

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

**M.A. No. 1166 of 2015 (I.A. No. 2469 of 2009)
M.A. No. 1169 of 2015 (I.A. No.3877 of 2015)**

In

in W.P. (C) No. 202 of 1995

And

M.A. No. 1152 of 2015

In

I.A. No. 3063 of 2013 in W.P. (C) No. 202 of 1995

And

M.A. No. 1171 of 2015(I.A. No. 2272 of 2008)

In

M.A. No. 1162 of 2015 (I.A. No. 2212 of 2008) in W.P. (C) No. 202 of 1995

And

M.A. No. 1163 of 2015 (I.A. No. 2782 of 2010)

In

W.P. (C) No. 202 of 1995

And

**M.A. No. 1153 of 2015, M.A. No. 1154 of 2015, M.A. No. 1156 of 2015,
M.A. No. 1157 of 2004, M.A. No. 1159 of 2015**

In

M.A. No. 1153 of 2015 (I.A. No. 993 of 2003),

M.A. No. 1154 (I. A. No. 836 of 2002)

M.A. No. 1156 of 20015 (I.A. No. 2722/2009)

M.A. No. 1157 of 2015 (I.A. No. 2723/2009)

M.A. No. 1158 of 2015 (I.A. No. 2724/2009),

M.A. No. 1159 of 2015 (I.A. No. 2725/2009) in W.P. (C) No. 202 of 1995

And

M.A. No. 1180 of 2015(I.A. No. 1991 of 2007)

M.A. No. 1181 of 2015 (I.A. No. 3117 of 2011)

in W.P. (C) No. 202 of 1995

and

M.A. No. 1168 of 2015 (I.A. No. 3897 of 2015) in W.P. (C) No. 202 of 1995

And

M.A. No. 1168 of 2015 in I.A. No. 3897/2015

In

W.P. (C) No. 202 of 1995

And

M.A. No. 1167 of 2015 (I.A. No. 3620 of 2013) in W.P. (C) No. 202 of 1995

And

M.A. No. 1182 of 2015(I.A. No. 2530 of 2009)

&

M.A. No. 1183 of 2015 (I.A. No. 2531 of 2009)

In

in W.P. (C) No. 202 of 1995

And

**M.A. No. 1161 of 2015 (I.A. No. 1157), M.A. No. 1178 of 2015 (I.A. No. 3305 of
2011)**

& M.A. No. 1179 of 2015 (I.A. No. 2085/2007)

In

W.P. (C) No. 202 of 1995

And

**M.A. No. 1160 of 2015 (I.A. No. 976/2003), M.A. No. 1170 of 2015 (I.A. No. 727
of 2001)**

M.A. No. 1175/2015 (I.A. No. 2743/2009)

M.A. No. 1176/2015 (I.A. No. 2744/2009)

M.A. No. 1177 of 2015 (I.A. No. 2745/2009)

In

W.P. (C) No. 202 of 1995

And

M.A. No. 1155 of 2015 (I.A. No. 895 of 2015)

In

W.P. (C) No. 202 of 1995

And

M.A. No. 1164 of 2015 (I.A. No. 2939 of 2010)

M.A. No. 1165 of 2015 (I.A. No. 2940 of 2010)

		Adv. for Applicant in Item No. 15
		Mr. Pawan Upadhyay, Mr. Nishant Kumar and Mr. Ratik Sharma, Adv. For M.A. No. 1164/2015
		Mr. Abhishek Choudhary and Mr. Gaurav Bhatia, AAG, in Item No. 9 and 18 for State of UP
		Mr. P.K. Manohar and Mr. Ashok Mathur, Adv. In Item No. 14
		Mr. Rahul Verma, AAG for State of Uttarakhand
		Ms. Deep Shikha Bharati Adv. For MoEF
		Mr. Pinaki Misra and Mr. Vikrant Singh Bais, Adv. In Item No. 11
		Mr. Kush Sharma, Adv. In Item No. 19
		Mr. Tarunvir Singh Khehar, Adv. For GNCTD

