

**BEFORE THE NATIONAL GREEN TRIBUNAL,
PRINCIPAL BENCH, NEW DELHI
Original Application No. 21/2014**

**Vardhaman Kaushik
Vs.
Union of India & Ors..**

HON'BLE MR. MUKESH KUMAR GUPTA, REGISTRAR GENERAL

Present: Applicant

Mr. Saumitra Jaiswal, Mr. Upama Bhattacharjee, Ld. Proxy counsels for Mr. Sanjay Upadhyay, for original applicant.

EDMC

Mr. R.K. Singh, Executive Engineer alongwith Mr. Sriansh Prakash, Ld. Proxy counsel for Mr. Balendu Shekhar.

NDMC

Ms. Sakshi Popli, Advocate

Date and Remarks	Orders of the Tribunal
Item No. 1 April 24, 2018	<p style="text-align: center;">At 11.30 AM.</p> <p style="text-align: center;"><u>EAST DELHI MUNICIPAL CORPORATIONS MATTERS.</u></p> <p>In terms of order dated 04.12.2017, directions were issued in respect of 32 violators who were present before the court. Out of aforesaid, 28 have agreed to pay the Environmental Compensation Charges(ECC), while 4 were sought liberty of the court to approach the Hon'ble Tribunal for filing an appropriate application for challenging the amount of environmental compensation.</p> <p style="text-align: center;">As on today, Mr. R.K. Singh, Executive Engineer, EDMC has appeared before the court and</p>

informed that out of 28 violators, 20 has paid the ECC, while remaining 8 have neither moved any Miscellaneous Application (MA) nor paid the ECC. Let a list of people who have neither paid the ECC nor approached the Hon'ble Tribunal by way of appropriate application, be filed on record within one week from today by the EDMC. Since, it is a violation of order passed, issue Bailable Warrant (BW) in a sum of Rs.5000/- against each of them to be executed by the SHO concerned for the next date.

In so far as the remaining 4 noticees are concerned, MAs have been filed by Shri A.K. Jain and M/s Charni Builders to which reply has also been filed.

At this stage, Shri Sandeep Mishra, Adv. Ld. Counsel has appeared for Noticee Shri A.K. Jain states that he wants to withdraw the MA filed before the Tribunal and is ready to pay the ECC. Let the ECC be paid and receipt thereof be filed on record by the Noticees who shall then appear before the Hon'ble Tribunal for withdrawal of the aforesaid MA on 14.05.2018, the date already fixed before the Hon'ble Tribunal.

In so far as the remaining 2 noticees namely Ms. Sheela Gupta and Mr. Gyan Chand are concerned, Ld. Counsel Sandeep Mishra states that he has filed an MA on behalf of Ms. Sheela Gupta, which has already been disposed by the Tribunal directing her to approach the SDM concerned, however, the same has not been placed on record. Let the Registry verify the same and place the same on record for consideration

on next date.

In so far as Mr. Gyan Chand is concerned, since, he has neither paid the ECC nor complied with the directions of the court. BW in a sum of Rs.5,000/- be issued against him to be executed through SHO concerned on the next date.

In so far as the remaining 4441 violators are concerned, it has been informed by Shri R.K. Singh, Executive Engineer that out of the aforesaid Violators, about 60% of violators have paid the ECC. Let EDMC prepare two lists. List 1 shall contain the names of those who have paid ECC and list 2 shall contain the names of those who have not paid the ECC or approached the Tribunal by way of appropriate application. In the meantime, EDMC shall also issue notices to those people who have neither paid the ECC nor approached the Hon'ble Tribunal by way of appropriate application. An Affidavit of service to this effect be also filed on record.

NORTH DELHI MUNICIPAL COUNCIL MATTERS.

Mr. Saumitra Jaiswal, Advocate, Ld. Counsel appearing for original applicant states that in the NDMC matters where 13 defaulters were shown in respect of surface parking in the Sarojini Nagar Market has not been duly dealt with. Let the list of those 13 peoples with clear data regarding those who have paid the ECC and those who have not paid the ECC be also filed by the NDMC in a tabular form, so that the matter be taken up for disposal accordingly. Let Ld. Counsel

for NDMC shall co-ordinate with the senior officers concerned in this regard and shall file the report in a tabular form under the signature of responsible officer. Copy of this order be given dasti to Ld. Counsel for EDMC and Ld. Counsel for NDMC for necessary compliance.

List this matter before the Hon'ble Tribunal on 14.05.2018, the date already fixed and on 24.05.2018 before this court.

(Mukesh Kumar Gupta)
Registrar General
24.04.2018

