

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

**Execution Application No. 17 of 2016
(M.A. NO. 723 OF 2016)**

In

**Original Application No. 184 OF 2013
AND**

**Original Application No. 171 of 2016
(M.A. NO. 528 OF 2016)**

AND

Original Application No. 44 of 2016

And

**Original Application No. 517 of 2015
(M.A. No. 1247 of 2015, M.A. No. 1288 of 2015 & M.A. No. 321 of 2017)**

And

**Original Application No. 550 of 2015
(M.A. No. 1311 of 2015, M.A. No. 625 of 2016 & M.A. No. 1048 of 2016)**

And

**Original Application No. 176 of 2016
(Earlier O.A. No. 184/2013)
(M.A. No. 1252 of 2017 & M.A. No. 1376 of 2017)**

And

M.A. No. 425 of 2016

In

Original Application No. 184 of 2013

And

**Original Application No. 304 of 2015
(CW No. 211 of 2011)**

And

**Original Application No. 530 of 2016
(M.A. No. 989 of 2016)**

And

**Original Application No. 272 of 2016
(M.A. No. 846 of 2016)**

And

**Original Application No. 481 of 2016
(M.A. Nos. 904/2016, 905/2016 & 1267/2016)**

And

Original Application No. 540 of 2015

And

**Original Application No. 90 of 2016
(M.A. No. 1223 of 2016)**

IN THE MATTER OF:

Pramod

**(In Gurpreet Singh Bagga Vs. Ministry of Environment & Forest, & CC case)
Vs.**

State of Uttar Pradesh & Ors.

And

Pramod Vs. State of Uttar Pradesh & Ors.

And

Mushtakeem Vs. MoEF & CC & Ors.

And

Sandeep Kumar Vs. Ministry of Environment & Forest, & CC & Ors.

And

Virender Kumar Vs. Ministry of Environment, Forests & Climate Change & Ors.

And

Gurpreet Singh Bagga Vs. MoEF & Ors.

And

Gurpreet Singh Bagga Vs. MoEF & Ors.

And

Jai Singh & Anr. Vs. Union of India & Ors.

And

Sandeep Kumar Vs. Ministry of Environment, Forest and Climate Change & Ors.

And

M/s. Ganga Yamuna Mining Co. Vs. State of Haryana & Ors.

And

**Joginder Singh Vs. Ministry of Environment & Forest & Ors.
And
Ved Pal Singh Vs. Ministry of Environment and Forests & Ors.
And
Chander Mohan Uppal Vs. State of U.P. & Ors.**

**CORAM : HON'BLE MR. JUSTICE SWATANTER KUMAR, CHAIRPERSON
HON'BLE DR. JUSTICE JAWAD RAHIM, JUDICIAL MEMBER
HON'BLE MR. JUSTICE RAGHUVENDRA S. RATHORE, JUDICIAL MEMBER
HON'BLE MR. BIKRAM SINGH SAJWAN, EXPERT MEMBER**

Present:

Applicant:

**Mr. I.K. Kapila, Adv.
Mr. Suraj Prakash Singh and Mohd. Yunus, Adv.
Dr. Kanwal Sapra, Adv, Dr. P.S. Batra and Mr. Arun
Kumar Sapra, Adv for Applicant Jai Singh
Mr. Abhay Batra, Adv.
Mr. K. C. Joshi, Adv.**

Respondent No.

**Mr. Yashraj Singh Deora, Adv.
Ms. Sakshi Popli, Adv. for Delhi Jal Board and GNCTD
Mr. Attin Shankar Rastogi, Adv. for MoEF
Mr. Rajesh K. Singh and Mr. Rovins Verma, Adv. for
MoEF
Ms. Savitri Pandey, Mr. Manish Tiwari Adv. for R-7
& 8
Mr. Divya Prakash Pande, Adv. for Ministry of
Environment, Forest and Climate Change
Dr. Sandeep Singh and Mr. Vinay Pal, Adv
Mr. B. V. Niren, Adv. for Central Ground Water
Authority
Ms. Deep Shikha Bharati, Adv.
Mr. Pradeep Misra and Mr. Daleep Kr. Dhyani, Adv.
Mr. Anil Grover, AAG with Mr. Rahul Khurana, Adv.
for State of Haryana and HSPCB
Mr. Ankit Verma, adv. State of Uttar Pradesh
Mr. MR Shamshad and Mr. Aditya Samaddar, Adv.
Mr. O.M. Prakash, Adv.
Ms. Ragya V. Singh Adv
Mr. Abhay Gupta, Adv.
Mr. Neeraj Jain and Mr. Anupam Mishra, Adv.**

Date and Remarks	Orders of the Tribunal
<p>Item No. 11 to 23 December 04, 2017</p>	<p>Learned Counsel appearing for the State of U.P. upon instructions from Mr. Pankaj Kumar Singh, Mining Officer, District Saharanpur submits that the restoration and restitution work directed by the High Powered Committee can be carried on and the State of U.P. would accept the same without protest. He further states that a Committee can be constituted for the purposes of supervising the restoration work. Finally it is pointed out that the pockets where degradation or environmental damage has been noticed by the High Powered Committee constituted by the Tribunal, the State of U.P. would exclude such pockets while granting mining permission</p>

	<p>Item No. 11 to 23</p> <p>December 04, 2017</p>	<p>for the current year.</p> <p>Learned Counsel submits that when he was appearing before the Tribunal on 29-11-2017 on behalf of the Association of the Stone Crushers he was instructed by Mr. Tejender Malik of M/s. Astha Stone Crusher, Village Janipur Faizabad, Tehsil Behat, District Saharanpur whose name appeared as at serial no.101 of the noticees list submitted by the State of U.P..</p> <p>Today Learned Counsel had appeared on whose statement made on behalf of the Association that the matter is listed for arguments today at the final stage. When the matter was taken up today, Learned Counsel appearing for Association submits that the same person has instructed him not to appear. We think that the practice adopted by Mr. Tejender Malik is required to be deprecated as it interferes with the administration of the environmental justice by this Tribunal.</p> <p>Consequently, we issueailable warrants against Mr. Tejender Malik for his production before the Tribunal on 5th December, 2017 at 11:00 AM in the sum of Rs. 50,000/- to the satisfaction of the arresting Officer, in exercise of our powers and in terms of the provision of Section 19 (4) (a) of the National Green Tribunal Act, 2010 read with Order XVI Rule 10(3) and Section 151 of Code of Civil Procedure, 1908. Theailable warrant shall be executed by the SHO of the concerned area.</p> <p>Learned Counsel appearing for the State of U.P. shall forthwith communicate this to the Concerned SHO the name of the concerned person. The SHO shall be present tomorrow before the Tribunal if warrant is not executed.</p>
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	<p>Item No. 11 to 23</p> <p>December 04, 2017</p>	<p>Learned Counsel appearing for the State of Uttar Pradesh would also inform the SSP Saharanpur of the order of the Tribunal, till that time we will request the Learned Counsel to appear.</p> <p>List all these matters on 5th December, 2017.</p> <p>.....,CP (Swatanter Kumar)</p> <p>.....,JM (Dr. Jawad Rahim)</p> <p>.....,JM (Raghuvendra S. Rathore)</p> <p>.....,EM (Bikram Singh Sajwan)</p>
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