

BEFORE THE NATIONAL GREEN TRIBUNAL, PRINCIPAL BENCH, NEW DELHI

Original Application No. 177/2013

Sushil Raghav Vs State of UP & Ors.

CORAM: HON'BLE MR. JUSTICE DR. P. JYOTHIMANI, JUDICIAL MEMBER
HON'BLE MR. JUSTICE M.S. NAMBIAR, JUDICIAL MEMBER
HON'BLE PROF. DR. P.C. MISHRA, EXPERT MEMBER
HON'BLE PROF. A.R. YOUSUF, EXPERT MEMBER
HON'BLE MR. RANJAN CHATTERJEE, EXPERT MEMBER

Applicant(s) : Mr. R. Venkata Raman, Advocate

Respondent Nos. 1 to 3 : Mr. Raman Yadav, Adv.

UPSIDC : Mr. Avijit Bhushan, Adv.

Date and Remarks	Orders of the Tribunal
<p>Item No. 3 January 28, 2014</p>	<p>We have heard Learned Counsel appearing for the Applicant as well as the Learned Counsel appearing for the State of Uttar Pradesh. In the earlier order dated 23.01.2014 in the last paragraph, Khasra number in respect of the Karkar Model shall be read as 289 instead of 280.</p> <p>While reiterating and continuing the earlier order passed by the Tribunal, we pass the following directions:</p> <ol style="list-style-type: none">1) The U.P. Government shall file the list of the water bodies and the places where encroachments have been made in District Ghaziabad by the next date of hearing.2) In the meantime, the Respondent No. 1 shall take all necessary steps for the purpose of removal of encroachments in all water bodies in the State of U.P. and such steps shall be initiated effectively in accordance with law within a period of four (4) weeks from today and report the steps taken by the Government by the next date of hearing.3) The State Government shall issue individual orders in cases where the encroachers are putting up construction in the water bodies to stop such construction forthwith and such orders of stopping construction shall be scrupulously implemented by the authorities concerned. The report of steps taken in this regard shall also be informed to this Tribunal by way of affidavit from the responsible officer of the Government by the next date of hearing.

The learned Counsel for the State Government would submit that few of the portions which are stated to be encroachments are under the control of U.P. State Industrial Development Corporation (UPSIDC), U.P. Awas Evam Vikas Parishad (Housing Board) and Ghaziabad Development Authority (GDA). Accordingly, all the above said bodies are *suo-motto* impleaded as Respondents No. 4 to 6. Mr. Avijit Bhushan, Advocate takes notice on behalf of UPSIDC and he undertakes to mark his appearance and file his response. The learned Counsel appearing for the Applicant undertakes to give copies of the pleadings to the learned Counsel for UPSIDC by today.

Issue Notice to the other two Respondents impleaded today by registered post /acknowledgement due and Dasti as well.

The Applicant shall file the amended Memo of parties by the next date of hearing.

Stand over to 7th March, 2014.

....., JM
(Dr. P. Jyothimani)

....., JM
(M.S. Nambiar)

....., EM
(Prof. Dr. P.C. Mishra)

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

....., EM
(Ranjan Chatterjee)