Date and Remarks	Orders of the Tribunal
Item Nos. 6 to 21 December 03, 2015	<p>Item Nos. 6, 9, 18 and 20</p> <p>M.A. No. 1166 of 2015 (I.A. No. 2469 of 2009) M.A. No. 1169 of 2015 (I.A. No.3877 of 2015) In in W.P. (C) No. 202 of 1995,</p> <p>M.A. No. 1163 of 2015 (I.A. No. 2782 of 2010) In W.P. (C) No. 202 of 1995,</p> <p>M.A. No. 1164 of 2015 (I.A. No. 2939 of 2010) M.A. No. 1165 of 2015 (I.A. No. 2940 of 2010) In W.P. (C) No. 202 of 1995</p> <p>And</p> <p>Original Application No. 494 of 2015 In Civil Writ Petition No. 130 of 2011</p> <p>Mr. Pinaki Misra appears for the Project Proponent that is Jay Prakash Associates Limited. He submits that these four matters are connected and related to a common question of carrying of mining/ renewal of mining leases in the State of U.P.</p> <p>Learned counsel appearing for the State of Uttar Pradesh submits that he has received instructions and is prepared to argue the matter.</p> <p>Learned counsel appearing for MoEF submits that she has also received instructions in all these matters and would be willing to argue on the next date of hearing.</p> <p>Nobody is present in Original Application No, 494 of 2015 originally Civil Writ Petition No. 130 of 2014 on</p>

behalf of the Applicant. We direct the registry to issue notice today itself without process fee to the counsel appearing as applicant in the Hon'ble Supreme Court of India as well as the Applicant. Notice should clearly state if nobody appears on behalf of the Applicant on the next date of hearing in this we will be constrained to pass appropriate orders in accordance with law.

List all these matters on 11th and 12th January, 2016.

In the meanwhile Registry will enquire whether all the records have been received from the Registry of the Hon'ble Supreme Court of India. If not, immediate steps would be taken by the Registry of the Tribunal to procure all the records from the Registry of the Hon'ble Supreme Court of India.

Liberty is granted to the parties to file written submission within two weeks from today.

The date fixed for tomorrow stands cancelled.

Let all requirements like pagination and other requisite work be done before the next date of hearing.

Learned Counsel appearing for Mr. A.D.N. Rao, Adv. who was appointed as Amicus Curiae on behalf of CEC submits that Mr. Rao would be willing to appear before the Tribunal, therefore we continue the order of appointment of Mr. Rao as amicus curiae in these matters.

Item Nos. 7 and 10

M.A. No. 1152 of 2015
In I.A. No. 3063 of 2013 in W.P. (C) No. 202 of 1995
And
M.A. No. 1153 of 2015 (I.A. No. 993 of 2003),
M.A. No. 1154 (I. A. No. 836 of 2002)
M.A. No. 1156 of 2015 (I.A. No. 2722/2009)
M.A. No. 1157 of 2015 (I.A. No. 2723/2009)
M.A. No. 1158 of 2015 (I.A. No. 2724/2009),
M.A. No. 1159 of 2015 (I.A. No. 2725/2009) in W.P. (C)

No. 202 of 1995

List these matters on 09th December, 2015.

Learned counsel appearing for the Applicant in M.A. No. 1153 of 2015 submits that she had been appearing for the Applicant before the Hon'ble Supreme Court of India. She further submits that CEC report in regard to South Garo Hills have already been filed and is on record. The grievance primarily relates to the illegal mining and associated road construction in the South Garo Hills.

Learned counsel appearing for the State of Meghalaya submits that CEC report is already on record and he has received instructions to argue the matter.

In the meanwhile Registry will enquire whether all the records have been received from the Registry of the Hon'ble Supreme Court of India. If not, immediate steps would be taken by the Registry of the Tribunal to procure all the records from the Registry of the Hon'ble Supreme Court of India.

Liberty is granted to the parties to file written submission within two weeks from today.

The date fixed for tomorrow stands cancelled.

Let all requirement like pagination and other requisite work be done before the next date of hearing.

Learned counsel appearing for MoEF prays for time to seek instructions in the matter.

Learned Counsel appearing for Mr. A.D.N. Rao, Adv. who was appointed as Amicus Curiae on behalf of CEC submits that Mr. Rao would be willing to appear before the Tribunal therefore we continue the order of appointment of Mr. Rao as amicus curiae in these matters.

