

**BEFORE THE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA
(THROUGH PHYSICAL HEARING WITH HYBRID MODE)**

Appeal No.31/2022/EZ

Conservation Action Trust & Anr. Appellant(s)
Versus

The Ministry of Environment, Forest &
Climate Change & Ors. Respondent(s)

Date of hearing: 11.01.2023

**CORAM: HON'BLE MR. JUSTICE B. AMIT STHALEKAR, JUDICIAL MEMBER
HON'BLE PROF. A. SENTHIL VEL, EXPERT MEMBER**

For Appellant(s) : Mr. Dhruba Ghosh, Sr. Advocate a/w
Mr. A. Yogeshwaran, Advocate,
Mr. Poongkhulali B, Advocate,
Mr. Abhishek Sikdar, Advocate (in Virtual Mode),
Mr. Santanu Chakraborty, Advocate &
Ms. Ajeyaa Choudhary, Advocate

For Respondent(s) : Mr. Apurba Ghosh, Advocate for R-1,
Mr. Shatadru Chakraborty, Advocate for R-2 (in Virtual Mode)

ORDER

1. Heard Mr. Dhruba Ghosh, learned Senior Counsel assisted by Mr. A. Yogeshwaran, Mr. Poongkhulali B, Mr. Abhishek Sikdar (in Virtual Mode), Mr. Santanu Chakraborty & Ms. Ajeyaa Choudhary, learned Counsel appearing on behalf of the Appellants.
2. This appeal has been filed by the Appellant challenging the Environmental Clearance dated 11.11.2022 bearing EC Identification No.EC22A033AN125767 in File No. 10-17-2021-IA-III for the establishment of integrated development of International Container Transshipment Terminal (ICTT)-14.2 Million TEU, Township & Area development and 450 MVA Gas and Solar based power plant in 16610 ha. in the Great Nicobar Islands, Nicobar District.
3. The contention of the learned Senior Counsel is that the impugned order is absolutely identical to another order dated 04.11.2022 passed in the same matter and it is not clear as to whether the correct order

is 04.11.2022 or 11.11.2022. The order dated 04.11.2022 has been challenged by the Appellant in Appeal No.30/2022/EZ.

4. In our opinion, matter requires consideration.
5. Issue notice to the Respondents, returnable within four weeks.
6. Mr. Apurba Ghosh, learned Counsel states that he has instruction to appear on behalf of the Respondent No.1, Ministry of Environment, Forests and Climate Change (MoEF&CC) and accepts notice on behalf of the Respondent No.1.
7. The Respondent No.1 is directed to clarify which of the two orders i.e. order dated 04.11.2022 or 11.11.2022 is the correct order granting Environmental Clearance to the project in question.
8. Mr. Shatadru Chakraborty along with Mr. Ramendu Agarwal, learned Counsel who are present (in Virtual Mode), accept notice on behalf of Respondent Nos.2, Andaman and Nicobar Islands Integrated Development Corporation Limited (ANIIDCO Ltd.). They pray for and are granted four weeks time for filing counter affidavits.
9. All the Respondents shall file their counter-affidavits within four weeks.
10. Counsel for the Appellant shall serve e-copy/soft copy of the Appeal along with all its annexures upon Mr. Apurba Ghosh and Mr. Shatadru Chakraborty, learned Counsel within 24 hours.
11. **List on 16.02.2023.**

.....
B. Amit Sthalekar, JM

.....
Prof. A. Senthil Vel, EM

January 11, 2023
Appeal No.31/2022/EZ
SKB