

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

ORIGINAL APPLICATION NO.21 OF 2014

**(M.A NO. 155/2015, M.A NO. 284/2015, 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, M.A NO. 618/2015, M.A NO. 631/2015 & M.A NO. 683/2015)**

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 M.S. NAMBIAR, JUDICIAL MEMBER
HON'BLE DR. D.K. AGRAWAL, EXPERT MEMBER
HON'BLE PROF. A.R. YOUSUF, EXPERT MEMBER**

Original Application No.21 of 2014

Present: Applicant:

Respondent No. 1:

Respondent No.2&4:

Mr. Sanjay Upadhyay along with Mr. Salik Shafique

Ms. Panchajanya Batra Singh, Adv.

Mr. Narendra Pal Singh, Adv. with Mr. Dinesh Jindal, LO, DPCC

Mr. D. Rajeshwar Rao, Adv. Counsel for Transport Deptt. and Delhi Police

Mr. Rajiv Bansal and Mr. Kush Sharma, Adv. (DDA)

Ms. Puja Kalra, Adv. For SDMC and North MCD

Ms. Sakshi Popli, Adv. for NDMC

Mr. Anil Shrivastav and Mr. Sanyam Saxena, Adv. For State of Arunachal Pradesh and A.P. Pollution Control Board

Ms. Savitri Pandey and Ms. Azma Parveen, Adv. for State of U.P.

Mr. K.V. Jagdishvaran and Mrs. G. Indira, Adv. For UT of Andaman & Nicobar Islands Administration

Mrs. K. Enatoli Sema, Adv. for State of Nagaland

Mr. Sapam Biswajit M., Mr. S. Vijayanand Sharma and Mr. Kalyani Goswami, Adv for State of Manipur

Mr. Sunil Satyarthu and Mr. Ashok Kumar, Adv. For Delhi Cantonment Board

Mr. Anil Grover, AAG and Mr. Rahul Khurana, Adv. For State of Haryana WITH Mr. Devender Singh, IAS, Principal Secretary, Industries, Mr. A.K. Jain, Chief Engineer, HSIIDC

Prerna Singh and Mr. Prashant Mathur, Adv. For State of Andhra Pradesh

Mr. Ravindra Kumar, Adv. For Greater NOIDA Indl. Development Authority and NOIDA Authority

Mr. Atul Jha, Adv. For state of Chhattisgarh

Mr. Pinaki Misra, Senior Advocate along with Mr. Vanita Bhargava, Mr. Jeevan Ballav Panda and Ms. Abhisar Bairagi, Adv. for Container Corporation (CONCOR)

Mrs. Aruna Mathur and Mr. K. Vijay Kumar, Adv. For State of Sikkim

Mr. Rudreshwar Singh, Ms. Divya Singh, Mr. Gopal Jha and Mr. Gautam Singh for State of Bihar

Mr. Ardhendumauli Kr. Prasad, Adv. for Ministry of UD and PNG

Mr. Suryanarayan Singh, Sr. Addl. Advocate General for State of H.P.

Mr. Jayesh Gaurav, Adv. For State of Jharkhand & JSPCB
 Mrs. Arnish Ahlawat, Adv. For DTC and Mr. Nitesh Kumar Singh, Adv.
 Mr. Pradosh Dangua, and Ms. Amogh Pradhudessai, Advs. - for State of Goa & Goa State PCB
 Mr. Kabir S. Bose, Mr. Saakaar Sardana and Ms. Surabhi Sardana, Advs. for WB & WBPCB
 Ms. Pinky Anand, Sr. Adv., ASG, Mr. Satish Chandra (Member-Firm) Mr. T.S. Sidhu, Mr. Mukesh Kumar, Advs. and B.S. Singhla, CGM, NHAI, Mr. A.K. Jain, DGM, NHAI For NHAI and C. Container
 Mr. D.K. Thakur, Mr. Deepak Jain and Mr. Alok Kumar, Advs. For UT of Daman & Diu and Dadara & Nagar Haweli
 Mr. Om Prakash, Adv. for MoR (Northern Railway)
 Mr. Apoorv Kurup and Mr. A.C. Boxipatro, Adv. for State of Chhattisgarh
 Mr. Apoorv Misra and Ms. Pallavi Mohan, Advs. For BSES R&Y Power Ltd.
 Mr. Saurav Agrawal, Adv. and Mr. Abhijit Mitra, Adv.
 Mr. Daulat Ram, AE, PWD
 Ms. Pinky Anand, Sr. Adv., ASG, Mr. Rajesh Ranjan and Mr. Balendu Shekhar, Advs. For Ministry of Road & Transport
 Mr. Balendu Shekhar, Advs.
 Mr. Akshat Kulshrestha and Mr. Raj Kamal, Adv. for HMC
 Mr. V.K. Tandon, Adv. for PWD
 Mr. Gopal Singh, Mr. Rituraj Biswas and Ms. B. Khushbansi, Adv. for State of Tripura
 Ms. Ruchir Batra, Adv. for Lajpat Nagar Traders Association
 Mr. P. Venkat Reddy, Adv. for State of Telengana
 Mr. Jogy Scaria Adv. for State of Kerala

