

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

**Original Application No. 60 of 2018  
(Earlier O.A. No. 679 of 2016)**

**Rajiv Dutta Vs. Union of India & Ors.**

**CORAM : HON'BLE DR. JUSTICE JAWAD RAHIM, JUDICIAL MEMBER  
HON'BLE MR. JUSTICE S.P. WANGDI, JUDICIAL MEMBER  
HON'BLE DR. NAGIN NANDA, EXPERT MEMBER**

**Present:**

**Applicant  
Respondents**

**Mr.  
Mr. Mukesh Verma, Adv. for UP  
Mr. Krishna Kumar Singh, Adv. for MoEF**

	<b>Date and Remarks</b>	<b>Orders of the Tribunal</b>
	<b>Item No. 01  February 19, 2018 ss</b>	<p>In Original Application No. 60 of 2018 the Ministry of Environment, Forest and Climate Change is seeking extension of time of a period of three months to comply with the directions of this Tribunal and the subsequent order passed on 15<sup>th</sup> November, 2017 granting finally three month time to notify National Policy on the Forest Fire as indicated.</p> <p>The Learned Counsel appearing for Ministry submits that Ministry in its earnestness took step to comply with the order of the Tribunal and in fact World Bank is involved and several steps have been taken. According to the Learned Counsel National Policy Draft has been prepared seeking suggestions of the State Governments who are stakeholders, but the State Governments have not yet responded, consequently the National Policy on Forest Fire could not be finalized and will take another few months to comply the order of the Tribunal. He seeks time of three months.</p> <p>The Learned Counsel appearing for the Applicant pointed out to the lethargy in the action by the Ministry</p>

	<p><b>Item No. 01</b></p> <p><b>February 19, 2018</b></p> <p><b>ss</b></p>	<p>and repeated default to comply to the directions of the Tribunal to finalize the National Policy on forest fire till now, opposes the request. He submits that they are seeking time and not complying with the directions this will repeat in future also for grant of time.</p> <p>We have heard both sides and noted the action taken by the action taken by the Ministry of Environment, Forest and Climate Change. The MoEF has not defaulted completely. The draft policy is stated to be ready and State Governments have not responded. The Learned Counsel appearing for the Ministry of Environment, Forest and Climate Change submits that they have informed States to comply by January, 2018 but the response is yet to come.</p> <p>We do not wish to further observe as to delay in finalizing the draft policy, we desire the State Governments also to cooperate with the Ministry and send response at the earliest. Thus, We issue directions to the Chief Secretaries of the States to take immediate step in the matter in relation approval the drafting and making suggestion to the draft National Policy. It shall be submitted to the Ministry within a period of one month from today, failing which we make it clear the Chief Secretaries of the State concerned would be responsible for the default and required to appear before the Tribunal for the default.</p> <p>In the meantime the MoEF to pursue the course of action that have been initiated and finalize the National Policy within two weeks after receiving responses from all the State. The entire process should be completed within</p>
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	<p><b>Item No. 01</b></p> <p><b>February 19, 2018 ss</b></p>	<p>six weeks and report be submitted before the Tribunal on National Policy on the Forest Fire by 10<sup>th</sup> April, 2018.</p> <p>List this case on 12<sup>th</sup> April, 2018.</p> <p>.....,JM (Dr. Jawad Rahim)</p> <p>.....,JM (S.P. Wangdi)</p> <p>.....,EM (Dr. Nagin Nanda)</p>
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