BEFORE THE NATIONAL GREEN TRIBUNAL, PRINCIPAL BENCH, NEW DELHI

M. A. NO. 108 OF 2014 & M. A. NO. 157 OF 2014 IN Appeal No. 05 of 2014

M/s Ardent Steel Limited Vs. MoEF & Anr.

CORAM: HON'BLE MR. JUSTICE U.D. SALVI, JUDICIAL MEMBER

HON'BLE MR. DR. D.K. AGRAWAL, EXPERT MEMBER

HON'BLE MR. B.S. SAJWAN, EXPERT MEMBER HON'BLE DR. R.C. TRIVEDI, EXPERT MEMBER

Present: Applicant: Mr. Ratan K. Singh, Ms. Shashi Bhushan, Mr.

Sauran Suman and Mr. Suraj Prakash,

Advocates

Respondent No. 1: Mr. Vivek Chib, Mr. Asif Ahmed, Mr. Joby

Varghese and Mr. Kushal Gupta, Advocates

Respondent No. 2: Mr. A.K. Panda, Sr. Advocate and Mr. S. Panda

and Mr. M. Paikaray, Advs.

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Orders of the Tribunal

Item No. 7 April 15, 2014

Pleadings are complete.

The controversy in the present Appeal arises from the interpretation of the term "primary metallurgical industry" referred to at serial 3(a) of the EIA Notification In this context, Ministry of Environment and Forests has come out with the Office Memorandum dated 11th April, 2014 to say that the stand-alone iron ore pellet plants should be categorized as primary metallurgical industries-category "A" as indicated at Serial no. 3(a) in the EIA Notification 2006 and require Environmental Clearance from MoEF. A copy of the office memorandum dated 11th April, 2014 is taken on record and copies are furnished to other parties.

The Respondent No. 2- State Pollution Control Board Orissa, though the pleadings are complete, wish to place on record its view regarding the controversy before us. Liberty is granted to the Respondent No. 2 to file the Affidavit expressing their views. Affidavit along with Minutes of the Meeting of the Expert Committee constituted by the State Pollution Control Board, Orissa for studying the applicability of the EIA notification to the stand alone pellet plan is taken on record. Copies thereof are furnished to other parties.

On this background the Respondent – MoEF seeks time to consider the Expert Committee's view as disclosed

from the Affidavit placed on record by the Respondent No. 2- State Pollution Control Board, Orissa.

Learned counsel appearing for the MoEF submitted that the view expressed by the Expert Committee of the State Pollution Control Board, Orissa will have to be studied and material to point out a contrary view will have to be placed on record.

Liberty is granted to place a counter view in that regard, if any, on record.

List this matter on 25th April, 2014.

In the meanwhile, MoEF shall furnish advance copies of the contrary view to the parties.

The MoEF shall also place before us the status of the Application moved by the Appellant for grant of Environmental Clearance.

The State Pollution Control Board, Orissa may also place before us the status of the Application moved by the Appellant for consent to operate.

