

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

M.A. No.868 of 2013, M.A. No.47 of 2014 & M.A. No.291 of 2014

In

Original Application No.26 of 2012

IN THE MATTER OF:

Goa Foundation & Anr. Vs. Union of India & Ors.

CORAM : HON'BLE MR. JUSTICE SWATANTER KUMAR, CHAIRPERSON
HON'BLE MR. JUSTICE M.S. NAMBIAR, JUDICIAL MEMBER
HON'BLE DR. D.K. AGRAWAL, EXPERT MEMBER
HON'BLE DR. R.C. TRIVEDI, EXPERT MEMBER

Present:

Applicant:	Mr. Raj Panjwani, Sr. Advocate along with Mr. Rahul Choudhary and Ms. Richa Relhan, Advocates
Respondent No. 1 :	Dr. Amit Love, Dy. Director along with Ms. Seema Rao, Advocate
Respondent No. 3:	Mr. Parikshit P. Angadi and Mr. V.N. Raghupathy, Advocates
Respondent No. 5 :	Mr. Krishnan Venugopal, Sr. Advocate and Mr. Jogy Scaria, Advocate
Respondent No. 8&14:	Mr. Mukesh Verma, Advocate
Respondent No.10:	Ms. Bansuri Swaraj and Ms. Snigdha Pandey Kaushik, Advocates
Respondent No.17:	Mr. Jogy Scaria, Advocate
Respondent No.20 & 21:	Mr. Boby Augustine, Advocate
Respondent No.22:	Mr. Biju P. Raman and Mohammed Sadique, Advocate
	Mr. Arjun Singh, Advocate and Mr. Chacko K.V. for M.A. No.238 of 2014

Date and Remarks	Orders of the Tribunal
Item No. 13 September 9, 2014	<p>Let the Secretary, MoEF shall file a personal Affidavit in relation to the submissions made by the Counsel appearing for the MoEF. In the Affidavit it should be stated whether the areas which are called Eco Sensitive Zone stated in the draft Notification now issued are the areas which shall alone form part of the final Notification and whether the States are at liberty to show any areas, from the notification, can and should be included/excluded, which are not stated in the proposed notification.</p> <p>In variance to the stand taken by the MoEF earlier on the last date of hearing, the Counsel appearing for MoEF, upon instructions from Mr. Amit Love, Dy. Director, MoEF, has stated that Dr. Kasturirangan Report, in fact</p>

has been accepted by the Ministry and the draft notification has been issued in furtherance thereto and the WGEEP is not to be processed by the Ministry any further. In the Affidavit which has been brought before the Tribunal today, again a vague language has been used which suggest that objections may be filed by any person interested on the proposals contained in the draft Notification, including those relating to the area proposed to be brought under the regulation. We may further notice that Press report has been brought to the notice of the Tribunal saying that the MoEF proposes to conduct a new survey on the premises as the two Panels have relied on satellite data to identify No Development Zone, but the survey will find actual situation on the ground and on that basis a decision would be taken.

It is indicated in the report that if the move would mean overriding the previous recommendations and having huge No Development Zone. Before we proceed any further, it will be appropriate that a definite stand is taken by the MoEF. Thus, we direct the Secretary, MoEF to file an Affidavit on this aspect within one week from today.

List this matter for hearing on 22th September, 2014.

.....,CP
(Swatanter Kumar)

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

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

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