

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

**Original Application No.145 of 2015  
(M.A. No. 430 of 2015, M.A. No. 1124 of 2015, M.A. No. 1140 of 2015, M.A. No.  
53 of 2016, 459 of 2016 & 556 of 2016)**

**IN THE MATTER OF:**

**D.K. Joshi Vs. Union of India & Ors.**

**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:**

<b>Applicant :</b>	<b>Mr. Rahul Choudhary, Mr. Saurabh Sharma and Ms. Meera Gopal, Advs.</b>
<b>Respondent No. 1 :</b>	<b>Mr. Balendu Shekhar, Adv.</b>
<b>Respondent Nos. 2,4 to 6,8,11,13&amp;14:</b>	<b>Mr. Abhishek Yadav, Adv.</b>
<b>Respondent No. 3 :</b>	<b>Mr. Pradeep Misra and Mr. Daleep Dhyani, Advs.</b>
<b>Respondent Nos. 7&amp;10:</b>	<b>Ms. Rachna Joshi Issar, Adv.</b>
<b>Respondent No. 9:</b>	<b>Mr. I. K. Kapila, Adv.</b>
<b>Respondent No. 12 :</b>	<b>Mr. Ajit Sharma, Mr. Mayank Aggarwal, Adv. for Nagar Nigam, Agra Mr. Rajendra Prasad Saxena, Adv. with Mr. P. Saxena for Noticee No. 10 Mr. Raj Kumar, Adv. with Mr. Bhupender Kumar, LA, CPCB Mr. Soumjayjit Pani, Mr. Akhilesh Kumar and Mr. Rajesh Kumar, Adv. for Jairam Bagh, Inderprasthan Colony, Sant Nagar, Rahul Vihar, Maitri Bagh and Friends Vihar Dr. Rajeev Sharma and Mr. Ram Anugrah Singh, Adv. for Noticee No. Tajview Apartment Mr. Antima Bazaz, Adv. Mr. Raman Yadav, Adv. for State of UP Ms. Meenakshi Arora, Sr. Adv., Mr. Aditya Parolia and Mr. Piyush Singh, Advs. for Aparna Builders, Kalyani Heights, Pushpanjali Group and Ganpati Builders Mr. Sameer Singh along with Mr. J.M. Sharma, Sr. Adv. for Astha City Center Mr. A.D.N. Rao, Mr. Nitesh Jain and Mr. Sudipto Sircar, Advs. for Mangalam Estate, Tanishq Rajshree Estate Ms. Disha Singh, Adv. for Noticee No. 4 Mr. Arjun Pant for Baibhav Batika, Rahul Greens and Tulip Paradise (Noticees)</b>

<b>Date and Remarks</b>	<b>Orders of the Tribunal</b>
<b>Item No. 16</b> <b>July 01, 2016</b> ss	The Learned Counsel appearing for Development Authority has filed a tabulated statement of non-compliance of the order and who are building on the boundary of the floodplain or which are located on the flood plain. This tabulated statement is based upon the flood plain map filed by the U.P. Irrigation Department. The Learned Counsel appearing for State submits that the statement furnished is primarily based upon map filed by

	<p><b>Item No.</b> <b>16</b></p> <p><b>July 01,</b> <b>2016</b></p> <p>ss</p>	<p>the Department of Irrigation.</p> <p>According to the statement made various builders/developers have violated, breached and/or trespassed on the flood plain by raising constructions. Before we pass any direction in that behalf it will be required by the Tribunal to provide an opportunity to all the 19 builders/developers which have been mentioned in the tabulated statement. They are at liberty to file their responses within one week from today.</p> <p>Let response to these comments, with the documents that they wish to file, be filed within the stipulated period and the matter be listed for arguments and direction in that behalf.</p> <p>We make it clear that we will not grant any further opportunity to any of the parties.</p> <p>List this matter for hearing on 08<sup>th</sup> July, 2016 at the end of the board.</p> <p>We direct the Learned Counsel appearing for Development Authority to place on record status of these 19 builders in relation to collection and disposal of Municipal Solid Waste; sewage connection and establishment of STPs and manner of disposal of treated sewage water.</p> <p>The Learned Counsel appearing for various builders/developers submit that they are willing to put up STPs plant to ensure discharge of only treated waste. Such details should be furnished on next date.</p> <p>.....,CP (Swatanter Kumar)</p>
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