

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

**Original Application No. 135/2015**

**Narinder Kr. Shukla & Ors. Vs. Sh. Jagdish Saphiya & Ors.**

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

**Present: Applicant/Appellant(s) : Ms. Amita Babbar, Adv.  
Respondent No. 4 to 8 : Mr. Suryanarayana Singh, Sr. AAG state of H.P**

	<b>Date and Remarks</b>	<b>Orders of the Tribunal</b>
	<b>Item No. 4 July 23, 2015</b>	<p style="text-align: center;">Heard. Perused.</p> <p>Learned Counsel appearing on behalf of the respondent nos. 4 to 8 submit that the replies of respondent nos. 4, 7 and 8 be treated as the replies of the respondent nos. 5 and 6. As regards the service of notice on respondent nos. 1 to 3 is concerned the notice was sent for service to the S.H.O Nama Gaon, Police Station for effecting the service. However, we have no response from the S.H.O of Nama Gaon before us. Notice was also issued to these respondents by RPAD. We therefore, direct the Superintendent of Police, District Kangra, Himachal Pradesh in whose jurisdiction Police Station of Nama Gaon is situated to place before us the report of the service of notice through S.H.O. If such report is not placed before us the S.H.O shall remain present before us. Let the registry inform the S.H.O and the Superintendent of Police of the orders passed.</p> <p>In meanwhile, the applicant shall also cause service of Notice by RPAD effected on the respondent nos. 1 to 3 and place the proof of service of notice before us on the next date.</p>

We have before us the photographs of the work of excavation of stones and pebbles and such other minor minerals from the river bed of river Beas where a small rivulet called Khad Bhariva meets river Beas as described in para 5 of the application. These photographs vividly show the acts alleged. Registration numbers of the vehicles are also visible in the photographs. Topography suggestive of some place as indicated therein can also be seen. Yet the response of the State is lukewarm and a convenient plea is made that the place cannot be ascertained from the photographs.

We, therefore, direct the applicant to come out with the precise description of location from where the photographs was taken and direct the respondent nos. 4 to 8 to place before us the action taken report as to what action they have taken against the trucks the registration numbers of which are visible in the photographs as regards the activities in which they were found indulging.

List the case on 5<sup>th</sup> August, 2015.

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

.....,EM  
(Ranjan Chatterjee)