

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

Original Application No. 734/2018

Rajendra Digambar Aagale

Applicant(s)

Versus

State of Maharashtra

Respondent(s)

Date of hearing: 01.03.2019

**CORAM: HON'BLE MR. JUSTICE ADARSH KUMAR GOEL, CHAIRPERSON
HON'BLE MR. JUSTICE S.P. WANGDI, JUDICIAL MEMBER
HON'BLE MR. JUSTICE K. RAMAKRISHNAN, JUDICIAL MEMBER
HON'BLE DR. NAGIN NANDA, EXPERT MEMBER**

For Applicant(s): Mr. Yogesh S. Thorat, Advocate

For Respondent (s): Mr. Mukesh Verma, Advocate

ORDER

1. Vide order dated 15.11.2018, on receiving a complaint by post, the Tribunal sought a report from the Divisional Forest Officer and the Maharashtra State Pollution Control Board after verifying the allegation of an alleged Saw Mill being run in forest area and land being given to the education department, after cutting the trees.
2. A report has been received vide email dated 02.02.2019 from Deputy Conservator of Forest, Ahmednagar, Maharashtra stating that the land in question was transferred to the Mula Education Society for educational purposes by the Collector. The Deputy Conservator of Forest sought revocation of the lease as the transfer of the said land is in violation of the Forest (Conservation) Act, 1980. The Collector also recommended revocation to the State Government. Further steps are to be

taken by the Revenue and Forest Department of the State of Maharashtra.

3. In view of admitted position stated in the report that the lease has been given on Forest land for non-forest activity in violation of law, we direct the Collector, Ahmednagar to forthwith take necessary steps according to law without waiting for any further orders from any other authority and furnish an action taken report within one month by email at ngt.filing@gmail.com. The Deputy Conservation of Forest may take over the possession of the forest land in accordance with the prescribed procedure and furnish an action taken report within one month by email at ngt.filing@gmail.com.

4. The Collector and the Deputy Conservation of Forest may jointly make an assessment of compensation to be recovered from the beneficiary for the illegality involved.

List for consideration of the reports on 17.05.2019.

Adarsh Kumar Goel, CP

S.P. Wangdi, JM

K. Ramakrishnan, JM

Dr. Nagin Nanda, EM

March 01, 2019
O.A. 734/2018
PA