

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

Original Application No. 19/2014/EZ

**ROHIT CHOUDHURY**

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>Applicant</b>                   | : Ms. Preeta Dhar , Advocate  |
| <b>Respondents 1</b>               | : Mr. Anurag Mehta, Advocate (proxy)  |
| <b>Respondent No. 2, 6 &amp; 7</b> | : Mr. Gautam Chaudhury, Advocate<br>Mr. Asit Kr. Hazra, Advocate<br>Mr. Mrinal Maity, Advocate<br>Mr. Neelu Joshi, Advocate |
| <b>Respondent No. 4</b>            | : Mrs. Malabika Roy Dey, Advocate   |

| Date & Remarks   | Orders of the Tribunal   |
|--|--|
| <b>Item No. 6</b><br><b>13<sup>th</sup> May, 2016.</b> | <p>Mr. Gautam Choudhury, Ld. Govt. Advocate appearing on behalf of State of Assam, prays for leave to file status report in pursuance of our order dt. 3.3.2016 and 8.4.2016 copy of which has been served on the applicant.</p> <p>Ms. Preeta Dhar, Ld. Adv. for the applicant points out that the affidavit is lacking in complete details including demarcation of the wet land. We also observe that the alternative land provided for disposal of municipal solid wastes is only 20 bighas against the earlier 120 bighas. Mr. Choudhury submits that the State respondents have adopted scientific methods to process and dispose of the municipal solid wastes and, therefore, the necessity of larger area may not be required. He submits that he will place details of the methodology of processing and</p> |

disposal of municipal solid wastes adopted by the State by a supplementary affidavit.

We accordingly direct Mr. Choudhury to file a supplementary affidavit indicating these facts and also give details of demarcation of the wet land in question along with maps pertaining thereto.

Upon hearing the Id. Adv. for the parties, it appears that the North East Frontier Railway would be a necessary party in the proceedings inasmuch as the railway link passes near the water body and may necessitate issuing directions upon them.

We, therefore, direct that the General Manager, North East Frontier Railway, Maligaon, Guwahati, Assam, be impleaded as Respondent No. 8. Registry to amend the cause title accordingly.

Let notice be issued upon the newly added respondent returnable in three weeks. Upon receipt of the notice, the NF Railway shall file an affidavit indicating as to whether it would be feasible to construct an over-bridge at the place where the railway line passes near the water body.

**List on 12.7.2016.**

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

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

