BEFORE THE NATIONAL GREEN TRIBUNAL PRINCIPAL BENCH, NEW DELHI

Original Application No. 9/2014 (M.A. No. 79/2014 & M.A. No. 265/2014)

Safal Bharat Guru Parampara V/s State of Punjab & Ors.

CORAM: HON'BLE MR. JUSTICE M.S. NAMBIAR, JUDICIAL MEMBER HON'BLE DR. G.K. PANDEY, EXPERT MEMBER HON'BLE PROF. (DR.) P.C. MISHRA, EXPERT MEMBER HON'BLE PROF. A.R. YOUSUF, EXPERT MEMBER HON'BLE MR. RANJAN CHATTERJEE, EXPERT MEMBER

Present: Applicant / Appellant Respondent No. 1 to 4 Respondent No. 5 : Mr. Ajey Bhardwaj, Adv. & Mr. P.K. Rana, Adv. : Mr. Anil Soni, Adv.

: Mr. Jayant K. Sud, AAG, SSC, PSPCL, Mr. Vishal

Respondent No. 7

Dabas & Ms. Bonita Singh, Adv. : Mr. B.V. Niren, CGSC, Mr. Udit Gupta, Adv, Mr. D. Kumar, Deputy Director (MOA) :Mr. Anil Soni, Adv.

Respondent No. 9

Date and Remarks

Item No. 2

May 7, 2014

Orders of the Tribunal

All the Respondents have already filed the replies. Pursuant to the direction issued on 17th April, 2014, an affidavit is filed on behalf of respondent no. 5 answering the questions indicated in the order. The Learned Counsel appearing for respondent no. 5 submitted that the general election is now over and therefore, permission be granted modifying the order of *status quo* to give connections to the pending applicants. The affidavit filed on behalf of the respondent no. 5 shows that out of the existing connections, 10,40,136 relate to over-exploited area, 29,174 relate to critical area, 1,56,093 are in safe area and 1,342 are in semi-critical area.

At this stage, we are not inclined to grant permission in respect of over exploited area or make critical or semi-critical area as over-exploited area. But the respondent no. 5 could be permitted to give the electric connections to the tube-wells, if they are in safe area. But the affidavit does not disclose as to how many of those applications are in the safe area, how many are in the semi-critical area, how many are in the critical area and

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how many are in the over-exploited area. Unless this data is furnished, at this stage permission cannot be granted and the order of *status quo* cannot be modified.

Respondents no. 1 to 5 are directed to furnish the details of the applications showing how many applications are in respect of the safe area, how many are in the semi-critical area, how many are in the critical area and how many are in the over-exploited area. The names of the areas shall also be shown. Question of modification of the interim order can be decided only on receipt of the said details.

The Applicant has filed M.A. No. 265/2013 contending that the order of *status quo* has been violated and electric connections were given. The learned Counsel appearing for respondents submitted that they did not receive the copy of the application and did not violate the order. Learned Counsel appearing for the Applicant furnished copy of the application to all the Counsel appearing for the respondents.

Reply, if any, is to be filed within 10 days from today with advance copy to the Counsel appearing for the applicant.

Post on 26th May, 2014.

(M.S. Nambiar)

....., EM (Dr. G.K. Pandey)

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

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

...., EM (Ranjan Chatterjee)