

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

**Original Application No. 151 of 2013  
And  
Original Application No. 80 of 2015  
(M.A. No. 1322 of 2015)**

**IN THE MATTER OF:**

**Legal Aid Committee, National Green Tribunal Bar Association  
Vs.  
Union of India & Ors.  
And  
Keshar Singh Panwar & Ors. Vs. Union of India & Anr.**

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

**Present:**

<b>Applicant :</b>	<b>Mr. Raj Panjwani, Sr. Adv., Mr. Sanjay Upadhayay and Mr. Salik Shafique, Advs.</b>
<b>Respondent No. 1 :</b>	<b>Mr. Daina Cherian, Adv. in OA 80 of 2015 Mr. Divya Prakash Pandey, Adv. for MoEF Ms. Panchajanya Batra Singh, Adv. for MoEF in OA 80 of 2015</b>
<b>Respondent No. 2 :</b>	<b>Ms. D. Bharathi Reddy, Adv. for State of Uttarakhand Mr. Rahul Verma, AAG for State of Uttarakhand, in OA 80 of 2015</b>
<b>Respondent No. 3, 4 &amp; 8 :</b>	<b>Mr. Sanjiv K. Saxena, Ms. Ruchir Mishra and Mr. Ramneek Mishra, Advs.</b>
<b>Respondent No. 5 :</b>	<b>Mr. Anurag Sharma, Mr. Atul Vismani and Mr. Nadeem Alam Khan, Advs.</b>
<b>Respondent No. 7 :</b>	<b>Mr. Mukesh Verma, Adv.</b>
<b>Respondent No. 9 :</b>	<b>Mr. Ravinder Agarwal and Mr. Amit Yadav, Advs.</b>
<b>Respondent No. 10 :</b>	<b>Mr. Vivek Paul, Adv. Mr. Jayesh Gaurav, Adv. for JSPCB Mr. Vishwendra Verma, Adv. for MoEF Mr. Rajkumar, Adv. and Mr. Bhupendra Kumar, LA for CPCB</b>

<b>Date and Remarks</b>	<b>Orders of the Tribunal</b>
<b>Item No. 04-05 January 20, 2016 A</b>	<p>The MoEF had issued a Notification on 18<sup>th</sup> December, 2012 declaring Bhagirathi eco sensitive zone. They had asked the State Government to submit a zonal master plan so that the same would be approved and notified by MoEF. But till today the plan has not been submitted. These two Applications have been pending before the National Green Tribunal since 05<sup>th</sup> August, 2013. Time and again adjournments have been sought. A</p>

committee constituted by the State Government. The Experts of the Committee had certain reservations in respect of the treatment being given to its meetings. According to them the entire approach was prejudiced to the declaration of the eco sensitive zone and its maintenance.

Vide our order dated 03<sup>rd</sup> June, 2015 we had made detailed observations and even set down the procedure for the Committee to expeditiously deal with the matter. In the order dated 05<sup>th</sup> August, 2015 the Tribunal had again observed that “we fail to understand as to why the monitoring Committee should not have at least met for all these months and made an attempt to consider, if not finalize the master plan. This is a clear disobedience to the order of the Tribunal”. The matter had been adjourned from time to time, at the request of the State. Vide our order dated 03<sup>rd</sup> September, 2015 it was noticed that the Tribunal would not grant further adjournment and the matter should be concluded. Unfortunately till today nothing has materialized.

According to the Learned counsel for the State the Committee had met and is likely to meet again in near future. Vide our order dated 15<sup>th</sup> October, 2015 had extended the term of the Committee with the hope that the matter would be concluded. But unfortunately nothing materialized, even as of now. Learned counsel for the State of Uttarakhand further submits that he would seek complete instructions and inform us with regard to the progress in that behalf.

Learned counsel for the Applicant in M.A. No. 1322 of 2015 submits that despite of the declaration and preparation of the plan in relation to eco sensitive areas the restoration work had to be carried out at the earliest by the next monsoon setting.

Keeping in view the above orders and circumstances we direct the concerned Additional Chief Secretary of the State Government and a responsible Officer of MoEF to be present before the Tribunal on 28<sup>th</sup> January, 2016, to show cause as to why it should not impose exemplary costs for non-implementation of the orders.

List these matters on 28<sup>th</sup> January, 2016.

.....,CP  
(Swatanter Kumar)

.....,JM  
(Raghuvendra S. Rathore)

.....,EM  
(B.S. Sajwan)

.....,EM  
(Dr. Satyawan Singh Garbyal)