

Aref (FCA)



ABSTRACT

WR1  
L.O.  
FCA

-The National Green Tribunal, Chennai - Appearance of counsels - Granting permission Orders - Issued.

**ENVIRONMENT AND FORESTS (FR.13) DEPARTMENT**

**G.O.(Ms.)No.164**

**Dated : 09.07.2012**

**Read:**

1. From the Principal Chief Conservator of Forests letter Ref. No.WR1/39165/2010, dated 16.3.2012.
2. Government letter No.6283/FR.13/2012, dated 22.6.2012
3. Learned Advocate General Government of Tamil Nadu letter dated 6.07.2012

**ORDER:-**

In the letter first read above, the Principal Chief Conservator of Forests has stated that the National Green Tribunal Act, 2010 was enacted to provide for the establishment of the National Green Tribunal for effective and expeditious disposal of cases relating to environmental protection and conservation of forests and other natural resources including enforcement of any legal right relating to environment and giving relief and compensation for damages to persons and property and for matters connected therewith or incidental thereto. This Act came into force with effect from 18.10.2010.

2. The following dignitaries have been-appointed as the Chairman and Members of the National Green Tribunal by the Central Government,

1. Shri. Justice L.S. Panta, Former Judge - Chairperson  
of the Supreme Court of India
2. Shri. Justice M.N. Krishnan, Former - Member  
Judge of High Court of Kerala
3. Shri. Justice A. Suryanarayan Naidu, - Member  
Former Judge of High Court of Odissa
4. **Shri Justice C. Venkata Ramulu, - Member**  
**Former Judge of High Court of Andhra**  
Pradesh

3. Further, the Government of India in the Notification No.815, dated 5.5.2011 appointed the following persons as the Expert Members of the National Green Tribunal:-

- (i) Shri. R. **Nagendran**, Flat - B, 46/40, **MGR Road, Kalashetra**  
Colony, **Besant Nagar**. Chennai 600 090

(P.T.O.)

- (ii) Shri. Devendra Kumar Agrawal, 1523, Sector.C, Pocket-I, Vasant Kunj, New Delhi - 70
- (iii) Shri. Vijai Sharma, 113, New Motibagh, New Delhi - 23.
- (iv) Shri Gopal Krishna Pandey, 494, B-8, Paryatan Vihar, Vasundhara Enclave, New Delhi 96.

4. The Government of India in the Notification dated 17.08.2011 issued notification specifying the five ordinary places of sitting of the National Green Tribunal. One among them is Southern Zone and the place of sitting of the National Green Tribunal and Territorial jurisdiction areas are as indicated below:-

Sl.No.	Zone	Place of sitting	Territorial Jurisdiction
4.	Southern	Chennai	Kerala, Tamil Nadu, Andhra Pradesh, Karnataka, Union Territories of Puduchery and Lakshadweep

5. The Principal Chief Conservator of Forests has also stated that the Special Government Pleader (Forests), High Court, Chennai has informed that in view of the establishment of Circuit Bench, all sensitive matters regarding the Forest and Environment Departments are to be transferred from the Hon'ble Madras High Court to the Green Bench Tribunal. As they are already handling the said matter in the High Court, it would be appropriate for the Government to issue necessary orders for the following Law Officers to appear before the Green Bench representing the Environment and Forest Department.

1.	Thiru <b>M.K.Subramanian</b>	-	<b>Special Government Pleader (Forests)</b>
2.	Thiru. <b>Abdul Saleem</b>	-	<b>Additional Government Pleader (Forests)</b>
3.	Thiru. <b>K. Muralidharan</b>	-	<b>Government Advocate (Forests)</b>
4.	Thiru. <b>N. Inbanathan</b>	-	<b>Government Advocate (Forests)</b>

6. He has added that the above Law Officers have been defending the interest of the Forest & Environment Department in all civil matters in the High Court already. The Law Officers are paid the retainer fees and other allowances. They may raise only fee for appearances in the National Green Tribunal as per the Rules in force. There will be no further additional expenditure except the payment of appearance / pleading fees.

7. Hence, the Principal Chief Conservator of Forests has requested the Government to issue necessary orders to permit the four Legal Officers mentioned in para 5 above to appear before the National Green Bench Tribunal to represent the Forest and Environment Departments.

(P.T.O.)

8. In the Government letter second read above the opinion of the Learned Advocate General Government of Tamil Nadu was sought for to permit the Legal Officers to appear before the National Green Tribunal, Chennai.

Q. In the letter third read above, the Learned Advocate General, Government of Tamil Nadu has suggested that the following Legal Officers who are having more than 10 **years of standing at Bar and well versed in dealing with Writ matters relating to** environment protection and conservation of natural resources may be permitted to appear in the National Green Tribunal Chennai to represent Environment and Forest Department:-

1. Tr.M. **K.Subramanian**,  
**Special Government Pleader** (Forests),  
High Court, Chennai-600 104
2. Tr.Abdul **Saleem**,  
**Special Government Pleader** (Forests),  
High Court, Chennai-600 104

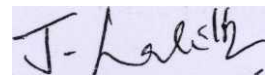
10. The Government **after examining** the proposal of the Principal Chief Conservator of Forests and based on the opinion of the Learned Advocate General, Government of Tamil **Nadu**, permit Thiru M.K. Subramanian, Special Government Pleader (Forests) and Thiru. Abdul Saleem, Special Government , Pleader (Forests) to appear before the National Green Tribunal, Chennai as counsels to represent the Environment and Forest Department.

(BY ORDER OF THE GOVERNOR)

C.V.SANKAR  
PRINCIPAL SECRETARY TO GOVERNMENT

To  
The Principal Chief Conservator of Forests, Chennai - 15.  
The Director of Environment, Chennai - 15.  
Thiru M.**K. Subramanian**,  
Special Government Pleader (Forests)  
High Court, Chennai-104  
Thiru. Abdul Saleem,  
Special Government Pleader (Forests)  
High Court, Chennai - 104.  
The Accountant General, Chennai - 18/35.  
National Informatics Centre, Chennai-9.  
**Copy to:**  
Hon'ble Chief **Minister's** Office, **Chennai - 9.**  
The Special Personal Assistant to Hon'ble Minister (Forests), Chennai - 9.  
The Special Personal Assistant. to Hon'ble Minister (Environment), Chennai - 9.  
The Special Personal Assistant to Hon'ble Minister (Commercial Tax ' and Registration,  
Law, Courts and Prisons), Chennai - 9.  
The Law Department, Chennai - 9.  
The Public Department, Chennai - 9.  
All Sections, Environment and Forests Department, Chennai-9.

/FORWARDED BY ORDER/



SECTION OFFICER