

BEFORE THE NATIONAL GREEN TRIBUNAL

SOUTHERN ZONE, CHENNAI

Application No. 66 of 2017 (SZ)

Applicant(s)

Respondent(s)

Vallapureddy Gari Govardhan Reddy
H.No.1-6B, Kondajuturu Village,
Panyam Mandal, Pollur Post,
Kurnool District Andhra Pradesh
And others

VS The Union of India rep. by its Secretary
to the Government, The Ministry of
Environment, Forests and Climate Change,
Paaryavaran Bhavan, Jor Bagh
New Delhi

Counsel appearing for applicant

Counsel appearing for respondents

M/s.A.Yogeshwaran,
Neha Miriam Kurian

Mrs.Me.Saraswathy for R1
Mr.T.Sai Krishnan for R3
Mrs.Yasmeen Ali for R2
M/s.V.Chandrakanthan, P.Balathandayutham
B.Senthilkumar & D.Anandakrishnan for R4

Application No.246 of 2016 (SZ)

Applicant(s)

Respondent(s)

Seema Pilupu Organisation
Rep. by its President
B Vatasla Vidyasagar
Abids, Hyderabad

1. The State of Andhra Pradesh
rep. by its Principal Secretary
Revenue Department, Hyderabad
2. The Andhra Pradesh State Pollution
Control Board, rep. by its Member
Secretary, Hyderabad
3. The Collector & District Magistrate
Kurnool
4. Mr. Santi Ramadu

Counsel appearing for applicant

Counsel appearing for respondents

Vatasla Vidyasagar
Appearing in person

Mr. T.Sai Krishnan for R2
Mrs. Yasmeen Ali for R1 & R3
M/s.V.Chandrakanthan, P.Balathandayutham,
B.Senthil Kumar & D.Ananda Krishnan for R4

Note of the Registry	Orders of the Tribunal
Item No.14 & 15	Date: 29 th May, 2017 The applicant has complained about the conduct of the 4 th

respondent stated to be involved in the production of Nano Precipitated Calcium Carbonate and insists that the industry should obtain prior Environmental Clearance (EC). Admittedly, under the EIA Notification, 2006, the said activity is not covered and hence does not require prior EC.

As the applicant has stated that there is a possibility of environmental pollution because of this industry, we directed the counsel for MoEF & CC to obtain necessary instructions about the stand of Government of India. On instructions, Mrs.Me.Saraswathy, learned counsel appearing for the MoEF & CC submits that as on date the activity is not covered under the Schedule to the EIA Notification, 2006. However, the Government of India has decided to appoint an Expert Committee consisting of Dr.S.R.Wate to look into the complex situation.

In view of the aforesaid situation as ascertained from the learned counsel for the MoEF & CC, as on date the said activity does not attract EIA Notification. Therefore, we are of the considered view that at this stage no order can be passed.

The learned counsel appearing for the applicant prays for invoking precautionary principle. However, in the absence of inclusion of the activity under the EIA Notification, 2006 it is not possible for this Tribunal to conclude that such activity would require EC.

In view of the same, our order dated 13.04.2017 directing the 4th respondent to maintain statusquo stands vacated. However, the materials filed by the applicant including various statements made in this behalf will be considered in the light of the subsequent developments which may be

taking place in due course of time based on Expert Committee reports.
Needless to mention that in that event, the 4th respondent shall not claim any equity.

Post these applications on 27.07.2017.

....., JM
(Justice Dr. P. Jyothimani)

.....,EM
(Shri P.S. Rao)

