

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

Original Application No. 216 of 2016

Rajiv Dutta Vs. Union of India & Ors.

**CORAM : HON'BLE MR. JUSTICE SWATANTER KUMAR, CHAIRPERSON
HON'BLE MR. BIKRAM SINGH SAJWAN, EXPERT MEMBER
HON'BLE MR. RANJAN CHATTERJEE, EXPERT MEMBER**

Present: **Applicant:**
Respondent No.1: **Mr. Krishna Kumar Singh, Adv.**
Respondent No. 2 : **Mr. Vivek Singh and Mr. Vinayak Gupta, Adv.**
Respondent No. 4 **Mr. Raj kumar Adv. and Mr. Bhupendra Kumar, LA.CPCB**
 Mr. Mukesh Verma and Mr. Bikash Kumar Sinha, Adv. for
 UPPCB
 Mr. Rajkumar, Adv. and Mr. Bhupendra Kumar, LA
 Mr. Rajiv Dutta, Sr. Adv., Mr. Kumar Dushyant Singh and
 Mr. Siddharth Dutta, Adv.
 Mr.D. K. Thakur AAG with Ms. Seema Sharma, DAG, for
 State of Himachal Pradesh
 Mr. Anil Chandel and Mr. Devendra Dedha, Adv.

	Date and Remarks	Orders of the Tribunal
	<p>Item No. 15 January 27, 2017 ss</p>	<p>Learned Counsel appearing for Ministry of Environment, Forest and Climate Change has placed on record a chart to show the status of the CMP submitted by different State Governments, out of which CMP of 4 States has been approved and the balance are pending now. It, however, shows the pathetic state of affairs. At this stage, we refrain from making any comment or passing any harsh Order, though it is apparent that the Ministry needs to act with some expeditiousness and ensure protection of forests from fires reoccurring time and again.</p> <p>Mr. A.K. Mohanty, Deputy Inspector General of Forest is present and he assures the Tribunal that he would take immediate steps to consider, deal with and finally dispose of all the CMPs of the State which are pending as of today. He further assures that with reference to the National Guidelines issued by the Ministry of Environment, Forest and Climate Change for protection of forest from forest fires, he would prepare the directions under Environment (Protection) Act, 1986 that need to be</p>

	<p>Item No. 15</p> <p>January 27, 2017</p> <p>ss</p>	<p>issued to the respective States, Pollution Control Boards and particularly the Forest Departments of the respective States.</p> <p>In view of what has been submitted by the Learned Counsel appearing for the MoEF and the Officer present, we pass the following directions:</p> <ol style="list-style-type: none">1. By 30th January, 2017, the mail shall be sent by him to all the State Governments through their Chief Secretaries and the Secretary concerned and the Department concerned of the State Government pointing out the pendency of their CMPs and the deficiencies thereof.2. In the mail sent to them, the date on which the concerned Officers, who are to be the Senior Officers of their Department, would be called for meeting along with the time. Time for meeting shall be provided with effect from 6th February, 2017 everyday and on day-to-day basis.3. Immediately, thereafter, upon furnishing of all the requisite information it should be ensured by all concerned without delay and default that final orders of approval or rejection of the CMP should be passed by the Ministry of Environment, Forest and Climate Change.4. With reference to the National Guidelines for protecting forest fires, directions shall be prepared by Ministry of Environment, Forest and Climate Change and placed before the Tribunal which Ministry may propose to exercise in terms of the power vested in it in terms of Section 3 and 5 of the
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	<p>Item No. 15</p> <p>January 27, 2017</p> <p>ss</p>	<p>Air (Prevention and Control of Pollution) Act, 1981 read with Environmental (Protection) Act, 1986 and Forest (Conservation) Act, 1980.</p> <p>Let the compliance be carried out by the Ministry now without any delay and default and the matter be listed before the Tribunal on 20th March, 2017.</p> <p>.....,CP (Swatanter Kumar)</p> <p>.....,EM (Bikram Singh Sajwan)</p> <p>.....,EM (Ranjan Chatterjee)</p>
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