

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH AT KOLKATA**

(Filed under Sections 14 and 15 of the National Green Tribunal Act, 2010)

ORIGINAL APPLICATION NO.200 OF 2024

IN THE MATTER OF

DR. R.K. SINGH

...APPLICANT

VERSUS

UNION OF INDIA & ORS.

....RESPONDENTS

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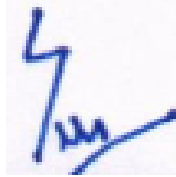
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Vakalatnama

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THROUGH



(SAURABH SHARMA)

(BIJAY KUMAR)

Advocates

Counsels for Applicant

Chamber No. 746, Lawyers Chamber Block,

Saket, New Delhi

E-mail: saurabh.envirolawyer@gmail.com

(M): 9810983559

Place:- New Delhi

Dated: 20.09.2024

SYNOPSIS

The present Application has been filed under Sections 14 and 15 read with 20 of the National Green Tribunal Act, 2010 raising the issue of violation of provisions of the Forest (Conservation) Act, 1980 whereby the Respondent No.3 and 5 are allowing for the carrying on of Non-Forest Activity like construction of buildings and quarrying of stones in a notified forest land, which clearly violates the provisions of Section 2 of the Forest (Conservation) Act, 1980 and also orders and directions passed by the Hon'ble Supreme Court of India in W.P. 202 of 1995, ***T.N.Godavarman Thirumulpad vs. Union of India, AIR 1997 SC 1228.***

That the Applicant is a person well known for working on the issue of conservation of Environment, Forest and Wildlife since 1993. The Applicant has spent a large part of his life at Jharkhand. On 29.07.2024 the Applicant came across an article published in Ranchi Express newspaper wherein it has been reported to the effect that more than 95 acres of forest land has been encroached and being subjected to non-forest use.

That an area of 95.65 acres in plot numbers 426, 450, 483, 554 and 479 in mouza Tetulia, Thana no. Chas 38, is a Protected Forest (PF) duly notified vide gazette notification No. C/F-17014/58-1429 R dated 24.05.1958 issued by Govt. of Bihar, Patna, u/s 29 of Indian Forest Act. It has been learnt that notified forest land in plot Nos. 426 and 450 of Village Tetulia, Non-Forestry work such as construction of building is being carried out without approval of the Competent

Authority i.e MoEF&CC, Government of India. The Google Images of the Plot clearly shows that in recent ti,e, non-forestry work has been going on unabated. Photos show devastation of forest land being carried out on notified forest land, which clearly violates the provisions of Section 2 of the Forest (Conservation) Act, 1980 and also orders and directions passed by the Hon'ble Supreme Court of India in W.P. 202 of 1995, ***T.N.Godavarman Thirumulpad vs. Union of India, AIR 1997 SC 1228.*** Therefore, the Applicant is invoking the jurisdiction under Section 14 and 15 of the NGT Act, 2010 as the issue in hand is related to violation of a Schedule I enactment and the law laid down by the Hon'ble Supreme Court of India.

List of Dates and Events

Date	Event
24.05.1958	That an area of 95.65 acres in plot numbers 426, 450, 483, 554 and 479 in mouza Tetulia, Thana no. Chas 38, is a Protected Forest duly notified vide gazette notification No. C/F-17014/58-1429 R dated 24.05.1958 issued by Govt. of Bihar, Patna, u/s 29 of Indian Forest Act.
29.07.2024	The Applicant came across an article published in Ranchi Express newspaper wherein it has been reported to the effect that more than 95 acres of forest land has been encroached and being subjected to non-forest use.
20.09.204	Hence this Petition

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DR. R.K. SINGH

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....RESPONDENTS

MEMO OF PARTIES

DR. R.K.SINGH

SON OF LATE SHRI NITYA NAND SINGH,
AGED ABOUT 59 YEARS,
RESIDENT OF G-600, GAMA 2, GREATER NOIDA,
UTTAR PRADESH
EMAIL ID: drrakeshksingh@gmail.com

VERSUS

1. UNION OF INDIA,

**MINISTRY OF ENVIRONMENT, FOREST & CLIMATE
CHANGE, GOVERNMENT OF INDIA**

THROUGH IT' SECRETARY,
INDIRA PARYAVARAN BHAWAN, JOR BAGH,
NEW DELHI- 110003
EMAIL ID: secy-moef@nic.in

2. STATE OF JHARKHAND

THROUGH IT'S CHIEF SECRETARY
GOVT. OF JHARKHAND
1ST FLOOR, PROJECT BUILDING,
DHURWA, RANCHI- 834004
JHARKHAND
E-MAIL: cs-jharkhand@nic.in

