

BEFORE THE NATIONAL GREEN TRIBUNAL,  
PRINCIPAL BENCH, NEW DELHI

M.A. No. 670 of 2015  
In  
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 DR. D.K. AGRAWAL, EXPERT MEMBER  
HON'BLE PROF. A.R. YOUSUF, EXPERT MEMBER

Present: Applicant: Mr. Raj Panjwani, Sr. Adv and Mr. Rahul Choudhary, Adv.  
Respondent No. 1: Mr. Vikas Malhotra and Mr. M.P. Sahay, Advs.  
Respondent No. 2&3: Mr. Atif suhrawrdy , Dr. Abhishek Atrey, and Mr. Sumit Rajora, Advs.  
Respondent No.4: Mr. T.S. Bijdra, Mr. Sunil Verma Advs.

Date and Remarks	Orders of the Tribunal
Item No. 32 July 21, 2015	<p>Cross examination of PW – 6 has been closed by the learned counsel appearing for the Applicant “ I close my case”. In the affirmative statement on behalf of the learned counsel appearing for the Applicant has been recorded.</p> <p>Recording of evidence of Mr. Naseem, RW1 completed.</p> <p>This witness is patently speaking lies before the Tribunal. Even for the suggestion made that his statement recorded under Section 164, Cr. P.C. by the learned Magistrate was contradicted in his Affidavit, he is trying to blame the learned Magistrate that the Judge did not record his statement in full and he had left without raising any protest. While delivering our final judgment we will pass appropriate orders in relation to his conduct as well. We direct the Forest Department to submit a complete status report as to whether this witness has cut the trees and if so under whose Authority and the</p>

		<p>utilisation of those trees and also the compensation payable in that regard.</p> <p>We direct this witness to file a complete statement of the trees that he has cut or fell in various parts of the District Dehradun, including Mussorrie and whether such trees were cut with the permission of the Forest Department, and if so details thereof and the value of the trees which he had cut in the last one year. The statement shall be filed within one week from today. He shall be present before the Tribunal on the next date of hearing.</p> <p>From the statement of this witness it is seen that Mr. Kuldeep Negi and Mr. Saklani are the contractors who used to work to get the work done from him like felling and cutting of trees. Issue Notice to these persons. The State Government shall ensure service upon both these persons to show cause why the Tribunal should not direct appropriate action to be taken against them as well as for payment of compensation for degradation and restitution of the environment and ecology in that area in terms of Section 15 of the National Green Tribunal Act, 2010.</p> <p>Notice returnable on the next date of hearing.</p> <p>Learned counsel appearing for the State submits that he does not wish to examine any witness on behalf of of the State and submit that he will examine one witness on behalf of the DFO. Liberty is granted to take summons if they so desire. Otherwise the witness is to be produced on the next date of hearing. Affidavit of the said witness may be filed and copy be provided to the learned counsel appearing for the parties.</p>
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		<p>List this matter on 06<sup>th</sup> and 07<sup>th</sup> August, 2015 for further evidence of Respondent No. 4.</p> <p>.....,CP (Swatanter Kumar)</p> <p>.....,JM (M.S. Nambiar)</p> <p>.....,EM (Dr. D.K. Agrawal)</p> <p>.....,EM (Prof. A.R. Yousuf)</p>
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