

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

**M.A. NO. 967 OF 2013
IN
Original Application No. 6 of 2012**

Manoj Mishra Vs. Union of India & Ors.

CORAM : HON'BLE MR. JUSTICE SWATANTER KUMAR, CHAIRPERSON
HON'BLE MR. JUSTICE U.D. SALVI, JUDICIAL MEMBER
HON'BLE MR. JUSTICE B.S. REDDY, JUDICIAL MEMBER
HON'BLE PROF. (DR.) P.C. MISHRA, EXPERT MEMBER
HON'BLE DR. R.C. TRIVEDI, EXPERT MEMBER

Present:

Applicant: Mr. Rahul Choudhary, Advocate
Respondent No. 1: Mr. Vikas Malhotra, Advocate
Respondent No. 2&5: Mr. Vivek Kumar Tandon, Advocate
Respondent No. 3: Mr. Sangram Patnaik and Mr. Swayam Sidha, Advocates, Mr. R.S. Bhatia, SE/DDA and Mr. S.C. Gautam, EE/DDA
Respondent No. 4: Mr. Narender Pal Singh and Mr. Dinesh Jindal, LO
Respondent No. 5: Mr. Balendu Shekhar, Adv.
Respondent No. 6: Mr. Gaurav Bhatia, Add. AG, UP and Mr. Raman Yadav, Advocaes
Respondent No. 8: Mr. Balendu Shekhar, Advocate for East, North and South
Respondent No. 12: Ms. Pinky Anand and Mr. Balendu Shekhar, Advocates
Mr. Ankur Gupta, Advocate for DMRC
Local Commissioners: Mr. Aniruddha Deshmukh, Advocate, Mr. Salim Mushtaq, Advocate and Abhimanue Shrestha, Advocates

Date and Remarks	Orders of the Tribunal
Item No. 7 October 28, 2013	<p>Learned counsel appearing for Additional Advocate General, State of U.P. submits that the entire debris on the river bank of Yamuna have been removed from the area under their jurisdiction and they would ensure that no debris are dumped there any further. In the event they find any default in compliance the competent Authority would take appropriate measures in accordance with Orders of the Tribunal and law.</p> <p>Learned counsel appearing for the DDA makes the statement to the same effect upon instructions from the Officers present before the Tribunal today.</p> <p>Learned counsel appearing for the DMRC submit that they have removed 23280 metric tons debris however 4700 metric tons debris still remain as the locations are occupied by Jhuggies and it is difficult for them to remove debris therefrom.</p> <p>Let these debris be also removed now within two weeks from today.</p>

The State Government of Uttar Pradesh shall furnish all help including Police aid for removal of the debris from the site in question.

The DMRC, State of U.P., SSP of the areas falling adjacent to Shakarpur and Gautam Budh Nagar shall be responsible for carrying out the executions of Orders and also render Police Assistance for removal of the debris.

The Status Report on behalf of Ministry of Environment and Forests has been filed before the Tribunal today the same is taken on record. copies thereof be furnished to all the Learned counsel appearing for the parties

Affidavit on behalf of Respondent No. 6 has also been filed before the Tribunal today. Let copies thereof be provided to all Learned counsel appearing for the parties.

Let the Report of the learned Local Commissioners be filed during the course of the day.

Liberty is granted to DDA to file its Reply/objection, if any, to the Report of the Local Commissioners.

We direct the Committee so constituted by MoEF and DPCC to file its Report positively atleast three days in advance to the next date of hearing.

Let copies of the Report be provided to the Members of the Committee.

List on 05th December, 2013.

M.A. No. 967 of 2013

Liberty is granted to the non-Applicants to file a Reply to the Application within two weeks from today with advance copy to the Learned counsel appearing for the Applicant.

List this matter on 05th December, 2013,

In the meanwhile the DDA and other Authorities shall not act on its Notification dated 28th September, 2013 without specific Orders of the Tribunal.

.....,CP
(Swatanter Kumar)

.....,JM
(U.D. Salvi)

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

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

.....,EM
(Dr. R.C. Trivedi)

