

Item No. 02

Court No. 1

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

Review Application No. 46/2019
IN
Original Application No. 48/2019

VattiVasanth Kumar

Applicant(s)

Versus

Union of India &Ors.

Respondent(s)

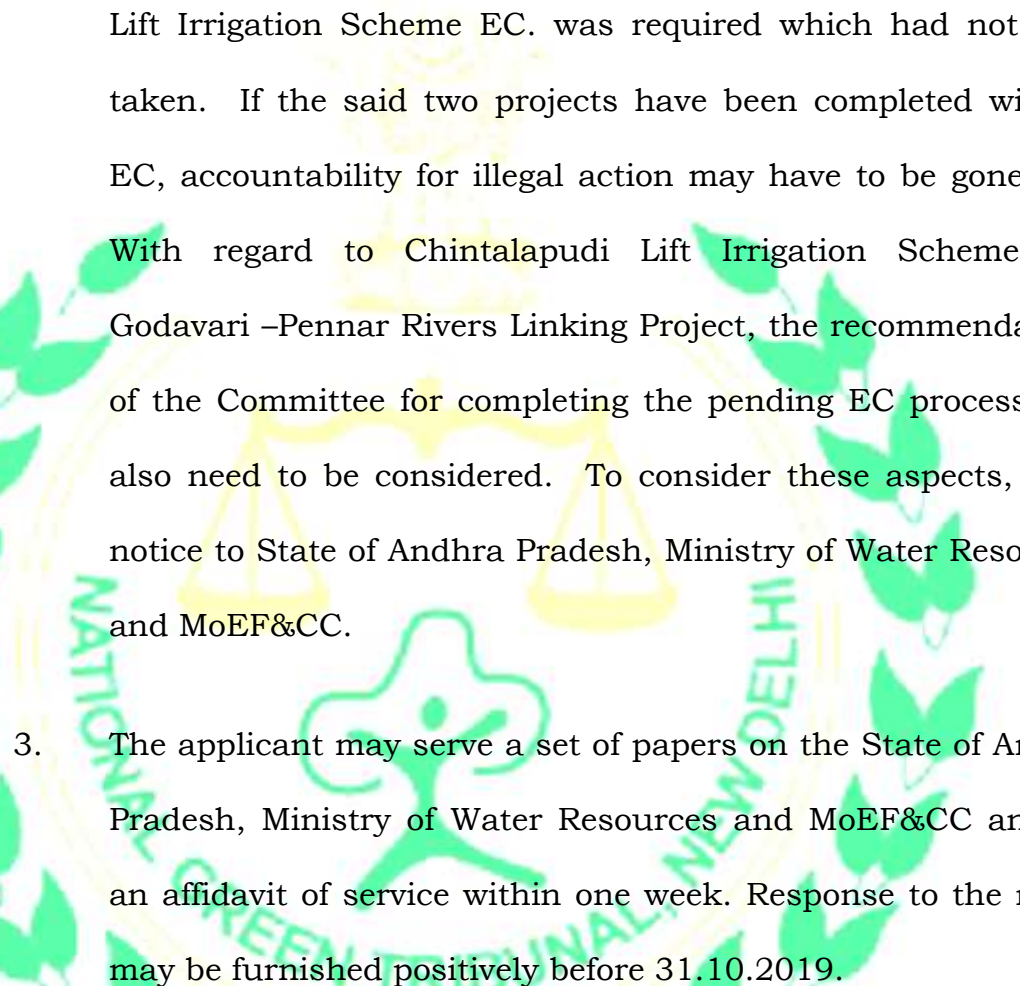
Date of hearing: 06.09.2019

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

For Applicant(s): Mr. Sravan Kumar, Advocate
For Respondent(s): Mr. Navneet, Advocate for CPCB

ORDER

1. This review application seeks review of order dated 13.08.2019 disposing of the application against the continuation of certain projects without Environmental Clearance (EC). Though the Tribunal had earlier refrained the State of Andhra Pradesh from proceeding with the projects without EC, considering the report of the joint Committee dated 28.06.2019, the Tribunal held that due clearance had already been granted by MoEF&CC with regard to Pattisema Lift Irrigation Scheme and the project had already been completed. With regard to Purushothampatnam Lift Irrigation Scheme, it was noted that the project had been completed.

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2. Review applicant points out that the joint Committee report was based on incorrect facts furnished by the State of Andhra Pradesh. Infact the said projects were taken to be part of Polavaram Irrigation Project for which EC had been granted. For Pattisema Lift Irrigation Scheme and Purushothampatnam Lift Irrigation Scheme EC. was required which had not been taken. If the said two projects have been completed without EC, accountability for illegal action may have to be gone into. With regard to Chintalapudi Lift Irrigation Scheme and Godavari -Pennar Rivers Linking Project, the recommendations of the Committee for completing the pending EC process may also need to be considered. To consider these aspects, issue notice to State of Andhra Pradesh, Ministry of Water Resources and MoEF&CC.
3. The applicant may serve a set of papers on the State of Andhra Pradesh, Ministry of Water Resources and MoEF&CC and file an affidavit of service within one week. Response to the notice may be furnished positively before 31.10.2019.

List for final hearing on 22.11.2019 along with O.A. Nos. 175/2018 and 350/2018

Adarsh Kumar Goel, CP

S.P. Wangdi, JM

Dr. Nagin Nanda, EM

September 06, 2019
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