

**BEFORE THE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE, CHENNAI**

Application Nos. 06 and 12 of 2013 (SZ)

Application No. 06 of 2013 (SZ)

Applicant(s) Respondent(s)
Leo. F. Saldhana, Vajrahalli, Bangalore Vs. The Union of India and others

Party-in-person Legal Practitioners for Respondents
Shri V. C. Ramachandramurthy, Advocate
For R-1, R-10, R-11 and R-12
Shri M.K. Subramanian, Abdul Saleem
and M.R. Gokul Krishnan, Advocates
Advocates for R-3 and R-5
Shri T.K. Bhaskar, Advocate for R-4
M/s. S. Siva Sangarane and R. Kanchana
Advocates for R-14

Application No. 12 of 2013 (SZ):

Applicant(s) Respondent(s)
Environment Support Group, Vs. The Union of India
Bangalore and other

Legal Practitioners for Applicant(s) Legal Practitioners for Respondents
M/s. T. Mohan, S. Devika and Shri C.V. Ramachandra Murthy, Advocate
A. Yogeswaran R-1 and R-11
M/s. M.K. Subramaian, Abdul Saleem
M.R. Gokul Krishnan, Advocates for R-4 and R-6
Shri T.K. Bhaskar, Advocate for R-5
Shri Uttamcheriyan, Advocate for R-15
Shri S.N. Aswatha Narayan, Advocate for R-18

Note of the Registry	Orders of the Tribunal
Order No. 5	<p>Date : 21st March 2013</p> <p>When the matters are taken up this day, the applicant and the respondents are present. The counsel for respondent Nos. 1,2, and 3 seek time to file counter. Shri Ramasubramanian, counsel for respondent No.4, 5, 11 and 14 seek time for filing counter. The counsel for respondent Nos. 10, 12 and 13 file statement of objection. The counsel for respondent No. 16 undertakes to file vakalat.</p>

	<p>The learned counsel for the applicant presses for an interim relief. The respondents, particularly the Department of Environment and Forests, Bangalore and the Karnataka State Pollution Control Board, Bangalore have filed counters. In the considered opinion of the Tribunal, the counter of the respondents have to be taken into consideration before deciding the question whether to grant an order of interim relief or not and hence, has got to be adjourned granting time till 15.04.2013 to file their counter. It is made clear that if the counter is not filed by any of the respondents, it will be taken that they have no counter to offer. The counsel for Karnataka Udyog Mitra, Bangalore (respondent No.15 in Application No.06 of 2013(SZ) and respondent No.16 in Application No.12 of 2013(SZ) made an oral application for setting aside the <i>ex parte</i> order and he may be allowed to appear for the respondent. The counsel for the applicant has no objection for this and therefore the earlier order setting the said respondent <i>ex parte</i> is set aside for counter of the respondent.</p> <p>After hearing the learned counsel for the applicant and also the counsel for respondents, it is clear that the parties are in controversy regarding the factual position and also in respect of the allegations and complaints. Hence, The Tribunal feels it necessary to appoint a committee consisting of experts to make an inspection of the lands in question as also ecological and environmental status and also the activities under taken by the proponent and to file a report thereon, which would assist the Tribunal to decide the controversy. Hence, a committee with</p>
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the following experts, is constituted hereby, who will make an inspection of the land in question and also file a status report as per the Terms of Reference within a period of 6 weeks herefrom:

- (1) Prof. Dr. S. Ravichandra Reddy, Retd., Professor of Ecology, Bangalore University, Bangalore.
- (2) Dr. K.V. Anantharaman, Deputy Director, Sci. "C" (Retd.), Central Silk Board, Bangalore.

The remuneration for the experts is fixed at Rs.1,05,000/- (Rupees one lakh and five thousand only) each payable by the respondents 10, 11,12, 13,14,16 in Application No.6 of 2013 (SZ) and their respondent No. 18 in Application No.12 of 2013(SZ) equally and hence, each respondent is directed to deposit a sum of Rs.30,000/- before the Tribunal within 2 weeks herefrom.

The Respondent No.2, Government of Karnataka is directed to provide accommodation and also conveyance and other required necessary facilities to the Expert Members during inspection..

It is made clear that all the parties shall extend their co-operation for the early completion of the inspection work.

The matter is posted to 15.04.2013 for filing counter by the respondents.

Prof. Dr. R. Nagendran
(Expert Member)

Justice M. Chockalingam
(Judicial Member)