

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

**ORIGINAL APPLICATION NO. 21 OF 2014
(M.A NO. 87/2015, M.A NO. 90/2015, M.A NO. 155/2015,
M.A NO. 200/2015, M.A NO. 203/2015, M.A NO. 283/2015, M.A NO. 394/2015,
M.A NO. 412/2015 TO M.A NO. 414/2015, M.A NO. 420/2015,
M.A NO. 482/2015 & M.A NO. 502/2015)**

AND

Original Application No. 95 of 2014

IN THE MATTER OF:

Vardhaman Kaushik Vs. Union of India & Ors.

And

Sanjay Kulshrestha Vs. Union of India & Ors.

**CORAM : HON'BLE MR. JUSTICE SWATANTER KUMAR, CHAIRPERSON
HON'BLE MR. JUSTICE U.D. SALVI, JUDICIAL MEMBER
HON'BLE MR. JUSTICE M.S. NAMBIAR, JUDICIAL MEMBER
HON'BLE DR. D.K. AGRAWAL, EXPERT MEMBER
HON'BLE PROF. A.R. YOUSUF, EXPERT MEMBER
HON'BLE MR. BIKRAM SINGH SAJWAN, EXPERT MEMBER**

Original Application No.21 of 2014

Present:	Applicant:	Mr. Sanjay Upadhyay along with Mr. Salik Shafique Mr. KTS Tulsi, Sr. Adv., Mr. Diljeet Titus, Mr. Raj Kamal and Mr. Arshat Kulshrestha, Advs. In M.A. No. 482/15
	Respondent No.1:	Ms. Panchajanya Batra Singh, Adv. For MoEF Ms. Alpana Poddar, Adv.
	Respondent No. 2&4:	Mr. Narender Pal Singh, Adv., with Mr. Dinesh Jindal, LO
	Respondent No.5:	Mr. D. Rajeshwar Rao, Adv. Counsel for Delhi Traffic Police
	Respondent No.6&7:	Mr. Pinky Anand, ASG with Mr. Rajesh Ranjan and Mr. Balendu Shekhar and Mr. Ardhendumauli Kr. Prasad, Adv. for MoUD, M. Petroleum & Natural Gas Mr. Rajiv Bansal & Mr. Kush Sharma, Adv. (DDA) Mr. Rituraj Biswas and Mr. Gopal Singh, Advs. Mr. Balendu Shekhar, Advs. For EDMC Mr. Atul Jha, Adv. Ms. Vanita Bhargava, Mr. Jeevan Ballav Panda and Ms. Kudrat Dev, Advs. For Container Corporation of India Mr. S.S. Shamshery, AAG and Mr. V.M. Vishnu, Advs. For State of Rajasthan Mr. Abhemanyu Garg and Mr. Pretey Makkar, Advs., for UT of Pondichery Ms. Savitri Pandey and Ms. Azma Parveen, Adv. for State of U.P. Mr. Charanjeet Singh, Adv. – Local Commission. Mrs. G. Indira and Mr. K.V. Jagdishvaran, Advs. For UT of Andaman & Nicobar Islands Mr. Sunil Satyarthu and Ashok Kumar, Adv. For Delhi Cantonment Board Mr. Anil Grover, AAG and Mr. Rahul Khurana, Adv. For State of Haryana Mr. Prerna Singh and Mr. Prashant Mathur, Advs. For State of Andhra Pradesh Mr. Ravindra Kumar and Mr. Gudipati G. Kashyap, Advs. For NOIDA & Greater NOIDA Authorities Ms. Puja Kalra, Adv. for North MCD & South MCD Ms. Puja Singh, Ms. Nupur SiMs.

Mr. Senjul Khanna and Mr. Alok Kumar, Advs. for Daman Diu Dadar Nagar Haveli
 Mrs. Aruna Mathur and Mr. K.V. Day Kr., Advs. For State of Sikkim
 Mr. P. Venkatesh Reddy, Adv. for State of Telengana
 Mr. Anil Srivastava, Adv. for State of Arunachal Pradesh
 Ms. Sakshi Popli and Ms. Mansha, Adv. For NDMC
 Mrs. Avnish Ahlawat, Adv. for GNCT & DTC
 Ms. Ayushi Kiran, Adv. for NHAI
 Mr. M.V. Kini, Law Firm
 Ms. Shriya Misra, Adv. (Chandhiok & Associates)
 Mr. Apoorva Misra, Advs. BSES Rajdhani & Yamuna Power Ltd.
 Mr. Devraj Ashok, Adv. for State of Karnataka
 Mr. Jayesh Gaurav, Adv.
 Mr. Om Prakash, Adv. for Northern Railways
 Ms. Reena Singh and Ms. Bhakti Pasrija Sethi, AAG, UP
 Mr. Apoorv Kurup, Adv. for State of Chhattisgarh
 Ms. K. Enatoli Seha and Mr. Amit Kumar Singh, Advs. For state of Nagalad
 Mr. Pragyan Sharma and Ms. Rani Kant, Advs. For state of Mizoram

