

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

M.A. No. 205/2014

In

Original Application No. 82 of 2013

Aditya N. Prasad 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 MR. B.S. SAJWAN, EXPERT MEMBER
HON'BLE DR. R.C. TRIVEDI, EXPERT MEMBER

Present: **Applicant:** **Mr. Aditya N. Prasad who appears in person**
Respondent No. 5, 10&12: **Mr. D. Rajeshwar Rao and Mr. Charanjeet Singh, Adv.**
Respondent No. 14: **Mr. Vikas Malhotra and Mr. M.P. Sahay, Advocates.**
For Forest Dept. **: Mr. Sanjay Dewan, Advocate and Mr. Ravinder Yadav, Ex Engineer for PWD**

Date and Remarks	Orders of the Tribunal
Item No. 6 April 23, 2014	<p style="text-align: center;"><u>M. A. No. 205 of 2014</u></p> <p>We have heard the Applicant who appears in person and the Learned Counsel appearing for the Respondent's Authorities.</p> <p>It is stated on behalf of the Respondents that they would ensure keeping one meter area from the trunk of the trees open and non-concretized without any obstruction to the storm drain near the trees. It is further stated that wherever some roots of the trees have been exposed:</p> <ol style="list-style-type: none">1. root protection will be done by immediately filling the exposed portion with soil on top priority.2. Undertake earth filling simultaneously with the carrying on of all the construction work of the storm water drain on fixing shuttering to RCC framework immediately. <p>It is further stated that wherever necessary the work will be carried on manually rather than mechanically to protect roots of the trees which have already been marked green and are to remain part of the green belt of the road under construction.</p> <p>In view of the statement made on behalf of the Department nothing survives in this Application. The Department shall abide by its word and in the event of default the Applicant would be at liberty to file an appropriate Application of which we inform the Respondents</p>

at this juncture that we will be compelled to take very serious view of the matter. It is in the interest of the Project work being continued and in the interest of justice and sustainable development that we are permitting this activity which places higher degree of obligations on the Respondents to ensure that no trees are damaged any further.

M.A. No. 205 Of 2014 stands disposed of accordingly.
The Forest Department shall also supervise the work.
List on 28th April, 2014 the date already fixed.

SN

.....,CP
(Swatanter Kumar)

.....,JM
(U.D. Salvi)

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

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

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