Item No. 8

M.A. No. 1171 of 2015(I.A. No. 2272 of 2008)
In
M.A. No. 1162 of 2015 (I.A. No. 2212 of 2008) in W.P.
(C) No. 202 of 1995

This matter relates to Srifort complex construction and prayer for issuance of directions in that behalf.

List this matter on 09th December, 2015.

In the meanwhile Registry will enquire whether all the records have been received from the Registry of the Hon'ble Supreme Court of India. If not, immediate steps would be taken by the Registry of the Tribunal to procure all the records from the Registry of the Hon'ble Supreme Court of India.

Liberty is granted to the parties to file written submission within two weeks from today.

The date fixed for tomorrow stands cancelled.

Let all requirements like pagination and other requisite work be done before the next date of hearing.

Learned Counsel appearing for Mr. A.D.N. Rao, Adv. who was appointed as Amicus Curiae on behalf of CEC submits that Mr. Rao would be willing to appear before the Tribunal therefore we continue the order of appointment of Mr. Rao as amicus curiae in these matters.

Learned counsel appearing for MoEF prays for time to seek instructions in the matter.

Let the Notice be issued to the counsel who were appearing in the matter before the Hon'ble Supreme Court of India.

Item No. 11

M.A. No. 1180 of 2015(I.A. No. 1991 of 2007)
M.A. No. 1181 of 2015 (I.A. No. 3117 of 2011) in W.P.
(C) No. 202 of 1995

This matter relates to constructions of Bus Stand and Commercial Complex-cum-Hotel in Dharmshala. According to the Applicant there are serious objections in that effect even the CEC is not favourable to the Project Proponent.

List this matter for final arguments. On 06th January, 2016.

In the meanwhile Registry will enquire whether all the records have been received from the Registry of the Hon'ble Supreme Court of India. If not, immediate steps would be taken by the Registry of the Tribunal to procure all the records from the Registry of the Hon'ble Supreme Court of India.

Liberty is granted to the parties to file written submission within two weeks from today.

The date fixed for tomorrow stands cancelled.

Let all requirements like pagination and other requisite work be done before the next date of hearing.

Learned Counsel appearing for Mr. A.D.N. Rao, Adv. who was appointed as Amicus Curiae on behalf of CEC submits that Mr. Rao would be willing to appear before the Tribunal therefore we continue the order of appointment of Mr. Rao as amicus curiae in these matters.

Learned counsel appearing for MoEF prays for time to seek instructions in the matter.

Let the Notice be issued to the counsel who were appearing in the matter before the Hon'ble Supreme Court of India as well as the Resident Commissioner of State of Himachal Pradesh at New Delhi.

Item No. 12

M.A. No. 1168 of 2015 in I.A. No. 3897/2015 In W.P. (C) No. 202 of 1995

List this matter on 09th December, 2015.

Learned counsel appearing for the Amicus Curiae submits that this matter probably disposed of by the Hon'ble Supreme Court itself.

Item No. 13

M.A. No. 1167 of 2015 (I.A. No. 3620 of 2013) in W.P. (C) No. 202 of 1995

This matter relates to identification of deep forest of the Western Ghats of the State of Karnataka and preferring of forest land for Micro Hydro Power.

In the meanwhile Registry will enquire whether all the records have been received from the Registry of the Hon'ble Supreme Court of India. If not, immediate steps would be taken by the Registry of the Tribunal to procure all the records from the Registry of the Hon'ble Supreme Court of India.

Liberty is granted to the parties to file written submission within two weeks from today.

The date fixed for tomorrow stands cancelled.

Let all requirements like pagination and other requisite work be done before the next date of hearing.

Learned Counsel appearing for Mr. A.D.N. Rao, Adv. who was appointed as Amicus Curiae on behalf of CEC submits that Mr. Rao would be willing to appear before the Tribunal therefore we continue the order of appointment of Mr. Rao as amicus curiae in these matters.

Learned counsel appearing for MoEF prays for time to seek instructions in the matter.

