in OA/74/2017/EZ, is annexed herewith and marked as **Annexure A-9 (Pages 93 to     )**.

A true copy of order dated 28.04.2023, passed by the Hon'ble National Green Tribunal, in OA/74/2017/EZ, is annexed herewith and marked as **Annexure A-10 (Pages 94 to     )**.

A true copy of order dated 31.05.2023, passed by the Hon'ble National Green Tribunal, in OA/74/2017/EZ, is annexed herewith and marked as **Annexure A-11 (Pages 95 to     )**.

A true copy of order dated 24.07.2023, passed by the Hon'ble National Green Tribunal, in OA/74/2017/EZ, is annexed herewith and marked as **Annexure A-12 (Pages 96 to 97)**.

A true copy of order dated 5.09.2023, passed by the Hon'ble National Green Tribunal, in OA/74/2017/EZ, is annexed

herewith and marked as **Annexure A-13 (Pages 98 to 99)**.

A true copy of order dated 31.10.2023, passed by the Hon'ble National Green Tribunal, in OA/74/2017/EZ, is annexed herewith and marked as **Annexure A-14 (Pages 100 to \_\_\_\_\_)**.

A true copy of order dated 8.12.2023, passed by the Hon'ble National Green Tribunal, in OA/74/2017/EZ, is annexed herewith and marked as **Annexure A-15 (Pages 101 to \_\_\_\_\_)**.

A true copy of order dated 14.02.2024, passed by the Hon'ble National Green Tribunal, in OA/74/2017/EZ, is annexed herewith and marked as **Annexure A-16 (Pages 102 to \_\_\_\_\_)**.

A true copy of order dated 10.04.2024, passed by the Hon'ble National Green Tribunal, in OA/74/2017/EZ, is annexed herewith and marked as **Annexure A-17 (Pages 103 to \_\_\_\_\_)**.

A true copy of order dated 3.07.2024, passed by the Hon'ble National Green Tribunal, in OA/74/2017/EZ, is annexed herewith and marked as **Annexure A-18 (Pages 104 to     )**.

A true copy of order dated 21.08.2024, passed by the Hon'ble National Green Tribunal, in OA/74/2017/EZ, is annexed herewith and marked as **Annexure A-19 (Pages 105 to 106)**.

8. That thereafter, the Hon'ble NGT has passed an order dated 7.11.2024, issuing notice to the Appellant / Applicant, directing it to show cause as to why action should not be taken against the Managing Director of the Appellant / Applicant for not complying with order dated 9.05.2022. The Managing Director was directed to be physically present with affidavit / compliance affidavit. However, the personal presence is exempted if the Appellant complies with the order dated 9.05.2022. The next date in the matter before the Hon'ble NGT is 13.01.2025. Relevant part of order dated 07.11.2024 reads as under:

“5. We, therefore, direct notices to be issued to the Respondent No.6, National Highway and Infrastructure

Development Corporation Limited (NHIDCL) to showcause as to why action be not taken against the Managing Director, National Highway and Infrastructure Development Corporation Limited (NHIDCL) for deliberate dis-obedience of the order of this Tribunal dated 09.05.2022 which was also put to challenge before the Hon'ble Supreme Court by the NHIDCL and the SLP was dismissed by the Hon'ble Supreme Court vide order dated 12.07.2024 in Civil Appeal No.7393 of 2022 (*National Highway and Infrastructure Development Corporation Limited vs. Union of India & Ors.*) thus, confirming order of the National Green Tribunal dated 09.05.2022.

6. We also direct the Managing Director to be present before the Tribunal on that date with his explanation on affidavit / compliance affidavit.

7. However, we further direct that if the National Highway and Infrastructure Development Corporation Limited (NHIDCL) complies with the order of the Tribunal dated 09.05.2022, the Managing Director shall not be required to appear before the Tribunal on the date fixed.

**8. List on 13.01.2025.”**

A true copy of order dated 7.11.2024, in OA No. 74/2017/EZ, passed by the Hon'ble NGT, is annexed herewith and marked as **Annexure A-20 (Pages 107 to 109)**.

