

BEFORE THE NATIONAL GREEN TRIBUNAL, PRINCIPAL BENCH, NEW DELHI

Application No. 278/2013

Braj Foundation V/s Govt. of U.P. & Ors.

**CORAM:** HON'BLE SHRI JUSTICE DR. P. JYOTHIMANI, JUDICIAL MEMBER  
HON'BLE SHRI JUSTICE S.N. HUSSAIN, JUDICIAL MEMBER  
HON'BLE DR. G.K. PANDEY, EXPERT MEMBER  
HON'BLE PROF. A.R. YOUSUF, EXPERT MEMBER  
HON'BLES HRI BIKRAM SINGH SAJWAN, EXPERT MEMBER

**Applicant / Appellant** : Mr. Rakesh Munjal, Sr. Adv, Ms. Anita Pandey, Adv. and Ms. Yashita Munjal, Adv.

Date and Remarks	Orders of the Tribunal
<p><b>Order No. 1</b> <b>September 18,</b> <b>2013</b></p>	<p>We have heard the Learned Sr. Counsel for the Applicant. The issue involved in this case is about the allegation of non-forestry activities being done in the forest area which is Braj area to the extent of 5000 Acres of land in the forest area towards Mathura, Uttar Pradesh , Haryana and Rajasthan. The Trust has taken up the work of afforestation in Vrindavan and Mathura in the forest area stated to be comprised of 5000 Acres as Braj area. The allegation as submitted by the Learned Sr. Counsel is that by a Memorandum of Understanding, agreed, the Applicant trust has been agreed to be empowered to involve in the afforestation activities in the area funded by some of the entrepreneurs. In spite of the same, to which Government is the party, allegation is that the 3<sup>rd</sup> Parties are unauthorisedly involving in concretization work in the forest area.</p> <p>Thus, in our view it is a case of serious concern since it is the duty of the Government especially Respondent No. 3 and Respondent No. 4 to see that the forest area in the said place is maintained properly. When an organization like the Applicant has come forward to help the Government, which has been agreed upon, it is not known as to how any unauthorised 3<sup>rd</sup> Parties can be permitted to do some activity in the forest area.</p>

In such view of the matter, the above application is admitted. There shall be an interim order of *status-quo* to be maintained by all the parties which exist as on date. It is made clear that no further construction shall be put up in the Braj area. The Chief Secretary of Uttar Pradesh, Rajasthan and Haryana are directed to ensure that no new projects or industrial activities or construction are permitted or allowed in the Braj area till the next date of hearing.

Since we are of the view that the aforesaid Chief Secretary, Government of Rajasthan and Chief Secretary, Government of Haryana are necessary parties, they are added as Respondent No. 5 and Respondent No. 6 respectively. Registry to carry out necessary amendments. Issue notices. Dasti and private notice is also permitted.

Stand over to 30<sup>th</sup> September, 2013.

....., JM  
(Dr. P. Jyothimani)

....., JM  
(S.N. Hussain)

....., EM  
(Dr. G.K. Pandey)

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

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