Let the Notice be issued to the counsel who were appearing in the matter before the Hon'ble Supreme Court

of India as well as the Resident Commissioner of State of Karnataka at New Delhi .

List this matter on 04th January, 2016.

Item No. 14

M.A. No. 1182 of 2015(I.A. No. 2530 of 2009) & M.A. No. 1183 of 2015 (I.A. No. 2531 of 2009) In in W.P. (C) No. 202 of 1995

This matter relate to the construction of road in the forest area and the damage being caused to the forest area.

CEC has filed its report which is against the Respondents.

List this matter on 05th January, 2016.

In the meanwhile Registry will enquire whether all the records have been received from the Registry of the Hon'ble Supreme Court of India. If not, immediate steps would be taken by the Registry of the Tribunal to procure all the records from the Registry of the Hon'ble Supreme Court of India.

Liberty is granted to the parties to file written submission within two weeks from today.

The date fixed for tomorrow stands cancelled.

Let all requirements like pagination and other requisite work be done before the next date of hearing.

Learned counsel appearing for MoEF prays for time to seek instructions in the matter.

Learned Counsel appearing for Mr. A.D.N. Rao, Adv. who was appointed as Amicus Curiae on behalf of CEC submits that Mr. Rao would be willing to appear before the Tribunal therefore we continue the order of appointment of Mr. Rao as amicus curiae in these matters.

Let the Notice be issued to the counsel who were appearing in the matter before the Hon'ble Supreme Court of India as well as the Resident Commissioner of State of Karnataka at New Delhi.

Item No. 15.

M.A. No. 1161 of 2015 (I.A. No. 1157), M.A. No. 1178 of 2015 (I.A. No. 3305 of 2011) & M.A. No. 1179 of 2015 (I.A. No. 2085/2007) In W.P. (C) No. 202 of 1995

Learned counsel appearing for the Applicant submits that in this matter the orders have already been passed by the Hon'ble Supreme Court of India after accepting the report of the CEC.

List this matter for arguments on 09th December, 2015.

In the meanwhile Registry will enquire whether all the records have been received from the Registry of the Hon'ble Supreme Court of India. If not, immediate steps would be taken by the Registry of the Tribunal to procure all the records from the Registry of the Hon'ble Supreme Court of India.

Liberty is granted to the parties to file written submission within two weeks from today.

The date fixed for tomorrow stands cancelled.

Let all requirements like pagination and other requisite work be done before the next date of hearing.

Learned counsel appearing for MoEF prays for time to seek instructions in the matter.

Learned Counsel appearing for Mr. A.D.N. Rao, Adv. who was appointed as Amicus Curiae on behalf of CEC submits that Mr. Rao would be willing to appearing before

the Tribunal therefore we continue the order of appointment of Mr. Rao as amicus curiae in these matters.

Let the Notice be issued to the counsel who were appearing in the matter before the Hon'ble Supreme Court of India as well as the Resident Commissioner of State of Uttarakhand at New Delhi.

Item No. 16

**M.A. No. 1160 of 2015 (I.A. No. 976/2003), M.A. No. 1170 of 2015 (I.A. No. 727 of 2001), M.A. No. 1175/2015 (I.A. No. 2743/2009) , M.A. No. 1176/2015 (I.A. No. 2744/2009)
M.A. No. 1177 of 2015 (I.A. No. 2745/2009), In W.P. (C) No. 202 of 1995**

This matter relates to declaring an agricultural land as forest area in the State of Punjab. CEC has already filed its report in the matter.

List this matter for hearing on 04th January, 2016.

In the meanwhile Registry will enquire whether all the records have been received from the Registry of the Hon'ble Supreme Court of India. If not, immediate steps would be taken by the Registry of the Tribunal to procure all the records from the Registry of the Hon'ble Supreme Court of India.

Liberty is granted to the parties to file written submission within two weeks from today.

The date fixed for tomorrow stands cancelled.

Let all requirements like pagination and other requisite work be done before the next date of hearing.

Learned counsel appearing for MoEF prays for time to seek instructions in the matter.

Learned Counsel appearing for Mr. A.D.N. Rao, Adv. who

was appointed as Amicus Curiae on behalf of CEC submits that Mr. Rao would be willing to appear before the Tribunal therefore we continue the order of appointment of Mr. Rao as amicus curiae in these matters.

