

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

**Original Application No. 165 of 2013
(M.A. No. 588 of 2016)**

Akash Vashishtha 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, Adv.**
 Respondent No. 5: **Ms. Reena Singh, Adv. for GDA**
 Mr. B.V. Niren, Adv. for CGWA
 Mr. Abhishek Yadav, Adv. for State of UP

Date and Remarks	Orders of the Tribunal
<p style="text-align: center;">Item No. 01</p> <p style="text-align: center;">July 06, 2016 A</p>	<p><u>Original Application No. 165 of 2013</u></p> <p>In furtherance to our order dated 17th August, 2015 a meeting was held on 15th January, 2016 and Minutes thereof, along with an Affidavit, has been placed on record.</p> <p>Learned counsel appearing for the Applicant has been served with the copy of the Minutes. Infact the Applicant – Mr. Akash Vashishtha was signatory to these minutes.</p> <p>The Committee has taken decision in relation to the water bodies; ponds, lakes in the area; constructions in the parks as well as road side and the kind of tiles that required to be used. A policy has been suggested in this report.</p> <p>Learned counsel appearing for the Applicant has drawn our attention to the letter issued by the Ministry of Urban Development on 3rd September, 2013 wherein <i>interalia</i> it has been stated that there is increased run off due to inappropriate concretization/ paving in urban area and increased intensity of precipitation due to climate change. Not only this, even the letter issued by the same Ministry on 21st July, 2008 mentions about that there should not be tiling and in appropriate</p>

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concretization everywhere. This specifically further provides that where there is a heavy pedestrian traffic, it will be appropriate to tile the same after taking due care by the Committee.

Having heard the Learned counsel appearing for the parties, we see no reason to defer the recommendations made by the Committee, while accepting the recommendations the Competent Authority and the State Departments to issue policy guidelines in consonance with these Minutes within four weeks from today.

In the event there is no proper compliance of the recommendations in the area for which the Applicant had approached the Tribunal, then he would be at liberty to file fresh Application, if he so desires.

In the meanwhile, we also direct MoEF to consider this report and issue appropriate directions in that behalf, if required.

Accordingly, Original Application No. 165 of 2013 stands disposed of without any order as to costs.

M.A. No. 588 of 2016

This Application does not survive for consideration in view of the fact that the main application itself stand disposed of.

Accordingly, M.A. No. 588 of 2016 stands disposed of without any order as to costs.

.....,CP
(Swatanter Kumar)

.....,JM
(Raghuvendra S. Rathore)

.....,EM
(Bikram Singh Sajwan)