

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

Original Application No. 432 of 2015

Ashwini Kumar Vs. Union of India & Ors.

**CORAM : HON'BLE DR. JUSTICE JAWAD RAHIM, JUDICIAL MEMBER
HON'BLE MR. JUSTICE RAGHUVENDRA S. RATHORE, JUDICIAL MEMBER
HON'BLE MR. JUSTICE S.P. WANGDI, JUDICIAL MEMBER
HON'BLE DR. SATYAWAN SINGH GARBYAL, EXPERT MEMBER**

Present: Applicant:

Respondents: Mr. M. C. Chandrapati Rao, applicant in person
Mr. Pragyan Pradip Sharma and Ms Anandini Kumari advs.
for State of Mizoram and PCB
Mr. G. M. Kawoosa Adv. for State of J&K and PCB
Respondent No. 10 & 38: Mr. Anil Grover, AAG alongwith Mr. Rahul Khurana Adv.
Mr. R. Rakesh Sharma, Adv. and Mr. V. Mowli, Adv. for State
of TN & TNPCB
MR. Daniel Stone Lyndoh, Adv.
Mr. Shuvodeep Roy, Mr. Vinayak Gupta advs.
Mr. Ajay Marwah, Adv.
Dr. Abhishek Attrey and Mr. Harshit Kaushik, advs.
Mr. Edward Belho, AAG, Mr. K. Luikang Michal,
and Ms. Hoineithiam, Advs. for State of
Nagaland
Mr. Jogy Scaria and Mr. Miranda Soloman, Adv. for Kerala
Pollution Control Board
Mr. Parth Bhatt and Mr. Tushar Mehta, Advs. for State of
Gujarat
Mr. Abhinav Mukerji AAAG and Ms. Purnima and Mr.
Bihu Sharma, advs
Mr. Anil Grover AAG with Mr. Rahul Khurana and Mr. Mishal
Vij, Advs.
Mr. Nishe Rajen Shonker and Ms. Anu K. Roy, Mr. Alim
Anvar Adv. State of Kerala
Ms. Aruna Mathur, Mr. Avneesh Arputham and Mr. Anuradha
Arputham, Ms. Simran Jeet, Advs. for State of Sikkim and
PCB
Ms. Rajdipa Behura and Mr. Philomon Kani and Ms. Damini
K. advs.
Mr. Anshuman Srivastava, adv
Mr. Kamaljeet Singh adv.
Ms. Priyanka Sinha Adv. for the State of Jharkhand.
Mr. Tarunvir Singh Khehar, Mr. Sandeep Mishra and Ms.
Guneet Khehar, Advs. for GNCTD
Ms. Shashi Juneja, Adv. for State of Chattisgarh
Mr. Shuvodeep Roy and Mr. Vinayak Gupta, Advs. for State
of Assam
Ms.D. Bharathi Reddy and Ms. Vidyottma, advs
Mr. L. Roshmani Kh., Adv. for Manipur
Dr. Vijendra Mahudiyani and Ms. Pallavi Awasthi, Advs.
Mr. Bhanwar Pal Singh, Adv for state of UP
Dr. Abhishek Atrey, for Ministry of Environment, Forest and
Climate Change
Mr. Gopal Singh and Mr. Rituraj Biswas, Advs. for State
of Tripura and PCB
Mr. Anil Shrivastava and Ms. Sujaya Bardhan, Mr. Rituraj
Biswas Advs. for State of Arunachal Pradesh and PCB
Mr. V.K. Shukla alongwith Ms. Vijay Laxmi, Advs. for State of
M.P.
Mr. Gautam Singh, adv.
Mr. Piyush Sachdev and Ms. Abhinandini Yadav, Mr. Raja
Chaterjee Advs. for State of West Bengal and PCB
Mr. B.V. Niren and Mr. Vinayak Gupta, Advs. for
Ministry of Agricultural and NBA
Ms. Kamal Jeet Singh, AAG for State of Punjab
Mr. Gautam Singh and Mr. Shoeab Alam for State of
Bihar
Mr. Naginder Benipal, Adv.
Mr. Devraj Ashok, adv
Dr. Vinendra Mahndiyani, advs. for State of UP
Mr. Guntur Prabhakar and Mr. Guntur Pramod Kumar and
Mr. Gautam Prabhakar Advs.
Ms. Priyanka Sinha, Adv

	Date and Remarks	Orders of the Tribunal
	<p>Item No. 16</p> <p>March 01, 2018</p> <p>A</p>	<p>On behalf of Ministry of Agriculture it is submitted that in pursuance to the order of this Tribunal dated 01st February, 2018 a meeting was conducted and minutes of the proceedings as also the Affidavit is filed on 05th February, 2018 served copy of the same on the Applicant. The Applicant who is present submits that copy of the Affidavit given to him shows it contempt the same statement as were made by the Respondent concerned in the earlier Affidavit. Thus, he submits no reply or rejoinder is necessary.</p> <p>We had perused the proceedings. We had in our order dated 01st February, 2018 indicated that Affidavit should be filed incorporating the details of the decisions, resolutions passed in the meeting for ascertainment of what were issued and finalized. Application filed by the Ministry contains only the minutes without such material. The Applicant is justified in pointing out to the fact that what the Tribunal required Respondents to furnish information has not been done.</p> <p>The main grievance of the Applicant is indigenous species of cows is adversely affected and protective action is necessary. He sought order against the destruction of that species which has reached an alarming position.</p> <p>In the circumstances pending consideration of the case on the merit, we direct impleading of the following Authorities for proper adjudication:-</p> <ol style="list-style-type: none"> 1. The State Pollution Control Board of each of the States who are impleaded in this case as the

	<p>Item No. 16</p> <p>March 01, 2018</p> <p>A</p>	<p>Respondents.</p> <p>2. The National Wildlife Welfare.</p> <p>Issue Notice to them.</p> <p>The Notice shall be served through the respective Secretary of Environment.</p> <p>Learned counsel appearing for the Punjab Pollution Control Board, Sikkim Pollution Control Board, Jammu & Kashmir Pollution Control Board, Madhya Pradesh Pollution Control Board, Tamil Nadu Pollution Control Board, Mizoram Pollution Control Board, Arunachal Pradesh Pollution Control Board, Tripura State Pollution Control Board, West Bengal Pollution Control Board and Kerala Pollution Control Board accept Notice and waive service.</p> <p>Copy of the Application be furnished to them. Replies be filed by them within two weeks.</p> <p>List this matter on 17th April, 2018.</p> <p>.....,JM (Dr. Jawad Rahim)</p> <p>.....,JM (Raghuvendra S. Rathore)</p> <p>.....,JM (S.P. Wangdi)</p> <p>.....,EM (Dr. Satyawan Singh Garbyal)</p> <p>01.03.2018</p>
--	--	---