

Item No. 12

Court No. 2

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

Original Application No. 646/2023

Manoj Kumar Kaushal	Versus	Applicant
State of Himachal Pradesh & Ors.		Respondent

Date of hearing: 09.08.2024

**CORAM: HON'BLE MR. JUSTICE SUDHIR AGARWAL JUDICIAL MEMBER
HON'BLE DR. AFROZ AHMAD, EXPERT MEMBER**

Applicant:	Applicant in Person
Respondents:	Mr. Raj Kumar, Advocate for State of H.P. Ms. Vineeta Tiwari, Advocate for HPSPCB.

ORDER

1. Issue of illegal cutting of trees of more than 9930 and non-construction of Common Effluent Treatment Plans has been raised by applicant by means of a letter petition dated 10.07.2024 whereupon this application under Section 14 & 15 of National Green Tribunal Act, 2010 (hereinafter referred to as '**NGT Act, 2010**'), in exercise of suo-moto jurisdiction was registered by this Tribunal, as per law laid down in *(2022)13 SCC 401, Municipal Corporation of Greater Mumbai v. Ankita Sinha & Ors.*

2. Tribunal vide order dated 08.01.2024 impleaded following respondents:

(1) State of Himachal Pradesh, through Chief Secretary,
Government of Himachal Pradesh

(2) Principal Secretary, Industries, Government of Himachal Pradesh,

(3) District Magistrate, Una,

(4) Divisional Forest Officer, Una and

(5) Himachal Pradesh Pollution Control Board through its Member Secretary

3. Replies have been filed by Himachal Pradesh State Pollution Control Board (hereinafter referred to as '**H.P SPCB**'), Divisional Conservator of Forest, Una, and District Magistrate, Una on behalf of respondents 1,2 and 3.

4. We do not find any specific reply with regard to cutting of trees and authority under which the said trees were cut. With regard to CETP also, we do not find any reply.

5. In these facts and circumstances and in absence of any assistance from respondents counsels and from responses received, we find no option but to direct Principal Secretary, Industries, Government of H.P as well as Principal Chief Conservator of Forest, H.P to appear in person before Tribunal on the next date. They are at liberty to file their response to clarify above two aspects and about compensatory afforestation for which as per the DFO, Una a sum of Rs. 77,40,900/- was deposited by User Agency.

6. List on 06.09.2024.

Sudhir Agarwal, JM

Dr. Afroz Ahmad, EM

August 09, 2024
Original Application No. 646/2023
AB