Let the Notice be issued to the Counsel who were appearing in the matter before the Hon'ble Supreme Court of India as well as the Resident Commissioner of State of Punjab at New Delhi.

Item No. 17

**M.A. No. 1155 of 2015 (I.A. No. 895 of 2015)
In W.P. (C) No. 202 of 1995**

This matter relates to the vacation of the order passed by the Hon'ble Supreme Court of India on 16th December, 2002.

List this matter on 04th January, 2016.

In the meanwhile Registry will enquire whether all the records have been received from the Registry of the Hon'ble Supreme Court of India. If not, immediate steps would be taken by the Registry of the Tribunal to procure all the records from the Registry of the Hon'ble Supreme Court of India.

Liberty is granted to the parties to file written submission within two weeks from today.

The date fixed for tomorrow stands cancelled.

Let all requirements like pagination and other requisite work be done before the next date of hearing.

Learned counsel appearing for MoEF prays for time to seek instructions in the matter.

Learned Counsel appearing for Mr. A.D.N. Rao, Adv. who was appointed as Amicus Curiae on behalf of CEC

submits that Mr. Rao would be willing to appear before the Tribunal therefore we continue the order of appointment of Mr. Rao as amicus curiae in these matters.

Let the Notice be issued to the counsel who were appearing in the matter before the Hon'ble Supreme Court of India as well as the Resident Commissioner at New Delhi.

Item No. 19

M.A. No. 1172 of 2015 (I.A. No. 2363 of 2008), M.A. No. 1173 of 2015 (I.A. No. 2363 of 2008), M.A. No. 1174 of 2015 (I.A. No. 3062 of 2011) In W.P. (C) No. 202 of 1995

Learned counsel appearing for DDA accepts Notice.

List this matter for arguments on 09th December, 2015.

In the meanwhile, Registry will enquire whether all the records have been received from the Registry of the Hon'ble Supreme Court of India. If not, immediate steps would be taken by the Registry of the Tribunal to procure all the records from the Registry of the Hon'ble Supreme Court of India.

Liberty is granted to the parties to file written submission within two weeks from today.

The date fixed for tomorrow stands cancelled.

Let all requirements like pagination and other requisite work be done before the next date of hearing.

Learned counsel appearing for MoEF prays for time to seek instructions in the matter.

Learned Counsel appearing for Mr. A.D.N. Rao, Adv. who was appointed as Amicus Curiae on behalf of CEC submits that Mr. Rao would be willing to appear before the

Tribunal therefore we continue the order of appointment of Mr. Rao as amicus curiae in these matters.

Let the Notice be issued to the counsel who were appearing in the matter before the Hon'ble Supreme Court of India as well as the Resident Commissioner at New Delhi.

**Original Application No. 495 of 2015 In Civil Writ
Petition No. 688 of 2013**

Nobody is present on behalf of the Applicant.

Notice be issued to the Learned counsel appearing for the Applicant.

Service is complete.

Learned counsel appearing for the State of Haryana and MoEF and learned amicus curiae respectively accept Notice.

List this matter on 11th January, 2016 for arguments.

In the meanwhile, Registry will enquire whether all the records have been received from the Registry of the Hon'ble Supreme Court of India. If not, immediate steps would be taken by the Registry of the Tribunal to procure all the records from the Registry of the Hon'ble Supreme Court of India.

Liberty is granted to the parties to file written submission within two weeks from today.

The date fixed for tomorrow stands cancelled.

Let all requirements like pagination and other requisite work be done before the next date of hearing.

Learned counsel appearing for MoEF prays for time to seek instructions in the matter.

Learned Counsel appearing for Mr. A.D.N. Rao, Adv.

who was appointed as Amicus Curiae on behalf of CEC submits that Mr. Rao would be willing to appear before the Tribunal therefore we continue the order of appointment of Mr. Rao as amicus curiae in these matters.

In all these above matters Notice be also issued to the Member Secretary of CEC – Mr. M.K. Jiwarajka.

.....,CP
(Swatanter Kumar)

.....,EM
(Prof. A.R. Yousuf)

