

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

**Original Application No. 553 of 2016**

**IN THE MATTER OF:**

**Raghunath Jha Vs. Ministry of Urban Development**

**CORAM : HON'BLE MR. JUSTICE SWATANTER KUMAR, CHAIRPERSON  
HON'BLE MR. JUSTICE RAGHUVENDRA S. RATHORE, JUDICIAL MEMBER  
HON'BLE MR. BIKRAM SINGH SAJWAN, EXPERT MEMBER**

**Present: Amicus Curie: Mr. Sumeer Sodhi, Adv.  
Respondent: Mr. Tarunvir Singh Khehar, Ms. Guneeet  
Khehar, Advs. for GNCTD  
Respondent No. 3 Mr. Pinaki Misra, Sr. Adv. with Mr. Manoj  
Kumar Das, Adv. for NBCC  
Mr. B.V. Niren, Adv. with Mr.  
Vinayak Gupta, Adv. for MoUD &  
CPWD**

| <b>Date and Remarks</b>   | <b>Orders of the Tribunal</b>   |
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| <b>Item No.<br/>34<br/>September<br/>04, 2017<br/>SS &amp; KC</b> | <p>The report has been filed and the same be taken on record. Copy be furnished to all the Learned counsels appearing in this case.</p> <p>We have perused the report as well as heard the Learned counsels appearing for the parties. We dispose of this application with the following directions:-</p> <ol style="list-style-type: none"><li>1. The Project Proponent shall not fell any tree without obtaining consent from the concerned authority, in accordance with law. The consent, if granted, shall necessarily include the condition that if any tree is fell or permitted to cut, in place thereof at least 10 trees shall be planted in the same area and it shall also be examined, at the first instance, whether is it possible to transplant the exiting tree within the same area.</li><li>2. Pruning of trees should be in the manner that there is no danger/damage to the life of the tree under any circumstances. There is no question of any grave danger/damage in pruning and no harm</li></ol> |

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|  | <p><b>Item No.</b><br/><b>34</b></p> <p><b>September</b><br/><b>04, 2017</b></p> <p><b>SS &amp; KC</b></p> | <p>should be caused to the root of the tree, in any event.</p> <p>The Learned counsel appearing for the Project Proponent would start construction only after obtaining of Environmental Clearance.</p> <p>In view of the above, nothing survive in this for consideration and the Original Application No. 553 of 2016 stands disposed of. No order as to cost.</p> <p>.....,CP<br/>(Swatanter Kumar)</p> <p>.....,JM<br/>(Raghuvendra S. Rathore)</p> <p>.....,EM<br/>(Bikram Singh Sajwan)</p> |
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