

Item No. 04

Court No. 1

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

Original Application No. 112/2024
(I.A. No. 45/2024)

Chaudhary Yashwant Singh

Applicant

Versus

Union of India & Ors.

Respondent(s)

Date of hearing: 02.02.2024

**CORAM: HON'BLE MR. JUSTICE PRAKASH SHRIVASTAVA, CHAIRPERSON
HON'BLE DR. A. SENTHIL VEL, EXPERT MEMBER**

Applicant: Mr. Abhishek Kumar Chaubey, Adv. for Applicant (Through VC)

ORDER

1. In this original application, Applicant has raised the grievance that the Project Proponent in collusion with the Uttar Pradesh State Highway Authority and other concerned officers has illegally constructed/operating toll tax plaza (toll fee collection booth)/hot mix plant at Village Belkhara, Pargana-Ahaura, Tehsil Chunar, District Mirzapur on Araj No. 291 Mi in area of 15 Bigha which has been declared as Forest Land.
2. Submission of learned Counsel appearing for the Applicant is that no NOC has been taken and the forest land has not been converted and that though the permission was granted for operating 3 toll plazas but no such permission has been granted to toll plaza in question which is operating in violation of environmental norms.
3. The OA raises substantial issue relating to compliance of the provisions of Scheduled enactments.

4. Issue notice to the respondents. Applicant is directed to serve the respondents and file affidavit of service atleast one week before the next date of hearing.

5. Respondent No. 6 is directed to file the report reflecting the factual position in respect of location and operation of toll plaza in question especially in reference to the allegation of its setting up in the forest land without permission.

6. List on 10.04.2024.

Prakash Shrivastava, CP

Dr. A. Senthil Vel, EM

February 02, 2024
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DV.