

Item No.1

(Court No. 2)

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

(Through Physical Hearing with Hybrid VC Option)

Original Application No. 318/2023

Ashok Kumar

...Applicants

Versus

Defence Estate Officer

...Respondents

Date of hearing: 04.05.2023.

**CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI, JUDICIAL MEMBER
HON'BLE DR. AFROZ AHMAD, EXPERT MEMBER**

Applicant: None.

Application under Sections 14 and 15 of the National Green Tribunal Act, 2010.

ORDER

1. The applicant has filed present application under Sections 14 and 15 of the National Green Tribunal Act, 2010 praying for stoppage of the cutting of trees and grant of reasonable opportunity to participate in the auction for sale/cutting of the same.

2. The applicant has submitted that Defence Estate Officer, Kendriya Sadan, Chandigarh has sold 1416 eucalyptus trees of one lot and 1384 and 3800+ eucalyptus trees in other lot in Ammunition Depot Dappar for cutting of the same to one Jindal Enterprises for very meager amount without inviting any bids and without following the rules. The applicant has further complained that one such lot of trees has already been cut and the lot of 1384 and 3800+ trees is being cut while lot of 1416 is still to be cut. The applicant submitted application dated 17.04.2023 to the concerned authorities but no action has been taken on the same.

3. None has appeared for the applicant.

4. We have gone through the application and the documents attached with the same.

5. The averments made in the application do not raise any substantial question relating to environment arising out of implementation of the enactments specified in Schedule 1 of the National Green Tribunal Act, 2010. The applicant has not made any averment regarding cutting of eucalyptus trees from any protected forest area or without permission from the competent authorities. On the other hand, grievances of the applicant emerging from the averments made in the application are regarding illegalities in sale of eucalyptus trees which is stated to have been made in violation of the rules by not conducting proper auction by inviting bids from the interested persons. In these facts and circumstances, we are of the considered view that no case is made out for intervention by this Tribunal in exercise of its jurisdiction under the National Green Tribunal Act, 2010.

6. Accordingly, the application is disposed of with liberty to the applicant to avail appropriate remedies in accordance with the law.

Arun Kumar Tyagi, JM

Dr. Afroz Ahmad, EM

May 04, 2023

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