

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

**Appeal No. 25 of 2017
(M.A. No. 963 of 2017)**

IN THE MATTER OF :

Verhaen Khanna & Ors. Vs. Union of India & Ors.

**CORAM : HON'BLE MR. JUSTICE ADARSH KUMAR GOEL, CHAIRPERSON
HON'BLE DR. JUSTICE JAWAD RAHIM, JUDICIAL MEMBER
HON'BLE MR. JUSTICE S.P. WANGDI, JUDICIAL MEMBER
HON'BLE DR. NAGIN NANDA, EXPERT MEMBER**

Present:

Appellant:	Mr. Ritwick Dutta, Ms. Meera Gopal, Advs.
Respondent No. 1:	Mr. Krishna Kumar Singh, Adv. and Mr. Niraj Kumar, LA and Dr. B.K. Singh, Joint Director, for MoEF
Respondent No. 3:	Mr. Sanjay Jain, Sr. Adv., Mr. Saket Sikri, Ms. Sneh Suman, Ms. Rhea Verma and Mr. Ajay Pal, Advs. Mr. Tarunvir Singh Khehar and Mr. Dinesh Jindal, LO, DPCC Mr. Tarunvir Singh Khehar, Mr. Sandeep Mishra and Ms. Guneet Khehar, Advs. for GNCTD

Date and Remarks	Orders of the Tribunal
Item No. 05 September 12, 2018	<p>1. Mr. Sanjay Jain, Sr. Counsel who appeared on behalf of the respondent no. 3 - project proponent, was heard for some time.</p> <p>2. He placed before us the detailed plan of the project to impress upon us that it has been conceived taking into consideration all relevant factors including traffic management and parking. He submitted that the project plan envisages re-routing of the traffic network for decongestion of the area supplemented by construction of several underground tunnels and multistoried basement parking. Upon consideration of the submissions we had expressed to Mr. Jain our concern on the creation of the tunnels and creation of underground parking which is stated to be of the capacity of accommodating for more than 4000 vehicles which would have deleterious effect on the groundwater in the seriously groundwater starved city</p>

of Delhi. Apparently no impact assessment study had been undertaken on this aspect. We also questioned him on the following crucial aspects of the project:-

- i. Want of Cumulative Assessment Study.
- ii. Ecological Impact Study.
- iii. The Incremental load relating to air pollution standards.
- iv. The Grossly deficient Traffic Impact Assessment Study.
- v. As per the affidavit of the DPCC, the respondent no. 4 filed on 31st October, 2017 the project proponent submitted application for consent to establish under the Air (Prevention and Control of Pollution) Act, 1981 and Water (Prevention and Control of Pollution) Act, 1974 on 9th October, 2017 which was under consideration of the Committee-Whether the consent to establish has been granted by the DPCC and if so, was it granted before commencement of the works under progress.

3. Mr. Jain fairly conceded that he would not be able to answer the questions off hand and would require to seek instructions. However, it was submitted that the EIA report considered by the EAC was based upon a detailed study a copy of which has not been placed on record and prayed for a period of three weeks to file those documents which, according to him, contains the empirical studies and also to address us on the questions posed to him.

4. In view of this and in the interest of justice, we allow the respondent no. 3 the time sought for. The documents

be filed within three weeks.

List on 03rd October, 2018 as prayed.

....., CP
(Adarsh Kumar Goel)

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

....., JM
(S.P. Wangdi)

....., EM
(Dr. Nagin Nanda)

11.09.2018

