

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

**Original Application No. 59/2012
(M. A. No. 203 of 2013, M. A. No. 887 of 2013 & M. A. No. 134 of 2015)**

Vikrant Kumar Tongad V/s. Union of India & Ors.

**CORAM: HON'BLE MR. JUSTICE U.D. SALVI, JUDICIAL MEMBER
HON'BLE MR. RANJAN CHATTERJEE, EXPERT MEMBER**

Present:

Applicant	Mr. Rahul Choudhary, Adv.
Respondent No.1 :	Mr. Manish Sharma and Ms Deepti Rajpal and Ms Jigyasa Sharma, Advs.
Respondent No.3:	Ms. Savitri Pandey and Ms. Azma Parveen, Adv.
Respondent No. 5 :	Mr. Pradeep Mishra and Mr. Daleep Kr. Dhyani, Adv.
Respondent No. 6, 7 & 9 :	Mr. Ravindra Kumar, Adv.
Respondent No. 8 :	Mr. B.V. Niren, Adv. for CGWA Mr. Suresh Tripathy, Adv. for DJB Mr. Anil Grover, AAG and Mr. Rahul Khurana, Adv. Mr. Ashish Kulshrestha, Adv. for UPSIDC Ms. Panchajanya Batra Singh, Adv. MoEF Mr. R. Chandrachud and Mr. Rajnish K. Singh, Advs. for Noticee No. 1 Mr. Alok Sangwan, Adv. for Noticee No. 4 Ms. Amrita Panda, Adv. for Noticee No. 5 and 9 Mr. Debesh Panda and Mr. Naman Maheshwari, Advs for Noticee No. 10 Mr. Navin Dumar, Mr. Rudreshwar Singh, Mr. Bipin Kumar, and Mr. Suresh Chandra Shgarma Advs. for for Noticee No. 7 Mr. S. L. Gundli, SLO and Mr. Bhupender Kumar and Ms. Niti Choudhar, LA CPCB Mr. vishrov Mukerjee, Adv. for Noticee No. 2 Mr. Pawan Upadhyay, Mr. Nishant Kr, and Mr Ratik Sharma, Advs for Noticee No. 8 Mr. B. V. Niren, Adv. for CGWA Mr. Mehul Parti and Mr. Vikash Verma, Advs. for Noticee No. 14 Mr. Nitin Gupta, and Mr, Sudeep Kumar Adv. for Noticee No. 8 Mr. Sumit Paliwal with Mr, Sudeep Kr. Shrotriya, Advs for Noticee No. 6 Ms. Bandana Shukla and Mr. Anmol Sinha, Advs for Noticee No. 11 Mr. Ranvir Singh, Adv. for Noticee No. 3 Mr. Himanshu Tyagi, Adv. for Noticee No. 9 Mr. Sumeer Sodhi and Mr. Arjun Nanda, Advs. for WAVE & for Omaze Ltd. Mr. M. Salim, Adv. amd Ms Megha Mehta Agrawal, Adv. for Noticee No. 12

	Date and Remarks	Orders of the Tribunal
	Item No. 4 November 30, 2015	We had directed all the places in Noida and Greater Noida not to extract any quantity of ground water for the purpose of construction or otherwise till the next date of hearing vide order dated 11-01-2013.

On noticing its violations, we had issued notice to 12 noticees to show cause as to why they should not be punished for the violations attributed to them vide order dated 22nd August, 2013. Learned Counsel appearing for some of those notices before us submit that they have responded to the said notice and filed their replies. The record confirms that all the 12 noticees vide order dated 22nd August, 2013 have filed their replies.

Notice was again issued on 8th September, 2015 to the following noticees:

1. BPTP Ltd., Sector-94, NOIDA.
2. Sunshine Trade Tower Pvt. Ltd.
3. J.C. World Hospitality Pvt. Ltd., Wish Town, Sector-128, NOIDA.
4. Assotech Reality Pvt. Ltd.,
5. Three C Properties Private Limited, D-107, Pancheel Enclave, New Delhi.
6. Sikka KG One, Sector-98, NOIDA.
7. Silicon City Pvt. Ltd.
8. Mahagun India Pvt. Ltd.
9. Gaur Sons Hitech Infrastructure Pvt. Ltd.
10. Pancheel Greens-II, Greater NOIDA West.
11. Kknows Nirman Ltd.
12. JMC Projects (India) Ltd.
13. Era Infra Engineers Ltd.
14. ASF Insignia, SEZ, Gwal Pahari, Gurgaon.

Some of whom find place in previous noticees. These notices were issued in wake of the inspection reports filed by the Local Commissioners appointed by this Tribunal. We have before us Learned Counsel

appearing for Noticees Nos. 1 to 9, 12, 14 and M/s J.D. Constructions. Order dated 13th October, 2013 reveals that all except noticees nos. 4 and 10 appeared through Counsel. Order dated 19th November, 2015 reveals that Learned Counsel Mr. Debesh Panda appeared on behalf of the Noticee no. 10 thus the service of notice on all the noticees is found to be complete.

