BEFORE THE NATIONAL GREEN TRIBUNAL, PRINCIPAL BENCH, NEW DELHI

Original Application No. 309 of 2013

National Green Tribunal Bar Association Vs. Union of India & Ors.

CORAM: HON'BLE MR. JUSTICE SWATANTER KUMAR, CHAIRPERSON

HON'BLE MR. JUSTICE M.S. NAMBIAR, 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

Applicant: Mr. Raj Panjwani, Sr. Advocate along with Mr. Present:

Rahul Choudhary, Advocate

Respondent Nos. 2&3:		Mr. Vikas Malhotra and Mr. M. P. Sahay, Advocates Mr. Atif Suhrawardy and Dr. Abhishek Atrey Advocates
Resp	ondent No. 4:	Mr. K.R. Chawla, Advocate
Date and Remarks		Orders of the Tribunal
Item No. 3 February 25, 2014	We have I	heard the Learned counsel appearing for me length.
	without permiss	sputed that 21 Sal Trees have been cut ion of any competent Authority. Question hese trees? According to Respondent Nos. Respondent No. 4, who is the purchaser
	Respondent No. Department in co	that it was by the officials of the Forest ollusion with each other.
2	that might have	not be concerned with any allied crime been committed by either of the parties. ary concern is about disturbing the discology of the area by illegally cutting the
	trees and furth directions shoul and ecology of t the Tribunal tha	ner as to what compensation or other ld be passed to restore the environment that area. A dispute is also raised before at it is a reserve forest land and would not in-Forest activity and even could not be

Be that as it may, at the first instance, we direct the State of Uttarakhand to produce the original records before us to show as to what is the title to the land in question for the last 50 years atleast. The Affidavit would be filed by the State of Uttarakhand tracing the transfer of

transferred, without the permission of the Central/State

Government.

title, possessory rights if any and notification when the said land was declared as reserve forest land. The Jamabandi, Mutation records shall be annexed to the Affidavit and what action has been taken by the State Government in furtherance to the report of the Department, shall also be placed on record by the State.

It is stated by the Learned counsel appearing for the State that the Department has conducted an enquiry and after enquiry Respondent No. 4 was found guilty. It is disputed by the Learned counsel appearing for the Respondent No. 4.

The State also inform us as to what is the stage of the proceedings pending before the CJM/MM Court against Respondent No. 4, in furtherance to the complaint filed by the State.

List on Olst April, 2014.

(Swatanter Kumar)	,СР
(M.S. Nambiar)	,JM
 (Dr. D.K. Ag <mark>ra</mark> wal)	,EM
(B.S. Sajwan)	,EM
(Dr. R.C. Trivedi)	,EM