

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

**Appeal No. 145 of 2015  
(Earlier Appeal No. 10 of 2009) (NEAA)**

**IN THE MATTER OF:**

**Samata Vs. Union of India & Ors.**

**CORAM : HON'BLE MR. JUSTICE SWATANTER KUMAR, CHAIRPERSON  
HON'BLE MR. JUSTICE RAGHUVENDRA S. RATHORE, JUDICIAL MEMBER  
HON'BLE MR. BIKRAM SINGH SAJWAN, EXPERT MEMBER**

**Present: Applicant :** Mr. Raj Panjwani, Sr. Adv., Mr. Rahul Choudhary and Ms. Meera Gopal, Adv.  
**Respondent No. 1:** Mr. Rajesh K. Singh, Adv.  
**Respondent No. 3:** Mr. R. Venkataramani, Sr. Adv. and Mr. G.N. Reddy, Advs.  
Mr. Nikhil Nayyar and Ms. Smriti Shah, Advs.  
For APPCB

<b>Date and Remarks</b>	<b>Orders of the Tribunal</b>
<b>Item No. 51 July 20, 2017 ss</b>	<p>We have heard the Learned counsels appearing for the parties, at some length. The prayer in the present case is for cancellation of four different Environmental Clearances, all granted on 12<sup>th</sup> December, 2008 for different blocks Jarila Block-1, 2, 3 &amp; 8 of bauxite mine in Vishakhapatnam. It is commonly conceded before us that the project for which Environmental Clearance was granted has not commenced till date by the respondents. The Respondent No. 3 had entered into a joint agreement with An Rak Aluminum Ltd. which itself stands terminated and the parties are not ad-idem for executing the project at present. Joint agreement was entered into only for execution of this project.</p> <p>In light of the fact that 10 years have gone by and the projects even have not commenced, it will be necessary to MoEF to reconsider it afresh, if the Project Proponent approaches MoEF and decide to start the project. In that event MoEF shall consider afresh the request of the Project Proponent holistically and examine,</p>

	<p><b>Item No.</b> <b>51</b></p> <p><b>July 20,</b> <b>2017</b></p> <p><b>ss</b></p>	<p>if any other conditions are required to be imposed in the Environmental Clearance and whether there should there be a public hearing held again. These decisions would be taken up by the MoEF only after hearing both the parties.</p> <p>With the above directions Appeal No. 145 stands disposed of. No order as to cost.</p> <p>.....,CP (Swatanter Kumar)</p> <p>.....,JM (Raghuvendra S. Rathore)</p> <p>.....,EM (Bikram Singh Sajwan)</p>
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