

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

**Original Application No. 65 of 2016  
(M.A. No. 130 of 2016)**

**And**

**Original Application No. 76 of 2016  
(M.A. No. 144 of 2016)**

**IN THE MATTER OF : -**

**Manoj Misra Vs. Delhi Development Authority & Ors.**

**And**

**Pramod Kumar Tyagi Vs. Art of Living International Center & Ors.**

**CORAM : HON'BLE MR. JUSTICE SWATANTER KUMAR, CHAIRPERSON  
HON'BLE MR. JUSTICE DR. JAWAD RAHIM, JUDICIAL MEMBER  
HON'BLE MR. JUSTICE SONAM PHINTSO WANGDI, JUDICIAL MEMBER  
HON'BLE DR. D.K. AGRAWAL, EXPERT MEMBER  
HON'BLE MR. BIKRAM SINGH SAJWAN, EXPERT MEMBER**

**Original Application No. 65 of 2016**

**Present: Appellant: Mr. Ritwick Dutta, Mr. Rahul Choudhary and Ms. Meera Gopal, Advs.  
Respondent No. 1: Mr. Rajiv Bansal, Mr. Kush Sharma and Mr. Keshav Datta, Advs. for DDA  
Respondent No. 2: Mr. Tarunvir Singh Khehar, Adv.  
Respondent No. 3: Mr. Kapil Gupta and Ms. Akashara Nath, Advs. Ms. Panchanjanya Batra Sing and Mr. Pankaj Agarwal, Advs. for MoEF**

**Original Application No. 76 of 2016**

**Present: Appellant: Mr. Abhay Malik Tripathi and Mr. Atul Kumar Yadav, Advs.  
Respondent No. 1: Mr. Kapil Gupta and Ms. Akashara Nath, Advs.  
Respondent No. 2: Mr. Tarunvir Singh Khehar, Adv.  
Mr. Rajiv Bansal, Mr. Kush Sharma and Mr. Keshav Datta, Advs. for DDA  
Mr. Balendu Shekhar, Mr. Akshay Abrol and Mr. Ishan Bahuguna, Advs. for EDMC  
Mr. Biraja Mahapatra, Adv. with Mr. Dinesh Jindal, LO, Delhi Pollution Control Committee  
Ms. Sandhya Raghav, Adv. for Ministry of Environment & Forest, & CC  
Ms. Panchanjanya Batra Sing and Mr. Pankaj Agarwal, Advs. for MoEF**

<b>Date and Remarks</b>	<b>Orders of the Tribunal</b>
<b>Item No. 10 &amp; 11 February 19, 2016 ss</b>	<p style="text-align: center;">After hearing the Learned Counsel appearing for the parties at some length and Prof. Babu who is present today in Court, we pass the following directions:</p> <p style="text-align: center;">1. Three Experts Members on the Principal Committee constituted under the Judgment of the Tribunal in</p>

the case of Manoj Mishra viz. Professor Babu, Professor Gosain and Professor Brij Gopal would visit the site, as according to the Professor Babu he had no time to go to the site and he has expressed his views based on the glimpse of the photographs placed before the Tribunal today.

2. The Three experts would be accompanied by the Chairperson of the Principal Committee, Secretary of Ministry of Water Resources and or his nominee of a very senior rank in the Ministry. The representative of Secretary from Irrigation Department, NCT, Delhi would also be present.
3. This team would inspect the site and submit its report to the Tribunal on all aspects.

The Learned Counsel appearing for Respondent No. 3 has submitted that they have removed large quantity of muck from the river bed. This statement would be contrary to the affidavit filed by the DDA, Metro Rail and other Public Authorities, that there was no debris and muck lying on the flood plain of the river Yamuna. The Expert Committee may also give opinion in that behalf.

We request the committee to visit the site positively by tomorrow and submit a report to the Tribunal on Monday i.e. 22<sup>nd</sup> February, 2016 when the case would be taken up for hearing.

The Learned Counsel appearing for DDA as well as Ministry of Environment & Forest, & CC/Ministry of Water Resources shall inform this order today itself to the

Professor Brij Gopal. Expenses of his visit to Delhi would be borne by DDA subject to the further orders of the Tribunal.

The Ministry of Environment & Forest, & CC and Ministry of Water Resources shall be added as respondent party in this case.

List this matter on Monday i.e. 22<sup>nd</sup> February, 2016.

.....,CP  
(Swatanter Kumar)

.....,JM  
(Dr. Jawad Rahim)

.....,JM  
(Sonam Phintso Wangdi)

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

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

