BEFORE THE NATIONAL GREEN TRIBUNAL, PRINCIPAL BENCH, NEW DELHI

Original Application No. 473 of 2015 (M.A. No. 10/2016, M.A. No. 296/2017, M.A. No. 490/2017, M.A. No. 1067/2017 & M.A. No. 1381/2017)

IN THE MATTER OF:-

Gauri Maulekhi Vs. State of J&K & Ors.

CORAM : HON'BLE MR. JUSTICE SWATANTER KUMAR, CHAIRPERSON HON'BLE MR. JUSTICE U.D.SALVI, JUDICIAL MEMBER HON'BLE DR. NAGIN NANDA, EXPERT MEMBER

Present: Applicant:

Respondents:

Mr. Aditya Singla, Ms. Priyanka Bhajai, Ms. Ambika Nijjar and Mr. Mohit Pandey, Advs. Ms. Sakshi Popli, Adv. for Ministry of **Environment, Forest and Climate Change** Mr. Keshav Thakur, adv for Amarnath Shrine **Board (CEO) Umang Narula** Mr. Gursimarn Singh, Adv (proxy) Mr. Renu Gupta, Adv, Mr. G.M. Kawoosa, Adv. for State of Jammu & Kashmir Mr. B.V. Niren, Adv. for MoUD and Mr. Vinayak Gupta, Adv. Ms. Gauri Mavlikin, Ms. Priyanka Banjni, Ms. Pretti Sinha and Mr. Mohit Pandey, Advs. Ms. Renu Gupta and Mr. Umang Narula, Advs.

Orders of the Tribunal Date and Remarks Upon direction The matter has been taken up upon the direction of of Tribunal the Tribunal keeping in view the fact that the order of the December 14, 2017 Tribunal dated 13th December, 2017 has not been correctly reported at different quarters. It has also been mentioned by the Learned Counsel appearing for the parties. In order to avoid any ambiguity or misconception or misconstruing of our order, we consider it appropriate to clearly state the content of the earlier order of the Tribunal and what the Tribunal actually directed. We direct as follows: 1. The Tribunal vide its order dated 13th December, 2017 has neither intended nor actually declared the entire area falling under the Amarnath Ji Shrine Board as a Silence Zone.



Upon

direction of Tribunal

December

14, 2017

- 3. On the last stairs proximately 30 steps leading to the holy cave, it should be ensured that no person/pilgrim/devotee carry any material as it is already the practice of the Board. We make it clear that the stairs which are below these stairs, we place no restriction of any kind.
- 4. The one way queue of visitors/pilgrim will be maintained at the Shrine.
- 5. These directions would be complied with by all concerned.
- 6. This direction in our considered view is required to maintain the sanctity and pristine condition of the holy cave on the one hand while on the other to ensure that there are no adverse impacts of noise, heat, vibrations etc. upon the Amarnath Ji Maha Shivling, so that the pilgrims coming in the later part of the limited period available to the pilgrimage are also able to have the Darshan of the Amarnath Ji Maha Shivling.
- 7. This restriction shall not apply to the daily Aarti that is performed.

The order dated $13^{\rm th}$ December, 2017 shall be read

as part of this Order. Upon direction The copy of this Order shall be sent forthwith to the of Tribunal Secretary, MoEF & CC, Chief Secretary, Jammu & December 14, 2017 Kashmir, CEO of the Amarnath Ji Shrine Board and the Local Authorities of that area by the Registry without default. List this matter on 18th January, 2018, the date already fixed.,СР (Swatanter Kumar)JM (U.D. Salvi),EM (Dr. Nagin Nanda) INAL