3. DEPUTY COMMISSIONER

BOKARO STEEL CITY,

JHARKHAND-827001

E-MAIL: dc-bokaro@nic.in, / dc_bokaro@rediffmail.com

**4. PRINCIPAL CHIEF CONSERVATOR OF FOREST & HEAD
OF THE FOREST FORCE (HOFF) FORESTS,**

ENVIRONMENT AND CLIMATE CHANGE DEPARTMENT,

VAN BHAWAN,

DORANDA,

RANCHI--834002

JHARKHAND

E-MAIL: pccfjhk@jharkhandmail.gov.in

5. DIVISIONAL FOREST OFFICER

BOKARO FOREST DIVISION

VAN BHAWAN, CHAS BLOCK-B,

J5FH+6PJ, DSP COLONY,

SHIVPURI COLONY,

BOKARO STEEL CITY, CHAS,

JHARKHAND-827013

E-MAIL: dfo-bokaro@gov.in

MOST RESPECTFULLY SHOWETH:

- I. The addresses of the Counsel of Applicant is given for the service of notices of this Application.
- II. The addresses of Respondents are given above for service of notices.

III. The Applicant above-named is filing the present application raising the issue of violation of provisions of the Forest (Conservation) Act, 1980 by carrying on of Non-Forest Activity like construction of buildings and quarrying of stones being carried out in notified forest land, which clearly violation of the provisions of Section 2 of the Forest (Conservation) Act, 1980 and also orders and directions passed by the Hon'ble Supreme Court of India in W.P. 202 of 1995, ***T.N.Godavarman Thirumulpad vs. Union of India, AIR 1997 SC 1228.*** Therefore, the Applicant is invoking the jurisdiction under Sections 14 and 15 of the NGT Act, 2010 as the issue in hand is related to violation of a Schedule I enactment and the law laid down by the Hon'ble Supreme Court of India.

BRIEF FACTS

1. That the Applicant is a citizen of India aged about 59 years who is a well known for working on the issue of conservation of Environment, Forest and Wildlife since 1993. The Applicant has spent a large part of his life at Jharkhand. Currently the Applicant is residing at Greater Noida, Uttar Pradesh. The Applicant is having a Ph.D. degree in wildlife science after pursuing masters in environmental science and actively involved in conservation issues related to environment, forest The Applicant has been member of various important National and State committees such as the State Wildlife Advisory Board, State Expert Appraisal

Committee, State Biodiversity Board and several committees and sub-

committees constituted by MoEF&CC and NTCA etc. The Applicant has filed a number of cases for conservation of Environment before the Hon'ble Supreme Court and the Hon'ble NGT. The Applicant in this case, concerned about the environmental damage being done by the Respondents to a huge forest area and hence is filing this Application.

2. That the Respondent No.1 is the Union of India i.e MoEF&CC is the Central Govt. which is authorized to give approval under Section 2 of the Forest Conservation Act, 1980 which has not been taken in this case for Non-Forest use of notified forest land in plot Nos. 426 and 450 of Village Tetulia, Bokaro Forest Division, Bokaro. The Respondent No.2 is the State of Jharkhand which is responsible for implementation of environmental laws and rules within the jurisdiction of State of Jharkhand. Respondent No.3 is the Deputy Commissioner who is responsible for maintaining law and order within his local Jurisdiction. Respondent No.4 is the Head of the Jharkhand Forest Department who is having a duty of safeguarding and protection of forests within the State of Jharkhand. Respondent No. 5 i.e Divisional Forest Officer who is responsible for safeguarding the forests and enforcing forest related law within his local jurisdiction.

3. That an area of 95.65 acres in plot numbers 426, 450, 483, 554 and 479 in mouza Tetulia, Thana no. Chas 38, is a Protected Forest duly notified vide gazette notification No. C/F-17014/58-1429 R dated 24.05.1958 issued by Govt. of Bihar, Patna, u/s 29 of Indian Forest Act.

Copy of the gazette notification No. C/F-17014/58-1429 R dated 24.05.1958 alongwith it's true typed copy is annexed herewith as **ANNEXURE-A1**

4. That it is submitted that it has been learnt that notified forest land in plot Nos. 426 and 450 of Village Tetulia, Non-Forestry work such as construction of building, metalled road is being carried out without approval of the Competent Authority i.e MoEF&CC, Government of India. The photographs of the Protected Forest (PF) clearly shows that in recently non-forestry work has been going on unabated. Photos and Videos showing devastation of forest land and quarrying of stones being carried out on notified forest land.

Copy of Google image showing the extent of the notified forest land of plots in question herewith as **ANNEXURE-A2.**

Copy of Photographs showing construction activity in the notified forest land is annexed herewith as **ANNEXURE-A3**
(Colly).

