

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

Original Application No. 292/2015

Amit Srivastav Vs. Dr. Chandan Kumar & Anr.

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

Present: Applicant/Appellant(s) : Mr. N.D. Pancholi, Adv.

	Date and Remarks	Orders of the Tribunal
	Item No. 2 July 29, 2015	<p>Heard. Perused.</p> <p>This application seeks prosecution of Dr. Chander Kumar, Principal of Satyawati College, Delhi University on the allegations of having illegally and unauthorisedly fell and destroyed 17 grown up trees within the compound of his residential premises in the campus of the college. It is contended that the Principal had not obtained any permission for felling/cutting of the said trees as per the provisions of the Delhi Preservation of Trees Act, 1994 and as such a crime attracting penalties as per Section 24 of the said Act has been committed by the Respondent No.1. He further submits that the tree officer appointed under the said Act has turned a blind eye to the occurrence of this crime in the present application.</p> <p>Essentially, this application seeks to move the wheels of the criminal law. From perusal of the provisions of the Act, we do not find that no private individual can initiate the criminal proceedings for this crime against the offender. As it is for the criminal courts to go into the merits of the allegations made and to hold the offender guilty and penalize him for</p>

commission of the offence punishable under Section 24 of the Delhi Preservation of Trees Act, 1994, we believe that we cannot entertain this application.

At this stage, the applicant seeks withdrawal of this application with liberty to initiate criminal proceedings in the competent court of law. Permission is granted to withdraw the present application with liberty as solicited.

The present Application No. 290 of 2015 stands disposed of with no order as to costs.

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

.....,EM
(Ranjan Chatterjee)

