

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

**Original Application No. 43 of 2015**

**In the Matter of :-**

**Indian Cements Ltd. Vs. Tamil Nadu P.C.B. & Anr.**

**CORAM : HON'BLE MR. JUSTICE SWATANTER KUMAR, CHAIRPERSON  
HON'BLE MR. JUSTICE DR. P. JYOTHIMANI, JUDICIAL MEMBER  
HON'BLE DR. D.K. AGRAWAL, EXPERT MEMBER  
HON'BLE MR. B.S. SAJWAN, EXPERT MEMBER  
HON'BLE MR. RANJAN CHATTERJEE, EXPERT MEMBER**

**Present Applicant : Mr. Raj Panjwani, Sr. Adv. along with Ms. Pragya Baghel, Ms. Ranjeeta Rohatgi, Mr. Salim Inamdar and Mr. Amol Chitale**

**Respondent No. 1: Mr. Yogesh Kanna with Ms. J. Janani, Adv.**

**Respondent No. 2 : Mr. Vishwendra Verma, Adv. along with P. Verma, Adv. for MoEF**

	<b>Date and Remarks</b>	<b>Orders of the Tribunal</b>
	<b>Item No. 10</b> <b>February 10, 2015</b>	<p>We have heard the Learned Counsel appearing for the parties.</p> <p>It is clear that the two circulars dated 27<sup>th</sup> June, 2013 and 12<sup>th</sup> December, 2013 have been stayed by this Tribunal, vide its order dated 15<sup>th</sup> December, 2014. The stay shall continue to be enforced unless specifically vacated by the Tribunal. The Ministry of Environment &amp; Forests shall adhere to the order of the Tribunal without default.</p> <p>We make it clear that the Applicant will not carry on mining activity without any specific order passed by the Tribunal. The MoEF and Tamil Nadu Pollution Control Board shall submit a report as to whether the activity is actually closed or not.</p> <p>The Learned Counsel appearing for the Tamil Nadu State Pollution Control Board submits that they will continue with the public hearing without prejudice to their rights and</p>

contentions. On the basis of the statement made by the said respondents, we make it clear no equity or any other benefit will accrue in favour of the applicant if the public hearing is held as part of the process.

With the above order Original Application No. 43 of 2015 stands disposed of without any order as to cost.

.....,CP  
(Swatanter Kumar)

.....,JM  
(Dr. P. Jyothimani)

.....,EM  
(Dr. D.K. Agrawal)

.....,EM  
(B.S. Sajwan)

.....,EM  
(Ranjan Chatterjee)

