

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

M.A. NOS. 770 OF 2013 & 980/2013

IN

Original Application No. 269 of 2013

Haryali Welfare Society Vs. Union of India & 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: Mr. Rahul Choudhary, Advocate
Respondent No.1: Mr. Vikas Malhotra and Mr. M.P. Sahay,
Advocates
Respondent No.2to4: Mr. Narender Hooda, Sr. Adv, Mr. Vineet Malik,
Advocate and Mr. D.P. Singh, Advocate.

Date and Remarks	Orders of the Tribunal
Item No. 10 March 3, 2014	<p>The Learned Counsel appearing for the State contends that the area in question is a gair-mumkin pahar and is not a forest. However, the felling/cutting of trees is not denied.</p> <p>Further, it is not disputed that the 24 trees have been cut and the person/s responsible for felling/cutting of these trees have been let off by compounding the offence for the payment of 'compensation'-Rs 4560/- for cutting of these trees. We have no hesitation in expressing our displeasure about the manner in which the offences have been compounded. Compensation paid can neither be fair cost for cutting of 24 trees nor, by any stretch of imagination, the compensation on account of environmental damage caused due to indiscriminate cutting of 24 trees.</p> <p>We issue Notice to the Principal Chief Conservator of Forest, State of Haryana as well as to Mr. Bhoop Singh Yadav, DFO to show cause as to why they should not be held personally liable for payment of the damages/compensation as well as their Authorities be directed to take appropriate departmental action in accordance with law.</p> <p>The Learned Counsel appearing for State accepts Notice on behalf of both of them. Let they be present before the Tribunal on the next date of hearing and file their responses to the show cause Notice issued against them.</p> <p>In the meanwhile, liberty is granted to the Applicant to react to the copy of the letter dated 25th October, 2012 and the map annexed thereto.</p>

Issue Notice to Mr. Karamveer. Let Notice be served through the Department.

List this matter for hearing on 1st April, 2014.

.....,CP
(Swatanter Kumar)

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

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

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

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

PB

