

BEFORE THE NATIONAL GREEN TRIBUNAL, PRINCIPAL BENCH, NEW DELHI

Original Application No. 158/2013

Amit Kumar V/s Union of India & Ors.

CORAM: HON'BLE SHRI JUSTICE V.R. KINGAONKAR, JUDICIAL MEMBER
HON'BLE SHRI JUSTICE DALIP SINGH, JUDICIAL MEMBER
HON'BLE DR. G.K. PANDEY, EXPERT MEMBER
HON'BLE PROF. A.R. YOUSUF, EXPERT MEMBER
HON'BLE DR. R.C. TRIVEDI, EXPERT MEMBER

Applicant / Appellant : Ms. Nandita, Proxy Counsel
Respondent No. 1 : Ms. Syed Amber, Adv. for Ms. Neelam Rathore, Adv.
Respondent No. 3 : Ms. Savitri Pandey, Adv. and Mr. S.N. Pandey, Adv.
Respondent No. 4 : Mr. Ardhendhmauli Kumar Prasad, Adv.
Respondent No. 6 : Mr. Ravindra Kumar, Adv.
Respondent No. 7 : Mr. Adarsh Upadhayay & Mr. Piyush Vashista, Adv.

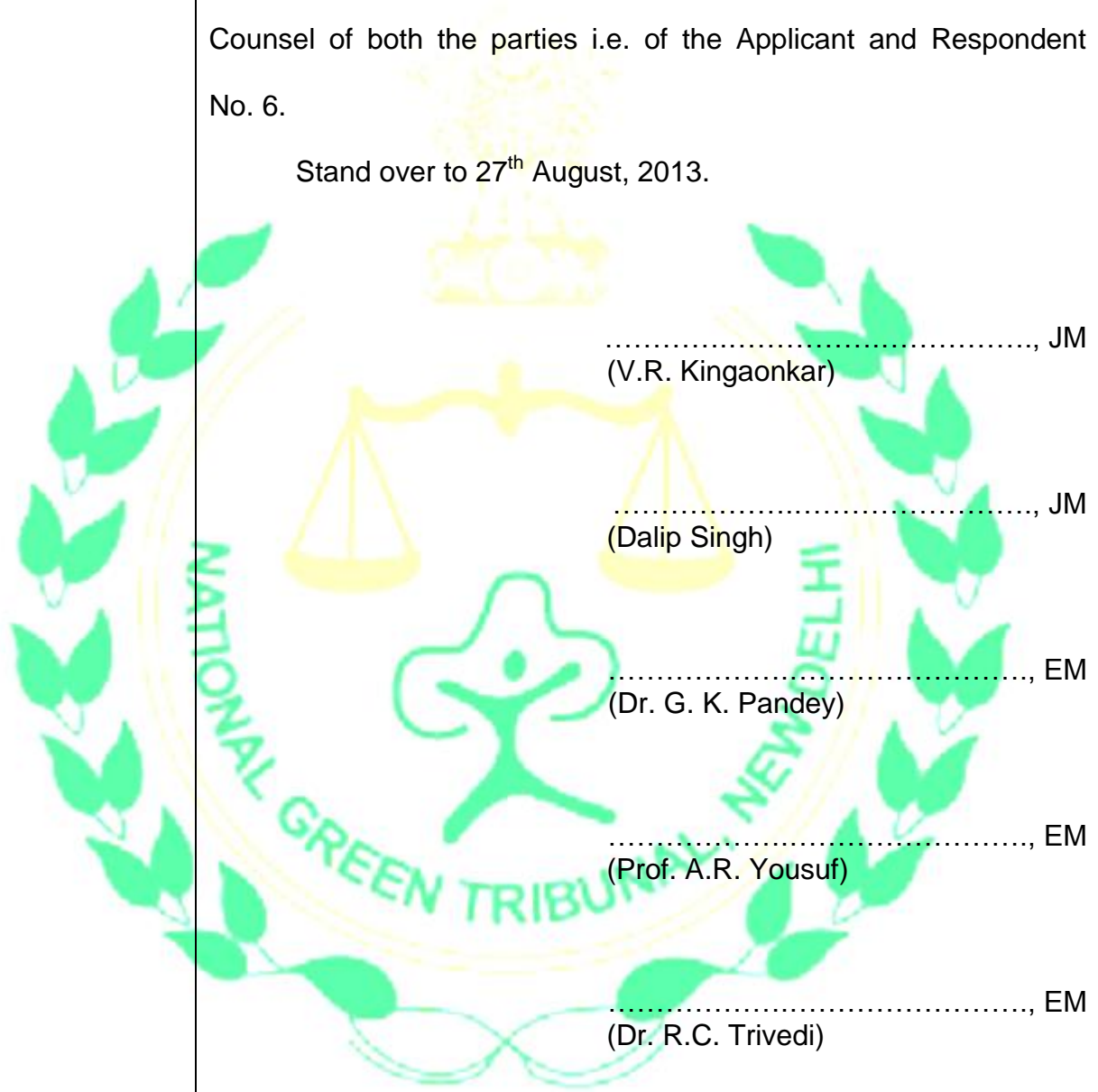
Date and Remarks	Orders of the Tribunal
<p>Order No. 3 August 14, 2013</p>	<p>We have heard Learned Counsel for the parties.</p> <p>The Counsel for the Applicant is absent but one proxy counsel by name Ms. Nandita states that copies of the application will be furnished to Respondents No. 1 & 6.</p> <p>Since the copies of the application are received today itself by the Respondents No. 1 & 6, the Counsel for the said Respondents seek time to give responses.</p> <p>We deem it proper to grant two (2) week's time for filing of counter affidavit by the Respondents.</p> <p>Considering the averments made in paragraph no. 21 of the application, we direct the Respondent No. 6 to conduct inspection of the construction which are allegedly being carried out by the 53 builders, along with any authorized person nominated by the Applicant and if so required with police aid.</p> <p>The Applicant is directed to point out the identity of other buildings which are allegedly within the radius of 10 km from Okhla Bird Sanctuary. The Applicant also shall make serious attempt to identify the names of such builders and shall apply for impleading them by next date of hearing. In case the Respondent No. 6 will find out during the course of such inspection that certain construction work is going on within 10 km radius of Okhla Bird Sanctuary without</p>

obtaining proper Environmental Clearance or in contravention of the same then it shall be immediately stopped by making necessary Panchanamas and by preparing status report.

However, in case, it is noticed that the construction is outside the limit of 10 km from the radius of the Okhla Bird Sanctuary, a specific mention in such joint inspection report pertaining to the construction work if so located and name of developer be made.

The date of joint inspection be settled in consultation with Counsel of both the parties i.e. of the Applicant and Respondent No. 6.

Stand over to 27th August, 2013.



....., JM
(V.R. Kingaonkar)

....., JM
(Dalip Singh)

....., EM
(Dr. G. K. Pandey)

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

....., EM
(Dr. R.C. Trivedi)