

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

M.A. No.508 of 2014

In

Original Application No.121 of 2013

Akash Vashishtha & Anr. Vs. Union of India & Ors.

CORAM : HON'BLE MR. JUSTICE SWATANTER KUMAR, CHAIRPERSON
HON'BLE MR. JUSTICE M.S. NAMBIAR, JUDICIAL MEMBER
HON'BLE MR. DR. D.K. AGRAWAL, EXPERT MEMBER
HON'BLE PROF. A.R. YOUSUF, EXPERT MEMBER
HON'BLE DR. R.C. TRIVEDI, EXPERT MEMBER

Present:

Applicant: Mr. Amit Khemka with Mr. Rishi Sehgal, Advocates

Respondent No. 1: Mr. Vivek Chib and Mr. Kushal Gupta, Advocates

Respondent No. 2&4: Mr. Raman Yadav and Mr. Nauras Suhrawaray, Advocates

Respondent No.5: Mr. Ravindra Kumar, Advocate for BDA

Respondent No.6: Mr. Pinaki Misra, Sr. Advocate, Ms. Mukti Chaudhary, Advocate and Mr. Sahil Chopra, Advocate

Respondent No.7: Ms. Angeli Dayal Kovra, Advocate
Mr. B.V. Niren for Survey of India
Mr. Avijit Bhushan, Advocate for UPSIDC

Date and Remarks	Orders of the Tribunal
Item No. 8 August 29, 2014	<p>Learned Counsel appearing for the State of Uttar Pradesh upon instructions from Mr. K.K. Singh, District Forest Officer of the District Gautam Budh Nagar submits that the Affidavit has been filed on behalf of the State. According to this Affidavit there exists U-shaped water body at the site in question. The toposheet prepared by the Survey of India superimposed on the Google Map which is on record shows the water body. Earlier the water body that was there is shown to be 72 hectares in Khasra Numbers and as indicated in the Affidavit, water body has been found to be 32.762 hectares which is under water as stated in the Affidavit. This Officer further confirms that exhibit -1 of the Affidavit has been prepared upon physical verification. The physical verification has been carried out by the Revenue Department and the Report was prepared, signed and placed on the record of the Tribunal.</p> <p>The above statement has been recorded on the basis of what has been told by the DFO in court today. Having recorded the statement as above, it is evident,</p>

that the water body exists at the site in question. A Google map with super-imposition of the survey of India map showing U-shaped water body has been filed by the Government at Page 766 of the Paper book. We direct the Project Proponent to super-impose its construction plans, as alleged to be sanctioned by the concerned authority, on the map at Page 766 of the paper book.

List this matter for further direction on 19th September, 2014.

.....,CP
(Swatanter Kumar)

.....,JM
(M.S. Nambiar)

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

.....,EM
(Prof. A.R. Yousuf)

.....,EM
(Dr. R.C. Trivedi)

