

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

**Original Application No. 282/2013
M. A. No. 760/2013 & M.A. No. 39/2014**

Tarun Bharat Chauhan & Anr. Vs. U.O.I. & Ors.

**CORAM: HON'BLE MR. JUSTICE DR. P. JYOTHIMANI, JUDICIAL MEMBER
HON'BLE DR. G.K. PANDEY, EXPERT MEMBER
HON'BLE MR. BIKRAM SINGH SAJWAN, EXPERT MEMBER
HON'BLE MR. RANJAN CHATTERJEE, EXPERT MEMBER**

Present:

Applicant(s)	:Mr. Pinaki Mishra, Sr. Adv. and Mr. Sanjeev Saraswat, Adv.
Respondent Nos. 1	:Ms. P. Batra Singh, Adv.
Respondent No. 2	:Mr. B.V. Niren and Mr. Prasouk Jain, Adv.
Respondent No. 3&6	:Ms. Savitri Pandey, Adv.
Respondent No. 4	:Mr. Sudhir Kulshreshtha, Adv.
Respondent No. 5	:Mr. Daleep Kr. Dhayani, Adv. and Mr. Pradeep Misra and Mr. Manoj Kr. Sharma, Adv.
Respondent No. 8	:Ms. Bhakti Pasrija, Adv.
Respondent No. 9	:Mr. Gaurav Dhingra and Mr. Arival Saxena, Adv.

Date and Remarks	Orders of the Tribunal
Item No. 3 October 31, 2014	<p>We have heard learned Counsel appearing for the respondent no. 4 (Project Proponent) at length.</p> <p>After hearing the arguments, we are of the view that the Ghaziabad Development Authority (GDA) which has given permission for the purposes of construction of multi-storied buildings should file an affidavit by giving correct particulars from the date when place was declared as a dumping yard till today and also the concerned officers who are responsible for the purposes of changing the land use. Such affidavit shall be filed before the next date by giving copy to the learned Counsel for the applicant.</p> <p>We make it clear that the project proponent shall also file an affidavit as to how the various terms and conditions contemplated under the EC given by SEIAA are implementable.</p> <p>The State Pollution Control Board, which is stated to have filed an affidavit before the Hon'ble Supreme Court to</p>

the effect that the buffer zone of 500 meter will be maintained, shall also file an affidavit and explain under what circumstances such affidavit was filed by the Officer who has filed the said affidavit. These particulars shall be filed before the next date of hearing by giving copies to the learned Counsel appearing for the other side.

Such affidavits shall be filed within one week from today and thereafter the learned Counsel appearing for the applicant shall be entitled to file affidavit controverting such particulars within three days.

Stand over to 18th November, 2014.

Interim order already passed shall continue.

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

....., EM
(Dr. G.K. Pandey)

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

....., EM
(Ranjan Chatterjee)