Original Application No.95 of 2014

Original Application No.21 of 2014

Present:

Applicant:

Respondent No.1:

Respondent No.2,3,4,5&6:

Respondent No.7:

Respondent No. 8 :

Appearance not marked

Mr. Vikas Malhotra and Mr. M.P. Sahay, Adv.

Mr. Ardhendumauli Kumar Prasad, Adv.

Mr. Rahul Choudhary, Ms. Maneka Kaur, Adv. for Conservation Action Trust

Mr. Kabir S. Bose, Mr. Saakaar Sardana and Mr. Surabhi Sardana, Advs.

Mr. Suryanarayan Singh, AAG for State of HP

Mr. Atul Jha, Adv. for Chhattisgarh

Mr. S.S. Shamsheer, AAG and Mr. V.M. Vishnu, Adv. for State of Rajasthan

Mr. Yogesh Kanna and Mr. Jayant Patel, Adv. for State of Tamil Nadu

Ms. Prerna Singh and Mr. Prashant Mathur, Adv. for State of A.P.

Mr. Aruna Mathur and Mr. K. Vijay Kr. For State of Sikkim

Mr. Pragyan Sharma and Mr. Rani Kant, Adv. for State of Mizoram

Mr. Anil Shrivastav and Mr. Sanyam Saxena, Adv. for state of Arunachal Pradesh

Mr. K. Enatoli Sema and Mr. Amit Kamar Singh, Adv. for State of Nagaland.

Ms. G. Indira and Mr. Jagdish Varan for UT of Andaman & Nicobar Island

Ms. Pinky Anand, ASG and Mr. Balendu Shekhar and Mr. Om Prakash, Adv. for Min. of Railway

Mr. Devraj Ashok, Adv. for state of Karnataka

Mr. Apoorv Kurup and Mr. V.C. Shukla, Adv. for state of Chhattisgarh

Mr. Bansuri Swaraj and Ms. Shreya Bhatnagar, Adv. for state of Goa

Mr. Anil Grover, AAG with Mr. Rahul Khurana, Adv. for state of Haryana

Ms. Ayushi Kiran and Mr. Mukesh Kumar, Adv. for NHAI

	Date and Remarks	Orders of the Tribunal
	Item No. 11-12	<u>M.A. No. 582 of 2015</u>

**May 25,
2015
ss**

The Miscellaneous Application No. 582 of 2015 filed before the Tribunal. Let Registry, register and number the same as per law.

This Application seeks recall of our order dated 18th May, 2015 whereby Application No. 284 of 2015 was dismissed for default of appearance. For the reasons stated therein, we recall order dated 18th May, 2015 to the extent that M.A. No. 284 of 2015 stands restored as to its original number.

With the above terms M.A. No. 582 of 2015 disposed of.

Notice to all the counsel appearing in this case. Copy be furnished during the course of the day.

The Learned Additional Solicitor General appearing for various Ministries submits that she has to file certain additional documents. Liberty is granted. Let the documents be filed within three weeks from today.

A short affidavit on behalf of Government of India is sought to be filed. Liberty granted and the same be filed within three weeks from today.

In the meanwhile NCT, Delhi as well as Government of India would file reply as to why the Tribunal should not pass appropriate orders in accordance with law for non-compliance of its earlier direction. Let that be done within three weeks from today.

The Learned Additional Solicitor General would get clear instructions as to why in furtherance to our direction Container corporation of India be not directed to be shifted outside Delhi from its present location at Tuglakabad. The six axle trailer/heavey vehicles, which bring heavy cargo cause serious pollution as well as congestion in

entire Delhi and hence add to pollution. Why they be not required to diversify the same to the site which have already been identified or the site which would be identified if necessary.

List this matter for hearing on 13th to 15th July, 2015 at the end of the board.

Reply M.A. No. 482 of 2015 be filed within three weeks from today. We notice Non-compliance more particularly in relation to establishment of check posts and weigh bridges at all entry point at Delhi.

We also grant liberty to CPCB to file additional data and report in support of its report already filed. All interim orders will continue to in force till then.

.....,CP
(Swatanter Kumar)

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

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

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

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

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

