

ITEM NO.19

COURT NO.2

SECTION XVII

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 SCIVIL APPEAL Diary No(s). 50124/2023

(Arising out of impugned final judgment and order dated 01-05-2023 in OA No. 72/2022 passed by the National Green Tribunal, Eastern Zone Bench, Kolkata)

MINISTRY OF ENVIRONMENT FOREST AND CLIMATE CHANGE Appellant(s)

VERSUS

BIPLAB KUMAR CHOWDHURY & ORS. Respondent(s)

(FOR ADMISSION and IA No.264615/2023-EX-PARTE STAY and IA No.264613/2023-CONDONATION OF DELAY IN FILING APPEAL)

Date : 03-01-2024 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SANJIV KHANNA
HON'BLE MR. JUSTICE DIPANKAR DATTA

For Appellant(s) Ms. Aishwarya Bhati, A.S.G.
Mr. Gurmeet Singh Makker, AOR
Ms. Archana Pathak Dave, Adv.
Ms. Ruchi Kohli, Adv.
Ms. Swarupama Chaturvedi, Adv.
Mr. Suyash Pandey, Adv.

For Respondent(s)

UPON hearing the counsel, the Court made the following
O R D E R

Delay condoned.

Issue notice, returnable in the month of April 2024.

Notice will be served by all modes, including *dasti*.

The Central Pollution Control Board¹ is impleaded as respondent no.16 to the present appeal.

Cause title be amended accordingly.

1 For short "CPCB"

Till the next date of hearing, the direction in terms of paragraph '33' of the impugned judgment requiring the Stone Crushing Units to obtain environment clearance, is kept in abeyance.

In the meantime, we request the CPCB to examine the issue of pollution caused by the Stone Crushing Units and whether or not they should be brought under the Schedule of the Environment Impact Assessment (EIA) Notification, 2006 dated 14.09.2006.

The CPCB will obtain necessary data and conduct scientific studies on the aforesaid aspect(s) and file a report before this Court within a period of eight weeks from today. In case environment clearance is required by the Stone Crushing Units, the CPCB, notwithstanding the present order, would issue directions as may be required in accordance with law.

Our attention is drawn to the Environment Guidelines for Stone Crushing Units issued by the CPCB in July 2023. The CPCB will place on record necessary scientific data pursuant to which the said guidelines have been issued, and whether they had examined and decided that environment clearance is not required.

(BABITA PANDEY)
COURT MASTER (SH)

(R.S. NARAYANAN)
ASSISTANT REGISTRAR