

BEFORE THE NATIONAL GREEN TRIBUNAL, PRINCIPAL BENCH, NEW DELHI

M.A.No.890/2013,904/2013,906/2013,910/2013,912/2013,914/2013,917/2013,
919/2013,921/2013,923/2013,925/2013 & 965/2013

In
Application No.158/2013

Amit Kumar V/s. Union of India & Ors.

CORAM :

HON'BLE MR. JUSTICE Dr. P. JYOTHIMANI, JUDICIAL MEMBER
HON'BLE MR. JUSTICE M.S. NAMBIAR, JUDICIAL MEMBER
HON'BLE PROF. DR. P.C. MISHRA EXPERT MEMBER
HON'BLE PROF. A.R. YOUSUF, EXPERT MEMBER
HON'BLE MR. RANJAN CHATTERJEE, EXPERT MEMBER

Applicant / Appellant : Mr. Gaurav Kumar Bansal, Adv.
Respondent No. 1 :Mr. Asif Ahmed for Mr. Vivek Chib Adv.
Respondent No. 5 :Mr. Vikas Malhotra, Adv.
Respondent No. 9 :Mr. Hemant Saini, Adv. with Mr. Rahul Dahiya & Yashpal Antil, Adv.
Respondent No. 10,11,16 to 19 : Ms. Sonam, Adv. for Mr. Sumeer Sodhi, Adv.
Respondent No. 12 & 22 :Mr. Balbir Singh,Adv.,Ms.Monica Benjamin, Adv.
Respondent No. 13 :Mr. Pawan Upadhyay, Adv.(M.A No. 912)
Respondent No. 15 :Ms. Amrita Panda, Adv.

Date and Remarks	Orders of the Tribunal
Item No. 1 December 16, 2013	<p>It is now informed by the Registry that as per the earlier direction given by this Tribunal, steps are being taken for sending notice to the newly added parties, namely the State of Haryana and the NCT of Delhi. Accordingly, the Registry is directed to send notice to the said Respondents immediately. Issue notice to the said Respondents by the Registered Post/Acknowledgment Due and Dasti as well. Notice returnable by the next date of hearing.</p> <p>Learned Counsel appearing for the Applicant undertakes to file a fresh memo of parties making all the impleaded Respondents as parties, by tomorrow.</p> <p>Learned Counsel appearing for the Respondent Nos. 12 & 22 have filed their compliance report, giving copies to the Learned Counsel appearing for the Applicant. Learned Counsel appearing for the Respondent No.9 states that he will be filing the compliance report during the course of the day after giving copy to the Learned Counsel appearing for the Applicant.</p>

Learned Counsel appearing for Respondent No. 13 states that they have already filed the reply, however, the copies of form 1A filed by them have not been furnished. The Learned Counsel fairly submits that he would file the said copies during the course of the day, giving copies to the Learned Counsel appearing for the Applicant. Learned Counsel appearing for the Respondent No. 15 and other Respondents who have not filed their compliance report seek time to file the same. Let the same be filed by the next date of hearing.

According to Learned Counsel appearing for Respondent No. 1 (MoEF), the Ministry has not received any proposal from the Government of U.P about fixing the limits of Eco-Sensitive Area in respect of Okhla Bird Sanctuary. However, there is no representation on behalf of the Government of U.P. It is unfortunate that inspite of the time having being given to the Government of U.P, it has not taken any steps for fixing the Eco-Sensitive Zone so as to enable the MoEF after consulting the National Board for Wildlife to notify. We make it clear that by the next date of hearing if the Government of U.P. does not send the proposal in this regard, the Tribunal may have to pass orders in accordance with law. We also make it clear that if in the meantime the Government of U.P. send such proposal, the National Board for Wildlife as well as MoEF shall act on the proposal and take appropriate decision for the purpose of notifying the Eco-Sensitive Zone and inform the same by the next date of hearing.

M.A. No. 1090/2013

One of the project proponents namely M/S Vipul IT Infra Soft Pvt. Ltd. seeks permission to file an application to be implemented. The said application has been numbered as M. A. No.1090/2013. Let notice be issued to the parties and be posted on the next date of hearing.

Stand over to 3rd January, 2014.

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

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

....., EM

(Prof. P.C. Mishra)

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

....., EM
(Ranjan Chatterjee)

