

BEFORE THE NATIONAL GREEN TRIBUNAL, PRINCIPAL BENCH, NEW DELHI

Original Application No. 272/2013

Vikas Vs. DMRC & Ors.

CORAM: 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 / Appellant : Mr. Dipesh Choudhary, Adv.
Respondents No. 1 : Mr. Shiv Kumar, Adv. and Mr. Sanjay Kumar, Advocate
Respondent No. 2 : Mr. Vivek Kumar Tandon, Adv.
Respondent No. 3 : Mr. Vikas Malhotra, Adv.

Date and Remarks	Orders of the Tribunal
Item No. 4 December 11 , 2013	<p>As directed by order dated 05.12.2013, Respondent No. 2 has filed an affidavit showing the details of the amount deposited as well as progress for plantation of trees in lieu of trees to be cut. The Affidavit shows that permission was granted to the Project Proponent (DMRC) to fell 491 trees and transplant 7 trees on condition to plant 4980 trees as against the trees to be cut and the DMRC has already deposited Rs. 1,61,05,320/- with the Department of Forest in compliance of the permission granted. The affidavit is also disclosing that the Department of Forest and Wildlife identified the land for carrying out the plantation. The permission granted by the Deputy Conservator of Forest/Tree Officer dated 20.06.2013 shows that the compensatory plantation of 10 times the number of trees permitted for felling i.e. 4980 trees will be done by the Department of Forest and Wildlife at the allotted land at Ghumankhera forest land and for that the deposit of Rs. 1,61,05,320/- is to be utilized. Though, the learned Counsel appearing for the Applicant vehemently argued that to save the trees, the DMRC is to be directed to prefer another alignment which according to the Applicant could be along the footpath and the service road, we are not inclined to direct any modification of the alignment at this belated stage. In such circumstances, the interim order passed on 10.09.2013 is modified and the DMRC is permitted to proceed</p>

with the work. As it is represented by the learned Counsel appearing for the Respondents that the transplantation of 7 trees and the compensatory plantation of 4980 trees would be over only by the end of February, 2014.

Stand over to 5th March, 2014.

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

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

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

....., EM
(Ranjan Chatterjee)

