BEFORE THE NATIONAL GREEN TRIBUNAL, PRINCIPAL BENCH, NEW DELHI

M.A. No. 263 of 2014 & M.A. No. 389 of 2014 In Original Application No. 237 (T_{HC}) of 2013 CWPIL No. 15 of 2010

IN THE MATTER OF:-

Court own its Motion Vs. State of Himachal Pradesh & Ors.

CORAM : HON'BLE MR. JUSTICE SWATANTER KUMAR, CHAIRPERSON HON'BLE DR. D.K. AGRAWAL, EXPERT MEMBER HON'BLE MR. RANJAN CHATTERJEE, EXPERT MEMBER

Present: Applicant: Appearance not given Respondent No. 1: Mr. Anup Rattan, AAG Respondent No. 2: Mr. T.S. Chauhan, Adv. Ms. Panchajanya Batra Singh, for MoEF and

Mr. Anup Rattan, AAG Mr. T.S. Chauhan, Adv. Ms. Panchajanya Batra Singh, for MoEF and Ministry of Petroleum Mr. Mahavir Singh, Adv. for IOCL Mr. Ajay Sharma, Executive Engineer (Mech) cum Ropeway Inspector Mr. Nilkanth Avhad, Director (GP) MoPNG, Mr. S.P. Sharma, GM (Projects) GAIL Gas Limited

	Date and	Orders of the Tribunal
A 4	Remarks	
N	Item No. 4 January 21, 2015	Mr. Ajay Sharma, Executive Engineer Mechanical cum Rope Way Inspector, Kullu is
	A	present. He is the person who had authored an opinion from the threshold of the project of rope way at Vashishtha to Rohtang Pass that it was not feasible. We were shocked with this opinion and we had directed his appearance. Today he appeared before the Tribunal. He has failed to produce any records which could form a reasonable basis for expressing such an opinion. Furthermore, he has stated before us that he did not study any foreign rope way projects in the world. He did not even care to visit or get the details of the rope way project from Gulmurg in Jammu & Kashmir which would be somewhat similar project. According to him he along with SDM and Deputy Director of Tourism had visited the area and

they had given this opinion. There is no study much less a scientific study conducted by him before expressing this opinion. A statement based on whim has caused the State one year delay to carry out this project in terms of cost. Obviously it will be further extended by two years.

We must notice that this gentleman had not even paid attention to the various environmental aspect of this eco sensitive area and preferably one of the most beautiful areas of the Himalayas. Concerns seems to be superfluous and he has expressed opinion to say the least in an irresponsible manner. He has produced copies of the letters dated 30th June, 2014 and 08th August, 2014.

We also see no reason why this opinion was blindly accepted by higher officials of the Government.

We give another opportunity to this Officer to produce relevant records before the Tribunal.

List this matter on 27th February, 2015.

Mr. Nilkanth, Director of Ministry of Petroleum submits that it will be proper that an Officer of the State of Himachal shall hold a meeting with their Ministry, where a Senior Officer of Petroleum and Natural Gas Regulatory Board may also be present. This meeting should resolve the short and long term measures to be taken up to ensure operation of CNG buses from Vashishtha to Rohtang. Thus, we direct the concerned Joint Secretary of the Ministry of Petroleum, concerned Secretary of State of Himachal Pradesh, Director of Transport and OSD of Petroleum and Natural Gases Regulatory Board shall hold a meeting within ten days from today and submit a report to the Tribunal both on the short and long term measures while ensuring that CNG Station could be made operative in the coming tourist season. The Committee may also express views action with regard to financial implications.

List this matter on 27th February, 2015.

<u>M.A. No. 263 of 2014</u>

Nobody is present on behalf of the Applicant. The Application is dismissed for default of appearance.

With the above order, M.A. No. 263 of 2014

stands disposed of.

<u>M.A. No. 389 of 2014</u>

List this matter on 23rd February, 2015 at

Shimla.

.....,CP (Swatanter Kumar)

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

,EM (Ranjan Chatterjee)