In order to streamline the proceedings we consolidate the lists of notices referred to in the orders dated 22nd August, 2015, 8th July, 2015 and 8th September, 2015 as follows:

1. Supertech Limited, B 28-29, Sector-58, NOIDA-201307 through its Managing Director and General Manager, Mr. Prem Sharma.
2. BPTP Limited, M-11, Middle Circle, Connaught Circus, New Delhi through its Managing Director, Mr. Manu Chawla and Project Manager, Mr. Sunny Sapru.
3. 3 C Company, 211, Okhla Industrial Estate, Phase 3, New Delhi - 110020 through its Managing Director and Director Vidur Bharadwaj and Project Incharge P.P. Aggarwal.
4. ET Intra Developers Pvt. Company, C -1, Sector - 16, NOIDA through its Managing Director and Project Manager Mr. Prammar.
5. DLF Ltd., DLF Shopping Mall, 3rd Floor, Arjun Marg, Gurgaon through its Director and Contractor, Mr. Amit Jain.
6. WAVE ONE Pvt. Ltd., C-1, Sec - 3, NOIDA through its Vice Chairman, Mr. Manpreet Singh

		<p>Chadha and Project Director, Mr. Simon Lees.</p> <p>7. Jaypee Greens, Sec- 128,NOIDA - 201304 through its Managing Director.</p> <p>8. SDS Infratech Pvt. Ltd., 407 Krishna Apra Plaza, Sec- 18, NOIDA through its Managing Director, Mr. Deepak Bansal and General Manager, Mr. Karnal Pradeep Kumar.</p> <p>9. Capital Infra Project Ltd., 313-315 Vikas Deep Building, Laxmi Nagar, Delhi - 92 through its Managing Director and General Manager, Mr. Baljeet Singh Mathur.</p> <p>10. Sunworld Residency Pvt. Ltd., A4 Ground Floor, Sec-4, NOIDA-201301, UP through its Managing Director, Mr. Manu Chawla and Project Manager, Mr. Saurabh Gupta.</p> <p>11. Paras Season Haven Pvt. Ltd., Room No. 205, Welcome Plaza, S-551 School Block ii, Delhi - 92 through its Contractor Mr. Ahuja Builders.</p> <p>12. Sunshine Trade Tower Pvt. Ltd.</p> <p>13. J.C. World Hospitality Pvt. Ltd., Wish Town, Sector-128, NOIDA.</p> <p>14. Assotech Reality Pvt. Ltd.,</p> <p>15. Sikka KG One, Sector-98, NOIDA.</p> <p>16. Silicon City Pvt. Ltd.</p> <p>17. Mahagun India Pvt. Ltd.</p> <p>18. Gaur Sons Hitech Infrastructure Pvt. Ltd.</p> <p>19. Pancheel Greens-II, Greater NOIDA West.</p> <p>20. Kbnows Nirman Ltd.</p> <p>21. JMC Projects (India) Ltd.</p> <p>22. Era Infra Engineers Ltd.</p>
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23.ASF Insignia, SEZ, Gwal Pahari, Gurgaon.

24.M/s. J.D. Contractors Private Limited

Let the replies to the notice be filed within one week if not filed. No further time will be granted to file replies.

Nobody is present on behalf of Pancheel Greens-II, Greater Noida West, Kknows Nirman Ltd and Era Infra Engineers Ltd. We issue bailable warrant against the Managing Director/Managing Partner in the sum of Rs. 20,000/- to the satisfaction of the arresting Officer, in exercise of our powers and in terms of the provision of Section 19 (4) (a) of the National Green Tribunal Act, 2010 read with Order XVI Rule 10(3) and Section 151 of Code of Civil Procedure, 1908, for securing his/her presence on the next date of hearing.

The record reveals that there is need to clarify order dated 8th September, 2015 directing inspection of major construction projects in Delhi, Noida, Greater Noida, Gurgaon, and Faridabad for answering certain queries referred to therein. We are conscious of the fact that the teams will have to be constituted region/State wise so as to facilitate expeditious and effective inspection of major construction projects. We therefore, clarify that the inspecting teams shall be headed by Central Ground Water Authority (CGWA) who shall constitute three teams of Senior officers drawn from each of the respective authority i.e. CGWA, CPCB, DPCC, UPPCB, HPCB, Noida Authority, Greater Noida Authority, HUDA, Yamuna Expressway Development Authority, one each for every respective State as follows:

1. For the State of Delhi :Senior Officers from each

Authority -CGWA, CPCB, DPCC and DJB.

2. For Gurgaon and Faridabad: Senior Officers from each Authority- CGWA, CPCB, HUDA and HPCB.

3. For Noida, Greater Noida and Yamuna Expressway: Senior Officers from each Authority- CGWA, CPCB, UPPCB, Noida Development Authority, Greater Noida Development Authority and Yamuna Expressway Development Authority.

These teams shall visit all major construction projects in their respective States indicated as aforesaid, inspect such projects, and give answers to the queries made in the order dated 8th September, 2015. The Reports of Inspection shall be published on the website of CGWA. Each noticee shall furnish copies of their respective replies to the respondent nos. 1 to 9.

List the case on 5th January, 2016.

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(U.D. Salvi)

.....EM
(Ranjan Chatterjee)