

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

Suo Moto Application No. 262 of 2015

IN THE MATTER OF :-

Tribunal on its own Motion Vs. State of Uttar Pradesh & Ors.

CORAM : HON'BLE MR. JUSTICE SWATANTER KUMAR, CHAIRPERSON
HON'BLE MR. JUSTICE M.S. NAMBIAR, JUDICIAL MEMBER
HON'BLE DR. D.K. AGRAWAL, EXPERT MEMBER
HON'BLE PROF. A.R. YOUSUF, EXPERT MEMBER

Present: Appilcant/Petitioner: Appearance not given
Respondent No.1: Mr. Vijay Bahadur Sigh, Adv. General,
Mr. Raman Yadav, Ms. Savitri Pandey
and Mr. Abhishek, Mr. Dalsher Singh,
Adv.
Respondent No. 3: Mr. Avijit Bhushan, Adv.

	Date and Remarks	Orders of the Tribunal
	Item No. 05 July 20, 2015 A	<p>Learned Advocate General appearing for the State of Uttar Pradesh submits that the basis on which the Tribunal has issued Notice to the State Government claiming that 4000 trees have been cut and sold is factually incorrect. According to him it is a mischievous act and submits that he would file a comprehensive Affidavit on behalf of the State supported by Google images and other revenue records to show that not even a single tree, particularly in the Taj Eco Zone, has been cut or sold. He further prays that Notice be issued to Mr. Ishita Mishra, Times of India who has published the news. Let the Report be filed within three weeks positively.</p> <p>Notice be issued to Mr. Ishita Mishra, Times of India who has published the news. The State Government will ensure service of the Notice upon the said person.</p> <p>The former Division Conservator of Forest, Mr. N.K.</p>

Janu is present as directed. Liberty is granted to him to file the Reply Affidavit within three weeks from today.

Learned Advocate General submits that the State has constituted a High Power Committee to investigate the matter.

We do not propose to pass any direction in so far as the State Government's proposal to conduct its own investigation or enquiry is concerned. Let them proceed in accordance with law.

During the course of hearing of this Application, Mr. A.K. Jain, who is the Chief Conservator of Forests, Agra Division is present before the Tribunal. His identity is not disputed on behalf of the State. According to this Chief Conservator of Forest, approximately 4000 trees have been uprooted around 500 m. of Taj Eco Zone. According to him at another site in Village Babarpur in Agra, land has been given to the Builder from where nearly 8000 trees have been uprooted or fell. However these facts are not admitted on behalf of the State.

We direct Mr. Jain to file an Affidavit giving complete details and within two weeks provide copy thereof to the State, who may respond within one week thereafter.

We have requested Mr. M.C. Mehta, Learned Advocate who is present before the Tribunal to visit both the sites in Agra and report to the Tribunal as to whether any tree/trees have been uprooted around 500 m. of the Taj Eco Zone in Agra and in village Babarpur in Agra.

Let the report be submitted within two weeks from today. We request Mr. Mehta to inspect at the earliest.

The State Government shall provide all facilities, and if required Police security for execution of the commission by Mr. Mehta.

We direct a nominee of the ICFRE, Dehradun to be present with Mr. Mehta during the course of the inspection.

The Fee of Mr. Mehta is fixed at Rs. 50,000/- as suggested by the Learned Advocate General. This will be inclusive of all expenses.

The Registry is directed to inform the ICFRE, Dehradun.

List this matter on 10th August, 2015.

.....,CP
(Swatanter Kumar)

.....,JM
(M.S. Nambiar)

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

.....,EM
(Prof. A.R. Yousuf)