



directions issued by the Tribunal. This undertaking is accepted by the Tribunal and consequently M.A. No. 227/2016 stands disposed of.

M.A. No. 228/2016 is an application filed by the Respondent No. 3, the Trust Vyakti Vikas Kendra, India (Art of Living International Center) praying as follows :

- a. Allow the present application for granted four (4) weeks time to answering respondent to comply with the directions as directed by the this Hon'ble Tribunal vide order dated March 9, 2016.
- b. Allow the deposit the deposit of the said amount of Rs. 5 Crore towards the restoration amount for a biodiversity project of the DDA, instead of being taken as compensation amount or a penalty.
- c. Pass any other or such further order as may be deemed fit in the facts of the present case.

The Learned Counsel appearing on behalf of Respondent No. 3 at the very outset submits that she would need time to file the reply to the application filed by the applicant. Similar is the prayer on behalf of the applicant, Mr. Manoj Misra in relation to M.A. No. 228/2016. We grant time to all the parties to file replies to both these applications, if they so desire, before the next date of hearing.

Learned Counsel appearing for the applicant has contended that certain statements have been made on behalf of Respondent No. 3 in the Print and Electronic Media which impinges upon the basic Rule of Law and are capable of shaking the public confidence in administration of justice. It has been stated that the NGT order would

not be complied with.

The learned Counsel appearing for Respondent No. 3 took a very fair stand and submit that if at all, such statements are made, they were in a different context and as far as the stand of the trust before the Tribunal is concerned, it is explicitly taken in the undertaking filed before the Tribunal today as well as M.A. No. 228/2016 supported by the Affidavit of Ms. Tripta Dhawan, one of the Trustees of the Trust. Certainly, adherence of Rule of Law is the duty not only of the Government but of every citizen of the Country. The Rule of Law is the very foundation of the administration of justice system. If the Rule of Law is undermined, it raises a challenge not only for the justice delivery system, but even on the capability of the Government to enforce the Rule of Law. To maintain the dignity and majesty of the institutions, Rule of Law is to be upheld.

This controversy loses its significance in the context of the present case, in view of the stand fairly taken by the Respondent No. 3 before the Tribunal and we do not wish to go into the merits of this controversy at this stage.

Having heard Learned counsel appearing for the parties, we issue the following directions which are purely interim till final disposal of these applications.

1. We accept the unconditional undertaking, as Ms. Tripta Dhawan who is present in court has confirmed that she has sworn the affidavit in support of the application.
2. The Learned Counsel appearing for the Central Pollution Control Board, Delhi Pollution Control

Committee, and Ministry of Environment & Forest, & CC submit that after inspection, directions in compliance to the order of the Tribunal dated 9th March, 2016 have already been issued to the Respondent No. 3. Thus, we direct all the concerned authorities including DDA to ensure that all preventive steps are taken by Respondent No. 3 while holding the event in question. They should ensure that no pollution is caused on the River Yamuna or on its flood plains. There should be a proper mechanism for collection and disposal of Municipal Solid Waste, Sewage and other wastes.

3. We make it clear that we have imposed a sum of Rs. 5 crores initially as an Environmental compensation in exercise of our jurisdiction in term of Section 15 and 17 of the NGT Act and not a penalty in term of Section 26 of the NGT Act.

4. The Learned Counsel appearing for Respondent No. 3 submits that in order to show their bonafides and to ensure that the order is enforced, they would pay a sum of Rs. 25 lakhs today itself and the balance amount within 3 weeks from today. We allow the prayer. If the amount is not paid within the time now allowed, then the amount of Rs. 2.5 crore to be paid by the Ministry of Culture and Tourism and would stand attached in the hands of Ministry and/or in the Bank.

5. All the authorities concerned are at liberty to ensure implementation of these directions and are free to

act, if there is any default in compliance of this order.

With above interim directions list all these applications on 4th April, 2016.

.....,CP  
(Swatanter Kumar)

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

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

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

