

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

Appeal No. 254/2018
(M.A. No. 1665/2018)

WITH

Appeal No. 255/2018
(M.A. No. 1666/2018)

Hindalco Industries Limited

Appellants(s)

Versus

Union of India & Ors.

Respondent(s)

Date of hearing: 29.01.2019

CORAM: HON'BLE MR. JUSTICE ADARSH KUMAR GOEL, CHAIRPERSON
HON'BLE MR. JUSTICE S.P. WANGDI, JUDICIAL MEMBER
HON'BLE MR. JUSTICE K. RAMAKRISHNAN, JUDICIAL MEMBER
HON'BLE DR. NAGIN NANDA, EXPERT MEMBER

For Applicant(s): Mr. Ashish Prasad, Ms. Mukta Dutta and Mr.
Rohit Sharma, Advocates
For Respondent (s): Mr. Divya Prakash Pandey, Advocate

ORDER

1. Grievance of the appellants is that it should not be asked to seek permission from the National Board of Wild Life (NBWL) as its project has no impact on the wildlife. According to the appellants, no permission is required from NBWL.
2. We did not accept the submission in view of the provision of Section 5 C of the Wildlife (Protection) Act, 1972 and also specific condition in the Environment Clearance granted to the appellant which is subject to condition number 2(i) of the "A-specific conditions" requiring assessment impact to be made.
3. On suggestion of the appellant, we had directed the Ministry of Environment, Forest and Climate Change (MoEF&CC) to

furnish a report of potential impact of the project of the appellant on the wildlife.

4. Learned counsel for MoEF&CC states that such impact is to be assessed in light of the documents furnished by the appellants. The appellants have not yet done the needful.
5. In view of the above, we dispose of these appeals with liberty to the appellants to furnish the relevant documents based on which impact of the project on the wildlife is to be examined and the matter considered in accordance with the statutory requirement, in accordance with law.

Adarsh Kumar Goel, CP

S.P. Wangdi, JM

K. Ramakrishnan, JM

Dr. Nagin Nanda, EM

January 29, 2019
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