

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

Appeal No. 10(T_{HC}) of 2013

And

Appeal No. 21(T_{HC}) of 2013

IN THE MATTER OF

**Smt. Neelam Kalia Vs. Union of India & Ors.
And
Sh. Chaman Lal Berry 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. JUSTICE B.S. REDDY, JUDICIAL MEMBER
HON'BLE PROF. (DR.) P.C. MISHRA, EXPERT MEMBER
HON'BLE DR. R.C. TRIVEDI, EXPERT MEMBER

Present: Appellant: None appeared
Respondent No. 1: Ms. Neelam Rathore, Advocate along with Ms. Syed Amber and Mr. Vikramjeet, Advocates

Date and Remarks	Orders of the Tribunal
Item Nos. 8&9 September 24, 2013	<p>Nobody is present.</p> <p>These petitions were filed in the Hon'ble High Court of Punjab and Haryana at Chandigarh under Article 226 and 227 of the Constitution of India <i>inter alia</i> praying for quashing of the Orders dated 11th August, 2006. Vide this Order the Forest Divisional Officer in exercise of the power vested in him under Section 40 (A) of the Wild Life (Protection) Act, 1972 as amended by the Act of 2002 had directed the Petitioner to deposit the items stated in the said Order.</p> <p>The challenge is to the Order which had been passed under the provisions of Wild Life (Protection) Act. This Tribunal has jurisdiction only to entertain such cases connected or arising from implementation of the statutes stated in Schedule - I of the National Green Tribunal Act, 2010 (for short 'NGT Act'), and Wild Life (Protection) Act, does not find mention in the Schedule -I of the NGT Act.</p> <p>Vide letter dated 12th September, 2012, the National Green Tribunal has been informed that Ministry does not propose to include Wild Life cases in Schedule - I. Resultantly, this Tribunal will have no jurisdiction to entertain and decide these cases.</p>

Consequently, we direct the Registry of National Green Tribunal to re-transfer these cases to High Court of Punjab and Haryana for appropriate Orders and to be proceeded further in accordance with law.

These Applications accordingly stand disposed of from the records of the National Green Tribunal.

.....,CP
(Swatanter Kumar)

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

.....,JM
(B.S. Reddy)

.....,EM
(Prof. (Dr.) P.C. Mishra)

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

