

BEFORE THE NATIONAL GREEN TRIBUNAL, PRINCIPAL BENCH, NEW DELHI

Original Application No. 19/2012

Subir Mario Chowfin Vs. Union of India & Ors.

CORAM: HON'BLE SHRI JUSTICE DR. P. JYOTHIMANI, JUDICIAL MEMBER
HON'BLE DR. G.K. PANDEY, EXPERT MEMBER
HON'BLE PROF. A.R. YOUSUF, EXPERT MEMBER
HON'BLESRI RANJAN CHATTERJEE, EXPERT MEMBER
HON'BLE MR. B. S. SAJWAN, EXPERT MEMBER

Applicant/Appellant : Ms. Parul Gupta, Adv.
Respondent No. 1 : Not Present
Respondent No. 2 : Dr. Abhishek Atrey along with Mr. Aishverya Shandilya, Advs.

Date and Remarks	Orders of the Tribunal
Item No. 4 September 23, 2013	<p>As per the earlier order of this Tribunal dated 11.09.2013, the Learned Counsel appearing for the State of Uttarakhand has produced before us an Office Memorandum dated 20.09.2013 nominating the Expert Committee consisting of :</p> <ol style="list-style-type: none">1. Deputy Conservator of Forest of the Regional Office of the MoEF.2. District Magistrate, Pauri, Garwal.3. Divisional Forest Officer, Kalagarh.4. District Forest Officer, Garwal, Pauri.5. Working Plan Officer, Lansdowne of Forest Department, Lansdowne. <p>It is stated by the Learned Counsel that the list has been sent to the MoEF for the purpose of its approval as it is mentioned in the Office Memorandum itself.</p>

There is no representation on behalf of the Respondent No. 1 (MoEF). It is unfortunate that the MoEF, who is the necessary party, has not been present. We make it clear that if there is no representation on behalf of the MoEF on the next date of hearing, this Tribunal may be constrained to take coercive steps.

The MoEF is directed to take early decision on the nomination of the first person in the list, namely, Ms. Prachi Gangwar, Deputy Conservator of Forest as a Member of the Expert Committee.

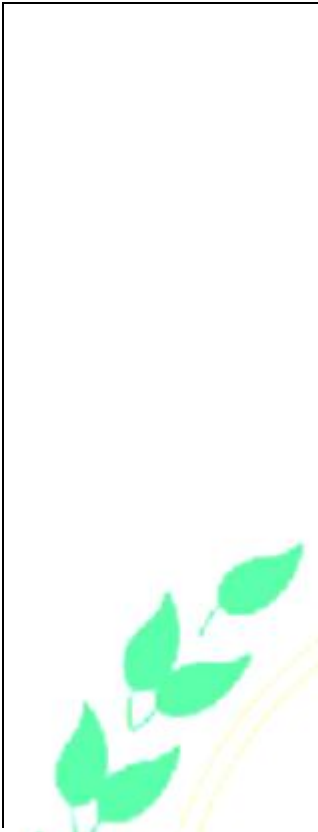
The State Government in the meantime shall nominate one among the five persons of the Expert Committee to act as Chairperson, and send to the MoEF forthwith. We also make it clear that the MoEF while granting approval in the event of conducting spot inspection shall make public hearing and in any event give opportunity to the Applicant also to participate in the same.

Stand over to 11th October, 2013.

....., JM

(Dr. P. Jyothimani)

....., EM



(Dr. G.K. Pandey)

....., EM

(Prof. A.R. Yousuf)

....., EM

(Ranjan Chatterjee)

....., EM

(B.S. Sajwan)

