

Chava Srinivas vs M/S. Anand Metalics And Power Private ... on 29 October, 2021

Bench: K Ramakrishnan, K. Satyagopal

Item No.19 to 21:

BEFORE THE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE, CHENNAI
Original Application No. 04 of 2019 (SZ)
With
Original Application No. 04 of 2020 (SZ)&
I.A. No. 132 of 2021(SZ)
With
Original Application No. 05 of 2020 (SZ)
(Through Video Conference)

IN THE MATTER OF:

Anirudh Reddy	Versus	...Applicant(s)
Union of India and Ors.		...Respondent(s)
	With	
Chava Srinivas and Anr.	Versus	...Applicant(s)
M/s. Anand Metalics & Power Pvt. Limited and Ors.		...Respondent(s)
	With	
Capt L.K. Reddy (Retd)	Versus	...Applicant(s)
M/s. Om Shiv Shakthi Iron Industries Pvt. Ltd., & Ors.		...Respondent(s)

Date of hearing: 29.10.2021.

CORAM:

HON'BLE MR. JUSTICE K. RAMAKRISHNAN, JUDICIAL MEMBER

HON'BLE DR. K. SATYAGOPAL, EXPERT MEMBER

O.A. No. 04 of 2019(SZ)

For Applicant(s):

None appeared

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For Respondent(s):

Ms. M. Sumathi for R1

	Mr. R. Thirunavukarasu for R2
	Ms. H. Yasmeen Ali for R3
	Mr. T. Sai Krishnan for R4
O.A. No. 04 of 2020(SZ)	
For Applicant(s):	Sai Sathya Jith
For Respondent(s):	Mr. K.S. Viswanathan for I.A. No. 132 of 2021
	Mr. T. Sai Krishnan for R2
	Ms. H. Yasmeen Ali for R3, R4
O.A. No. 05 of 2020(SZ)	
For Applicant(s):	Sai Sathya Jith
For Respondent(s):	Mr. T. Sai Krishnan for R2
	Ms. H. Yasmeen Ali for R3, R4
	ORDER

1. I.A. No. 132 of 2021 in O.A. No. 04 of 2020 has been filed by M/s Jeevaka Industries Pvt. Ltd as one of the industries, who is conducting a sponge iron industry in respect of which this case as well as other cases have been filed.

2. According to the applicant, they may be able to convince the Tribunal, what are all the resolutive methods that can be possible to resolve the issue. Though certain allegations are made that there is no application of mind applied by this Tribunal that appears to be not correct. However, considering the fact that the affected person will have to be heard before passing any order we are allowing this application and the applicant in I. A. No. 132 of 2021 is impleaded as additional respondent no. 5. I.A. No. 132 of 2021 is allowed and disposed of accordingly.

3. The Registry is directed to carry out the amendment in the cause title and the additional respondent is directed to file their statement, if any, they want file regarding the allegations made in the application.

4. The applicant in O.A. No. 04 of 2021 is directed to serve the copy of the application to the newly added respondent within three days so that they can file their statement as directed.

5. The Telangana Pollution Control Board has filed action taken report dated 24.11.2020 which reads as follows:

6. The Principal Secretary for Commerce and Industries Department, Government of Telangana also filed detailed action plan for relocation of sponge iron industries dated nil e-filed on 04.10.2020 which reads as follows:

7. The parties are at liberty to file any objection to the same or suggestions, if any, for re-location of the industries.

8. The Telangana Pollution Control Board is also directed to file further action taken report in continuation to the report submitted by them dated 06.03.2020 and nothing was mentioned in the subsequent report dated 24.11.2020 regarding the environmental compensation issued. When this was pointed out the Learned Counsel appearing for the Pollution Control Board submitted that they

will come with a further report in this regard.

9. State of Telengana is also directed to file a detailed report regarding the steps taken for the implementation of the action plan that has been produced before this Tribunal referred to above with specific timeline regarding each part of the implementation of the acquisition proceedings and shifting proceedings.

10. Though, a report was filed by the State Government e-filed on 04.12.2020, they have not filed any further progress of the action plan, though 10 months have already lapsed and as per the final time line given, they will have to complete the process in another 14 months. By this time, they should have completed some of the undertaking given by them in the action plan. When this was pointed out, the Learned Counsel appearing for the State Government submitted that they will come with a further progress report regarding this aspect as well.

11. They are directed to file the respective reports to this Tribunal on or before 07.12.2021 by e-filing in the form of searchable PDF/OCR supportable PDF and not in the form of image PDF along with necessary hardcopies to be produced as per Rules.

12. The Registry is directed to communicate this order to the Chief Secretary, State of Telengana and other official respondents for their information and compliance of the direction.

13. For consideration of further report, post on 07.12.2021.

.....J.M. (Justice K. Ramakrishnan)E.M. (Shri. Dr. K. Satyagopal) O.A. No. 04/2019(SZ) O.A. No. 04/2020(SZ) O.A. No. 05/2020(SZ) 29th October, 2021. (AM)