

Item No. 03

Court No. 2

**BEFORE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

Original Application No. 68/2022
(IA No. 145/2023)

Raman Sharma

Applicant(s)

Versus

State of Haryana & Ors.

Respondent(s)

Date of hearing: 16.10.2024

**CORAM: HON'BLE MR. JUSTICE SUDHIR AGARWAL JUDICIAL MEMBER
HON'BLE DR. AFROZ AHMAD, EXPERT MEMBER**

Applicant: Applicant in Person

Respondent(s): Mr. Rahul Khurana, Advocates for Respondent no. 1 to 4 and 6 with Mr. Sandeep, Assistant, SEIAA
Ms. Noopur Singhal, Advocate for Respondent No. 5
Ms. Radhika Gautam and Mr. Abhishek Singh Chauhan, Advocates for Respondent no. 7
Mr. Sanjay Upadhyay, Senior Advocate (through VC) with Mr. Shubham Upadhyay and Mr. Surya Gupta, Advocates for Respondent no.8

ORDER

1. Despite order dated 13.09.2024 wherein an undertaking was given on behalf of SEIAA, Haryana that final decision on question whether Environmental Clearance (hereinafter referred to as 'EC') is/was required by Project Proponent or not shall be taken, no clear decision has been taken on the matter.

2. Copy of order dated 15.10.2024 is an inconclusive communication and cannot be said to be a decision or order on above question. In fact, it demonstrate that authorities have no idea as to when EC will be required under provisions of Environment Impact Assessment Notification dated 14.09.2006 as amended from time to time. This is very unfortunate

situation that SEIAA, Haryana is not able to take a decision on this issue, though more than an year has passed.

3. Shri Rahul Khurana, Advocate appearing for SEIAA, Haryana stated that required decision will be taken within a week. Though, delay on the part of SEIAA, Haryana in not taking clear decision on the question, justify an exemplary cost and we were initially inclined to do so but on the request made by Learned Counsel appearing for SEIAA, Haryana, we are not passing any order on this aspect and grant him two weeks' time.

4. List on 14.11.2024.

Sudhir Agarwal, JM

Dr. Afroz Ahmad, EM

October 16, 2024
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