9. It is pertinent to note that direction contained in the order dated 9.05.2022, for depositing Rs. 10 cores further directed that the same was “*to be utilized as per the directions of the*

*joint committee*". Thereafter, the Joint Committee has filed a Field Inspection Report, dated 19.10.2022, requiring the Appellant / Applicant to deposit Rs. 3 crores as interim penalty for compensating the environmental loss. This is a crucial fact, which could not be brought to the notice of this Hon'ble Court.

10. It is submitted that when the joint committee has for the time being sought Rs. 3 crores only as interim penalty for compensating the environmental loss, and when the order dated 9.05.2022 also directed that the compensation amount is to be utilized as per the directions of the joint committee, grave injustice and financial hardship would be caused if the Appellant / Applicant, a Public Sector Company entrusted with the responsibility of infrastructure development in the nation, is divested of Rs. 10 crores when the joint committee has categorically stated that the Appellant / Applicant may be directed to deposit Rs. 3 crores only as interim penalty for compensating the environmental loss.

11. That in the above facts and circumstances the Appellants / Applicants are seeking a clarification, as prayed for.

12.The documents annexed to the instant application are true copies of their original.

13.That the Respondents / Applicants have not filed any other application seeking same relief before this Hon'ble Court.

14.That the present application is made *bona fide* and is in interest of justice.

### P R A Y E R

It is most respectfully prayed that this Hon'ble Court may kindly be pleased to:

- a. Clarify that the Appellant / Applicant be allowed to pay an interim compensation of Rs. 3 crores, as per the report dated 19.10.2022 of the joint committee, instead of Rs. 10 crores, in compliance with order dated 9.05.2022, passed by the Hon'ble NGT; and
- b. Pass such other order / orders as this Hon'ble Court may deem fit and proper in the facts and circumstances of the present case.

AND FOR THIS ACT OF KINDNESS THE APPLICANT AS  
IN DUTY BOUND SHALL EVER PRAY

Filed by:



GAURAV KHANNA

(Advocate for the Appellant / Applicant)

New Delhi

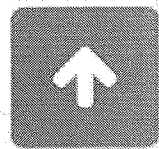
Drawn on: 16.12.2024

Filed on: 18.12.2024

**NATIONAL HIGHWAY AND INFRASTRUCTURE  
DEVELOPMENT CORPORATION LTD. VS. UNION  
OF INDIA**

24  
Annexure A2

Case Details	
Diary Number	<b>59683/2024</b> Filed on 18-12-2024 07:06 PM [ <b>SECTION: XVII</b> ]
Case Number	MA
CNR Number	SCIN010596832024
Present/Last Listed On	
Status/Stage	
Tentatively case may be listed on (likely to be listed on)	15-01-2025 (Computer generated)
Category	
Petitioner(s)	1 NATIONAL HIGHWAY AND INFRASTRUCTURE DEVELOPMENT CORPORATION LTD.
Respondent(s)	1 UNION OF INDIA
Petitioner Advocate(s)	GAURAV KHANNA



**rediffmail**

Mailbox of rayarnabmail

**Subject: Interlocutory Application in Tai Maya versus The Union of India and Others [OA/74/2017/EZ]**

From: Arnab Ray&lt;rayarnabmail@rediffmail.com&gt; on Sat, 11 Jan 2025 17:15:29

To: &lt;moef@nic.in&gt;,&lt;cs-arunachal@nic.in&gt;,&lt;pccfmegh@gmail.com&gt;,&lt;arunachalspcb@gmail.com&gt;,&lt;pccfnsecy-arn@nic.in&gt;,&lt;amdo-anjaw-arn@nic.in&gt;,&lt;boraete@gmail.com&gt;,&lt;tkeconltd@gmail.com&gt;,&lt;punahinda@gmail.com&gt;,&lt;jkmho@jkminfra.net&gt;,&lt;info@bscpl.net&gt;,&lt;info@draipl.com&gt;,&lt;drarodelhi@gmail.com&gt;

Cc: &lt;md@nhidcl.com&gt;

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**1 attachment(s) - TaiMayaApplication.pdf (9.96MB)**

