

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

Original Application No.145 of 2015

(M.A. No. 430 of 2015, M.A. No. 1124 of 2015, M.A. No. 1140 of 2015,
M.A. No. 53 of 2016, M.A. No. 459 of 2016, M.A. No. 556 of 2016, M.A. No. 932 of
2016, M.A. No. 933 of 2016 & M.A. No. 934 of 2016)

IN THE MATTER OF:

**Uma Shankar Patwa & Anr. Vs. Union of India & Ors.
(Earlier titled as D.K. Joshi Vs. Union of India & Ors.)**

**CORAM : HON'BLE MR. JUSTICE SWATANTER KUMAR, CHAIRPERSON
HON'BLE MR. JUSTICE RAGHUVENDRA S. RATHORE, JUDICIAL MEMBER
HON'BLE MR. BIKRAM SINGH SAJWAN, EXPERT MEMBER**

Present:

Applicant :	Mr. Rahul Choudhary and Ms. Meera Gopal, Advs.
Respondent No. 1 :	Mr. Balendu Shekhar with Mr. Vivek Jaiswal, Advs. for MoEF
Respondent No. 3 :	Mr. Pradeep Misra and Mr. Daleep Kumar Dhayani, Advs.
Respondent No.2, 4 to 6: 8, 11, 13 & 11	Mr. Abhishek Yadav, Advs.
Respondent No. 7&10:	Ms. Rachana Joshi Issar, Advs. ADA Mr. I.K. Kapila, Adv. for U.P. Jal Nigam Mr. Rajkumar, Adv. and Mr. Bhupender Kr., LA for CPCB Mr. Rajendra Prasad Saxena, Adv. for Noticee no. 10 Mr. Ajit Sharma and Mr. Mayank Aggarwal, Adv. for Agra Nagar Nigam Mr. Soumyajit Pani, Adv. Mr. Arjun Pant, Adv. for Tulip Greens, Rahul Paradise and Vaibhav Vatika Dr. Rajeev Sharma, Adv. Mr. Piyush Singh and Mr. Aditya Parolia, Advs. Ms. Shashi Juneja, Adv. Mr. Sunil Sharma, Mr. ADN Rao, Mr. Nitesh Jain and Mr. Sudipto Sircar, Advs.

Date and Remarks	Orders of the Tribunal
Item No. 09 November 30, 2016 A	Original Application No. 145/2015 Learned counsel appearing for the Project Proponents submit that they have no objection to the directions issued by the Tribunal in its order dated 23 rd November, 2016 primarily relating to re-fixation of flood plain line and fixation of pillars. Thus, we direct Irrigation Department, State of Uttar Pradesh, Uttar Pradesh Pollution Control Board, Uttar Pradesh Jal Nigam, Agra Nagar Nigam, Agra Development Authority, Senior Officer from the National Institute of Hydrology, Roorkee and a senior scientist from Central Water Commission to oversee

**Item No.
09
November
30, 2016**

identification and delineation of line of flood plain with 25 year return period and re-fixation of pillars as well as specify the distance of the respective projects from that area. This team shall complete the same within three weeks and submit their report to the Tribunal. The Member Secretary of the Uttar Pradesh Pollution Control Board and Chief Engineer of the concerned Irrigation Department shall act as Nodal Officers and they shall communicate to all the persons concerned the order of the Tribunal and ensure its implementation in all respects. We have intentionally fixed a short period for compliance of the directions as the Project Proponents contend that their interest is being prejudicially affected.

All interim orders passed shall continue.

The above Team would be provided full security by the SSP Agra who will ensure there is no obstruction caused in compliance of the directions of the Tribunal by the Committee.

Copy of the order be given Dasti.

List this matter for hearing on 22nd December, 2016.

M.A. No. 556 of 2016

Nobody is present on behalf of the Applicant.

The Application is dismissed for default of appearance.

M.A. Nos. 932/2016, 933/2016 & 934/2016

These Applications do not survive for consideration in view of the orders passed by Tribunal dated 23rd November, 2016 and 30th November, 2016.

Liberty is granted to the Applicants to file fresh

	<p>Item No. 09</p> <p>November 30, 2016</p>	<p>Applications, if occasion so arise after the compliance report by the State Uttar Pradesh is filed.</p> <p>Accordingly, Misc. Applications stand disposed of without any order as to costs.</p> <p><u>M.A. No. 430 / 2015</u></p> <p>In view of the order that are being passed and have been passed on the main Application this Application does not survive for consideration.</p> <p>Accordingly, M.A. No. 430 of 2015 stands disposed of without any order as to costs.</p> <p><u>M.A. No. 1124/2015</u></p> <p>Learned counsel appearing for the Applicant does not press this Application.</p> <p>The Application is stand disposed as not pressed.</p> <p>.....,CP (Swatanter Kumar)</p> <p>.....,JM (Raghuvendra S. Rathore)</p> <p>.....,EM (Bikram Singh Sajwan)</p>
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