

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

(By Video Conferencing)

Execution Application No. 38/2021

IN

Original Application No. 48/2021

(I.A. No. 188/2022)

Vireshwar Singh

Applicant

Versus

Union of India & Ors.

Respondent(s)

Date of hearing: 28.09.2022

**CORAM: HON'BLE MR. JUSTICE ADARSH KUMAR GOEL, CHAIRPERSON
HON'BLE MR. JUSTICE SUDHIR AGARWAL, JUDICIAL MEMBER
HON'BLE PROF. A. SENTHIL VEL, EXPERT MEMBER
HON'BLE DR. AFROZ AHMAD, EXPERT MEMBER**

Applicant: Ms. Mansi Chahal, Advocate for Applicant in E.A 38/2021

Respondent(s): Mr. Bhanwar Pal Singh Jadon & Mr. Rovin Singh Solanki,
Advocates for the State of Uttar Pradesh

ORDER

1. This application seeks enforcement of order of this Tribunal dated 10.06.2021 in *E.A. No. 47/2019 in O.A. No. 325/2018, Gaurav Kumar Bansal v. UOI & Ors.*, directing finalization of notification under Section 26A of the Wildlife (Protection) Act, 1972 for protection of the Hastinapur Wildlife Sanctuary by the State of UP. The operative part of the order is reproduced below:

*“4. Since it is stated by learned Counsel for the State that delay has taken place due to pandemic and the **Rationalization Committee is now likely to complete its work within three months and thereafter the State Government will issue final notification within three months, we direct the***

Commissioner, Meerut to ensure that the rationalization process is completed within three months and report submitted to the State Government and thereafter, the Additional Chief Secretary, Forest and Environment, UP, may ensure that further action is completed within next three months. It is made clear that in case of failure, it will be open to either party to move the Tribunal after six months, seeking coercive measures against the erring officers.”

2. Vide order dated 07.01.2022, the Tribunal sought factual and action taken report in the matter from Additional Chief Secretary, Forest and Environment, U.P.

3. In pursuance of above, status report has been filed by the Divisional Director Social Forestry Division, Meerut mentioning some procedural steps taken and seeking further three month time for issuing final notification for the sanctuary in question.

4. Since no proper justification has been shown for the delay which has already been taken, we do not find any merit in the prayer for extension of time for three months.

5. Learned counsel for the State, on instructions from ACS, Forest and Environment, U.P., undertakes that the final notification will be issued positively within 45 days. Let the same be done and copy of the notification filed with the Registrar General, NGT, by email.

Subject to above, the application is disposed of.

I.A. No. 188/2022 will also stand disposed of.

If there is default, it will be open to the applicant to move this Tribunal again.

Adarsh Kumar Goel, CP

Sudhir Agarwal, JM

Prof. A. Senthil Vel, EM

Dr. Afroz Ahmad, EM

September 28, 2022
Execution Application No. 38/2021
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DV