BEFORE THE NATIONAL GREEN TRIBUNAL, PRINCIPAL BENCH, NEW DELHI

Original Application No.59 of 2012 (M.A. No. 203 of 2013, M.A. No. 887 of 2013 & M.A. No. 134 of 2015)

IN THE MATTER OF:

Vikrant Kumar Tongad Vs. Union of India & Ors.

CORAM: HON'BLE MR. JUSTICE SWATANTER KUMAR, CHAIRPERSON

HON'BLE MR. JUSTICE U.D.SALVI, JUDICIAL MEMBER

HON'BLE DR. D.K. AGRAWAL, EXPERT MEMBER HON'BLE PROF. A.R. YOUSUF, EXPERT MEMBER

HON'BLE Mr. RANJAN CHATTERJEE, EXPERT MEMBER

Present: Applicant Mr. Raj Panjwani, Sr. Adv. and Mr. Rahul

Choudhary, Adv.

Respondent No.1: Ms. Panchajanya Batra Singh, Adv. for MoEF &

CC

Respondent No.3: Ms. Savitri Pandey and Ms. Azma Parveen, Adv.

Respondent No. 5: Mr. Pradeep Mishra and Mr. Daleep Kr. Dhyani,

Adv.

Respondent No. 6, 7 & 9: Mr. Ravindra Kumar, Adv. Respondent No. 8: Mr. B.V. Niren, Adv. for CGWA

Mr. Suresh Tripathy, Adv. for DJB

Mr. Anil Grover, AAG and Mr. Rahul Khurana,

Adv.

Mr. R. Chandrachud and Mr. Rajnish K. Singh,

Advs. for N<mark>otice</mark>e No. 1

Mr. Sumeer Sodhi and Mr. Arjun Nanda, Advs.

for WAVE & for Omaxe Ltd.

Mr. Harish Pandey and Mr. M.K. Tripathy, Advs.

for Noticee No. 12

	Date and Remarks	Orders of the Tribunal						
7	Item No.	Despite issuance of Notice, nobody is present on						
N	September 8, 2015	behalf of M/s. J.D. Contractors Private Limited, E-323,						
	A 1	324, Dakshinpuri, New Delhi. We issue bailable warn						
		against the Managing Director/Managing Partner in the						
		sum of Rs. 20,000/- to the satisfaction of the arresting						
	Officer, in exercise of our powers and in terms of the							
		provision of Section 19 (4) (a) of the National Green						
		Tribunal Act, 2010 read with Order XVI Rule 10(3) and						
		Section 151 of Code of Civil Procedure, 1908, for securing						
		his/her presence on the next date of hearing. The SHO,						
		Dakshinpuri, New Delhi shall be personally responsible for						
		securing the presence of the said person before the next						
		date of hearing and shall execute the bailable warrant.						

The bailable warrant made returnable on 13th October, 2015.

Issue notice to all the following builders:-

- 1. BPTP Ltd., Sector-94, NOIDA.
- 2. Sunshine Trade Tower Pvt. Ltd.
- J.C. World Hospitality Pvt. Ltd., Wish Town, Sector-128, NOIDA.
- 4. Assotech Reality Pvt. Ltd.,
- 5. Three C Properties Private Limited, D-107,
 Pancheel Enclave, New Delhi.
- 6. Sikka KG One, Sector-98, NOIDA.
- 7. Silicon City Pvt. Ltd.
- 8. Mahagun India Pvt. Ltd.
- 9. Gaur Sons Hitech Infrastructure Pvt. Ltd.
- 10. Pancheel Greens-II, Greater NOIDA West.
- 11. Kbnows Nirman Ltd.
- 12. JMC Projects (India) Ltd.
- 13. Era Infra Engineers Ltd.
- 14. ASF Insignia, SEZ, Gwal Pahari, GurgaonNotice made Returnable on 13th October, 2015.

In the meanwhile, we direct that the Central Ground Water Authority, CPCB, DPCC, U.P. Pollution Control Board, Haryana Pollution Control Board and NOIDA Authority/Greater NOIDA Authority, Haryana Development Authority and Yamuna Express Industrial Development Authority shall make different comprising of Senior Officers from organization and these inspecting teams shall inspect all major construction projects in Delhi, Gurgaon, NOIDA/Greater NOIDA and Faridabad and they shall report to the Tribunal on the following issues:-

- 1. Whether there exists or not any mechanism for ground water extraction? If such a system from the said inspection appears to exist its description.
- 2. What is the sanctioned construction for the project and the actual construction at site and the remnant work, and what is the water source for construction?
- 3. What is the estimated or actually required quantum of water for raising the construction that has actually been raised?
- 4. How much water has been supplied by the STP plant with due proof thereof?
- 5. If the source of water is through the tankers, which supplier had supplied the water, extent of total water supplied with proof thereof?

The report should be filed at least one week in advance to the next date of hearing.

All the committees would keep in mind the reports filed by Mr. Vikram Jeet, Local Commissioner as there are certain matters which are ambiguous and one of the commissioners could not inspect the building site, while other commissioner has pointed out serious impropriety on the part of the builders in relation to use of water.

The CPCB, State of Haryana, Haryana State Pollution Control Board, DPCC, NOIDA/Greater NOIDA Authority, Municipal Corporation Gurgaon, Municipal Corporation Faridabad, Town and Country Planning Department, Haryana, HUDA and any other authority as directed above if not impleaded be impleaded as party

	responden	ts in	the	mai	n app	lication.	Neces	sary
	amendmen	its be m	ıade.					
	List	this n	natter	for	further	direction	s on	13 th
	October, 20	015.						
						r Kumar)		,СР
					D. Salv	i)	•••••	.,JM
	,				 . D.K. A	grawal)	•••••	.,EM
1	2			 (P1	 of. A.R.	Yousuf)		.,EM
				 (R <i>a</i>	 unjan Ch	atterjee)	<u> </u>	.,EM

TRIB