

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

**M.A. No. 194 of 2014
In**

Original Application No. 229/2013

**Giriraj Parikrama Sanrakshan Sansthan & Ors.
Vs.
Department of Environment & Forests & Ors.**

CORAM : HON'BLE MR. JUSTICE SWATANTER KUMAR, CHAIRPERSON
HON'BLE MR. JUSTICE U.D. SALVI, JUDICIAL MEMBER
HON'BLE MR. DR. D.K. AGRAWAL, EXPERT MEMBER
HON'BLE MR. B.S. SAJWAN, EXPERT MEMBER
HON'BLE DR. R.C. TRIVEDI, EXPERT MEMBER

Present: Applicant / Appellant : Mr. M. C. Metha and Rahul Shukla, Advocates.
Respondents No. 1 to 3 : Mr. Raman Yadav, Adv.
Respondent No. 4 : Mr. Pradeep Misra and Mr. Daleep Kr.
Dhyani, Adv.
Respondent No. 5 : Ms. Savitri Pandey, Adv.
Respondent No. 6 : Mr. Vikas Malhotra with Mr. M.P. Sahay,
Adv.

Date and Remarks	Orders of the Tribunal
<p>Item No. 1 April 22, 2014</p> <p>JG</p>	<p><u>M. A. No. 194 of 2014</u></p> <p>This is an Application filed by the Applicant praying that the non-forest activity should not be carried on in the reserve forest area. Further he has stated that the interim order dated 3rd September, 2013 passed by the Tribunal is being violated with impunity. It is further the contention that the Applicant had planted large number of trees which are being uprooted by the use of JBC in the most ruthless manner.</p> <p>It maybe noticed that the Forest Clearance granted to the Project Proponent clearly stated that no trees would be felled or cut but this has also been violated as is evident from the photographs filed by the Applicant along with this Application.</p> <p>It may also be noticed that in furtherance to the order of the Tribunal the Learned Local Commissioner has visited the site, whose report in no uncertain terms states that the trees are being cut or being uprooted in violation of the order passed by the Tribunal and uprooting of trees is being done in most unscientific manner so as to render it impossible for trees to be successfully translocated, and/or any other measure taken for their survival.</p> <p>Learned Counsel appearing for the State of Uttar Pradesh and her Officers and Ministry of Environment and Forests respectively pray for time to file Replies. Replies be filed within</p>

two weeks from today with advance copy to the Learned Counsel appearing for the Applicant who may file Rejoinder, thereto, if any, be filed within one week thereafter. We direct the concerned Officers to be present before the Tribunal on the next date of hearing.

In the meanwhile no work shall be carried out by the Project Proponent on the site in question, and no Tree shall be uprooted or cut. Copies of the Learned Local Commissioner's Report shall also be provided to the Learned Counsel appearing in this case. Liberty to file objections thereto, if any, within two weeks from today. Copies of this order shall be sent to the Chief Secretary, District Magistrate, and SP of the concerned district by the Registry immediately by E-mail.

List on 15th May, 2014 the date already fixed.

.....,CP
(Swatanter Kumar)

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

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

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

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