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1. The Principal Secretary, Ministry of Environment, Forest and Climate Change, 3<sup>rd</sup> Floor, Prithvi Wing, Indira Paryavaran Bhawan, Jor Bagh, New Delhi – 110003;  
Email: moef@nic.in  
-Respondent No. 1
2. The Chief Secretary, Government of Arunachal Pradesh, Itanagar – 791111, Arunachal Pradesh;  
Email: cs-arunachal@nic.in  
-Respondent No. 2
3. The Additional Principal Chief Conservator of Forest (Central), North East Regional Office, Law-U-Sib, Lambatnagen, Near MTC Workshop, Shilong, Meghalaya – 793021;  
Email: pccfmegh@gmail.com  
-Respondent No. 3
4. The Member Secretary, The Arunachal Pradesh Pollution Control Board, Department of Environment & Forest, Paryavaran Bhawan, Yupia Road, Papu Nallah, Naharlagun – 791110, Arunachal Pradesh;  
Email: arunachalspcb@gmail.com  
-Respondent No. 4
5. The Principal Chief Conservator of Forest, Government of Arunachal Pradesh, Itanagar – 791111, Arunachal Pradesh;  
Email: pccfnsecy-arn@nic.in  
-Respondent No. 5
6. The Director, Geology & Mining Department, Itanagar, Arunachal Pradesh;  
Email: amdo-anjaw-arn@nic.in  
-Respondent No. 7
7. The Chief Engineer, NH Itanagar, Arunachal Pradesh;  
Email: boraete@gmail.com  
-Respondent No. 8
8. M/s TK Engineering Consortium Private Limited, Model Village, Naharlagun, Itanagar, Arunachal Pradesh, PIN – 791110;

Email: tkeconltd@gmail.com  
-Respondent No. 9

9. M/s Puna Hinda Construction Private Limited, C/o Times Video Library,  
Akash Deep, PO & PS Itanagar, Arunachal Pradesh – 791111;  
Email: punahinda@gmail.com  
-Respondent No. 10

10. M/s Jugal Kishore Mohanta, Ivory Enclave, RGB Road, Guwahati, Kamrup,  
Assam – 781021;  
Email: jkmho@jkminfra.net  
-Respondent No. 11

11. M/s BSCPL 8-2-502/I/A, JIVI Towers, Road No. 7, Banjara Hills,  
Hyderabad, Telangana – 500034;  
Email: info@bscpl.net  
-Respondent No. 12

12. M/s Dinesh Chandra R Agarwala Infracon Pvt. Limited, 401, The Grand  
Mall, Opposite State Bank Zonal Office, SM Road, Ambawadi, PS – Sanand,  
Ahmedabad - 380015;  
Email: info@draipl.com  
drarodelhi@gmail.com  
-Respondent No. 13

Respected Sir(s),

In Re:

I.A. No. of 2025  
IN  
Original Application No. 74 of 2017

Tai Maya  
...Applicant  
Versus  
The Union of India & Others  
...Respondents

And

In the matter of:  
National Highway & Infrastructure Development Corporation Limited (NHIDCL)  
... Respondent No.6/ Present Applicant

[BEFORE THE NATIONAL GREEN TRIBUNAL  
EASTERN ZONE BENCH, KOLKATA]

My client: The Respondent No. 6/Present Applicant

Please find herewith attached a scanned copy of the application with annexures  
having a total of 32 pages (9.96 MB) which shall be moved on behalf of my client  
before the Hon'ble Tribunal when the aforementioned matter shall be taken up on

13.01.2025 or on any returnable date thereafter as and when the business of the Hon'ble Tribunal may permit.

With sincere regards,  
Arnab Ray,  
Advocate-on-Record  
For the Respondent No. 6/Present Applicant, NHIDCL,  
Mobiles: +919874246811,  
+919123731361,  
Emails: rayarnabmail@rediffmail.com  
rayarnabmail@gmail.com

Residential Address: 42/1/4, Brajonath Lahiri Lane, Howrah, Post Office -  
Santragachi, Police Station- Chatterjeehat, District - Howrah, State - West Bengal,  
PIN - 711104

Copy to:  
The Managing Director,  
National Highway Infrastructure and Development Corporation Limited  
Email: md@nhidcl.com  
- For kind information, please