Original Application No. 95 of 2014

Present:	Applicant: Respondent No.1: Respondent No. 2 to 6 :	Appearance not marked Mr. Vikas Malhotra and Mr. M.P. Sahay, Advs. Mr. Ardhendumauli Kr. Prasad, Adv. Mr. Suryanarayan Singh, Sr. Addl. Advocate General for State of H.P. Mr. Anil Grover, AAG with Mr. Rahul Khurana, Adv. For State of Haryana Mr. M. Yogesh Kanna and Mr. Jayant Patel, Advs. For State of Tamil Nadu Mrs. Aruna Mathur and Mr. K. Vijay Kumar, Advs. For State of Sikkim Mr. Kabir S. Bose, Mr. Saakaar Sardana and Ms. Surabhi Sardana, Advs. for WB & WBPCB Mr. Pragyan Sharma, Mr. Pulkit Prakash and Mr. Ravi Kant Pal, Advs. For Mizoram Mr. Atul Jha, Adv. for State of Chhattisgarh Mr. K.V. Jagdishvaran and Mrs. G. Indira, Advs. For UT of Andaman & Nicobar Islands Mrs. K. Enatoli Sema, Adv. for State of Nagaland Mr. Sapam Biswajit M., Mr. S. Vijayanand Sharma and Mr. Kalyani Goswami, Adv for State of Manipur
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	Date and Remarks	Orders of the Tribunal
	Item No. 36 & 37 July 30, 2015	In furtherance to the directions of the Tribunal Principal Secretary, Industry and Chief Engineer, HSIIDC

of State of Haryana is present before the Tribunal.

The Principal Secretary, Industries, Mr. Devender Singh (IAS) has stated before the Tribunal that the first stretch that is from Palwal to Manesar in the State of Haryana shall be made operative positively by January, 2016. According to him the State of Haryana has taken all effective steps and is closely supervising the work of completion of this Peripheral Expressway which will provide great relief to NCT, Delhi as heavy traffic would not have to enter Delhi as Highway by-pass is for traffic to Rajasthan on Roads.

In relation to the second stretch of the same project, the Western Peripheral Expressway Kundli to Manesar, the Cabinet has approved the proposal and works would be awarded within one week from today. The project would be completed within 2½ years. This time has been fixed on proper study and the contract even provided incentive to the contractor to complete the work earlier. It is stated by these Senior Officers that they are further going to hold a meeting to expedite the work and all attempts should be made to complete the second stretch much prior to the stipulated period. The statement and undertaking by these Senior officers on behalf of the State of Haryana is accepted by the Tribunal. The State would act accordingly and without default.

The Finance Member of NHAI is also present before the Tribunal. As already noticed in our previous order one of the major and in fact an essential step that is required to be taken for improving the air quality of NCR of Delhi is to make peripheral eastern and western expressways operative at the earliest. It may be recapitulated the

directions passed by the Hon'ble Supreme Court of India as well. As far as peripheral western expressway is concerned, the State of Haryana has made a clear statement. In relation to the peripheral eastern expressway, it is to be constructed by NHAI. The Finance Member along with concerned Chief General Manager submits and makes a statement before the Tribunal that for the peripheral western expressway, the tenders have already been invited. They will be opened on 06th August, 2015 and immediately thereafter the work would be awarded. In order to complete the work in the shortest possible time, the Competent Authority has taken a decision to divide the stretch of 135 KMs into six different sections. It also provides to give incentive to the contractors to ensure timely completion of the work. The entire project as per the statement made, is to be completed within 2½ years from the date of the awarding of contract. They further submit that high level committee meeting would be held to ensure that works are completed even prior to the targeted time. It is stated that all works would be awarded within the month of August, 2015.

The statement/undertaking of both these officers is accepted by the Tribunal. We direct the Authority to act strictly in consonance with the statements made and ensure completion of the project without default and delay.

List this matter on 03rd August, 2015.

In terms of report be filed in the Registry.

.....,CP
(Swatanter Kumar)

		<p>.....,JM (M.S. Nambiar)</p> <p>.....,EM (Dr. D.K. Agrawal)</p> <p>.....,EM (Prof. A.R. Yousuf)</p>
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