

Item No.18:-

**BEFORE THE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE, CHENNAI**

(Through Video Conference)

Appeal No.33 of 2022 (SZ)

IN THE MATTER OF

Meenava Thanthai K.R. Selvaraj Kumar
Meenavar Nala Sangam, Royapuram,
Chennai.

...Appellant(s)

Versus

Union of India,
Represented by its Secretary,
MoEF&CC, New Delhi and Ors.

...Respondent(s)

Date of hearing: 11.10.2023.

CORAM:

HON'BLE Smt. JUSTICE PUSHPA SATHYANARAYANA, JUDICIAL MEMBER

HON'BLE Dr. SATYAGOPAL KORLAPATI, EXPERT MEMBER

For Appellant (s): Mr. G. Stanly Hebzon Singh.

For Respondent(s): Mr. Meyappan represented
Mrs. Me. Sarashwathy for R1.
Dr. D. Shanmuganathan for R2 & R4.
Ms. Aarti represented
Mr. S. Sai Sathya Jith for R3.
Mr. A. Ramesh Kumar & A.S. Balaji for R5.

ORDER

1. Despite our Order dated 10.04.2023 seeking the report from the MoEF&CC for the action to be taken by them, the MoEF&CC has filed the report dated 09.05.2023 stating the general statements only and nothing specific to the questions asked.
2. The impugned Environmental Clearance (for short 'EC'), challenged in this appeal, was issued on 31.03.2022 under the expansion category. Admittedly, there was no EC held by the Project Proponent earlier.
3. In an earlier proceeding viz., **Original Application No.88 of 2020 (SZ) [Meenava Thanthai K.R. Selvaraj Kumar, Meenavar Nala Sangam Vs. Union of India and Ors.]** filed against the Project Proponent, this Tribunal had specifically held that their operation is without EC and also levied the penalty. The Hon'ble High Court also has stayed only the levy of penalty.
4. Once this Tribunal had held that it was not valid, the MoEF&CC should have revisited the impugned EC and taken appropriate action against the Project Proponent.
5. Therefore, we call for the report from the MoEF&CC as to what action they have taken to keep the expansion EC granted (which is impugned in this appeal) in abeyance, whether the expansion EC can be sustained and whether the MoEF&CC would revisit the same to either withdraw or keep it in abeyance.

6. The learned counsel appearing for the Project Proponent is also not ready today and sought time for argument.
7. Post the matter on **20.11.2023**.

Sd/-
Smt. Justice Pushpa Sathyanarayana, JM

Sd/-
Dr. Satyagopal Korlapati, EM

Appeal No.33/2022 (SZ)
11th October, 2023. Mn.