5. That it is submitted that Section 2 of the Forest Conservation Act, 1980 states:-

“ 2. Restriction on the dereservation of forests or use of forest land for non-forest purpose.

Notwithstanding anything contained in any other law for the time being in force in a State, no State Government or other authority shall make, except with the prior approval of the Central Government, any order directing-

(i) xxx

(ii) that any forest land or any portion thereof may be used for any non-forest purpose;”

6. That the Hon’ble Supreme Court in ***T.N.Godavarman Thirumulpad vs. Union of India, AIR 1997 SC 1228*** has defined Forests as follows:

“The word “Forest” must be understood according to its dictionary meaning. This description covers all statutory recognized forests whether designated as reserved, protected or otherwise for the purpose of section 2 (i) of the Forests (Conservation) Act. The term “forestland” occurring in section 2, will not only include “forest” as understood in the dictionary sense, but also any area recorded as forest in the government record, irrespective of the ownership.”

Therefore, the Hon’ble Supreme Court has clearly laid down that irrespective of ownership a land recorded as forest in Govt. records is a forest. Therefore, the notified protected forest land of about 95.65 acres in plot numbers 426, 450, 483, 554 and 479 in mouza Tetulia, Thana No. Chas 38 is notified in Govt.

records as a protected forest and therefore, non-forest use of the same cannot be done without Section 2 approval under the Forest (Conservation) Act, 1980.

7. That on 29.07.2024 the Applicant came across an article published in Ranchi Express newspaper wherein it has been reported to the effect that more than 95 acres of forest land has been encroached and being subjected to non-forest use. Copy of the article dated 29.07.2024 published in Ranchi Express newspaper regarding the no-forest use of the notified protected forest is annexed herewith as **ANNEXURE-A4**.

- 9 Therefore, the Applicant is invoking the jurisdiction under Section 14 and 15 of the NGT Act, 2010 as the issue in hand is related to violation of a Schedule I enactment and the law laid down by the Hon'ble Supreme Court of India.

13. That private parties along with their agents and contractors are indulging in unabated construction activity and quarrying hands in glove with Govt. Respondent Nos. 3 and 5 without seeking permission/ approval from the competent authority. Therefore, the Applicant has no option but to approach this Hon'ble Tribunal.

GROUND

Through this application the acts/omissions of the Respondents especially Respondent Nos 3 and 5 are being highlighted by the

Applicant on following among other grounds which the Applicant may take at the time of arguments:-

- A. Because the area of 95.65 acres in plot numbers 426, 450, 483, 554 and 479 in mouza Tetulia, Thana no. Chas 38, is a Protected Forest duly notified vide gazette notification No. C/F-17014/58-1429 R dated 24.05.1958 issued by Govt. of Bihar, Patna, u/s 29 of Indian Forest Act and it has been learnt by the Applicant that notified forest land in plot Nos. 426 and 450 of Village Tetulia, non-forestry work such as construction of building and quarrying is being carried out without approval of the Competent Authority i.e MoEF&CC, Government of India which is violation of the Forests (Conservation) Act, 1980 and law laid down by the Hon'ble Supreme Court of India in ***T.N.Godavarman Thirumulpad vs. Union of India, AIR 1997 SC 1228***
- B. Because the Respondent Nos. 3 and 5 have permitted /failed to control private parties/their agents and contractors in indulging in unabated construction activity and quarrying leading to non-forests use of the forest area with respect to protected forest land in plot Nos. 426 and 450 of Village Tetulia,

- C. Because the Respondent No. 3 and 5 have failed to take any action against the private parties/their agents and contractors and in fact have abetted/encouraged and wilfully connived in allowing construction activities and quarrying in forest area in complete violation of the Forests (Conservation) Act, 1980.
- D. Because use of forest land for any non forest activity requires a prior approval of the Central Government which has not been obtained by any person using such land at the moment.
- E. Because Section 2 of the Forest (Conservation) Act, 1980 states as follows:

“ 2. Restriction on the dereservation of forests or use of forest land for non-forest purpose.

Notwithstanding anything contained in any other law for the time being in force in a State, no State Government or other authority shall make, except with the prior approval of the Central Government, any order directing-

(i) xxx

(ii) that any forest land or any portion thereof may be used for any non-forest purpose;”

However, the Respondents 3 and 5 have failed to stop the illegal construction and other non forest activities in the forest area which are going on in this Protected forest

land without the mandatory permission under section 2 of the Forest (Conservation) Act, 1980.

- F. Because the Hon'ble Supreme Court in ***T.N.Godavarman Thirumulpad vs. Union of India, AIR 1997 SC 1228*** has held that:

“1. In view of the meaning of word “forest” in the Act, it is obvious that prior approval of the Central Government is required for any non-forest activity within the area of any ‘forest’. In accordance with section 2 of the Act, all ongoing activity within any forest in any state throughout the country, without the prior approval of Central Government, must cease forthwith.”

- G. Because the Hon'ble Supreme Court in order and judgment dated 26.09.2005 in W.P No. 202 of 1995 ***T.N.Godavarman Thirumulpad vs. Union of India*** has held that:

“1. Natural resources are the assets of the entire nation. It is the obligation of all concerned, including the Union Government and the State Governments to conserve and not waste these resources. Article 48-A of the Constitution requires that the State shall endeavor to protect and improve the environment and to safeguard the forest and wildlife of the country. Under Article 51-A, it is the duty of every citizen to protect and improve the natural environment including forests, lakes, rivers and wildlife and to have compassion for living creatures....

...

3. Forests are vital component to sustain the life support system on the earth. Forests in India have been dwindling over the years for a number of reasons, one of it being the need to use forest area for development activities including economic development. Undoubtedly, in any nation development is also necessary but it has to be consistent with protection of

environment and not at the cost of degradation of environments...”

The Hon’ble Supreme Court further held that:

“78....Moreover, any threat to the ecology can lead to violation of the right to enjoyment of healthy life guaranteed under Article 21, which is required to be protected. The Constitution enjoins upon this Court a duty to protect the environment.”

H. Because, in ***Indian Council for Enviro-Legal Action v. Union of India (1996) 3 SCC 212***, the Hon’ble Supreme

Court applied the ‘Polluter Pay principle’ and relied on the following observation with regard to the principle: “The polluter pays principle demands that the financial costs of preventing or remedying damage caused by pollution should lie with the undertakings which cause the pollution, or produce the goods which cause the pollution. Under the said principle it is not the role of government to meet the costs involved in either prevention of such damage, or in carrying out remedial action, because the effect of this would be to shift the financial burden of the pollution incident to the taxpayer.”

I. Because, in ***Hinch Lal Tiwari v. Kamla Devi and Others (2001) 6 SCC 496*** it has been held that

“It is important to notice that the material resources of the community like forests, tanks, ponds, hillock, mountain etc. are nature’s bounty. They maintain delicate ecological balance. They need to be protected for a proper and healthy environment which enables people to enjoy a

quality life which is the essence of the guaranteed right under Article 21 of the Constitution...”

- J. Because, in ***Social Action for Forest & Environment v. UOI & Ors., Principal Bench, 10th December, 2015*** it has been held:

“82. Here we may note that the term ‘forest’ is used for a distinct type of ecosystem and does not include just trees or plants but comprises a great range of flora and fauna diversity, which are interdependent other and together with the abiotic features of the area form the ecosystem are called forest. Each individual constituent of this biodiversity is important in its own terms in ways we may not currently understand, as interdependent species have evolved over millions of years to interact and flourish.

83. The term ‘breaking up’ has to be understood with the object of the Conservation Act in mind. The primary purpose of the Act as already noticed is conservation of forest and to deal with matters incidentally and ancillary thereto. When we talk of breaking up a forest it does not mean simplicitor, physical breaking up of the forest area, but the impact of the activities on the eco system of the forest area. If in the forest area there is a substantial obstruction caused by raising of temporary or semi-permanent construction and these places are used for regular living of human beings and incidental activities are carried on, it certainly possesses an obstruction to the wildlife and eco system of the forest area and to the ecology of the area.”

- K. Because the violation highlighted is with respect to a substantial question of Environment and hence can be adjudicated by this Hon’ble Tribunal under Section 14 of the NGT Act, 2010.
- L. Because, the violators are liable for restitution of the damaged forest ecosystem in accordance of Section 15 of the NGT Act.

M. Because it is well settled that by resorting to constructions in the forest land the nature of land would not change and would continue to be a forest.

LIMITATION

The present Application is filed in order to stop the illegal construction and quarrying being done by the private parties/their agents and contractors within the notified protected forest land in plot Nos. 426 and 450 of Village Tetulia, Bokaro forest division. The Respondents especially Respondent No.3 and 5 have grossly failing to ensure compliance of the provisions of the Forest (Conservation) Act, 1980 as blatant construction is taking place in the area. The Applicant visited the area in question in the month of July, 2024 and saw the violations and took the pictures of the same. The violation of the provisions of the Forest (Conservation) Act, 1980 are still continuing. In this view of matter, the cause of action arisen in the present case is 'recurring' in nature. The application is filed under Sections 14 and 15 of the NGT Act, 2010 and is therefore within the time prescribed under the said provisions of the Act.

This Hon'ble Tribunal in the matter of ***Forward Foundation & Ors vs State of Karnataka & Ors. Decided on 07th May, 2015*** defined recurring cause of action as "*something happening again and again and not that which occurs only once. Such reoccurrence could be frequent or periodical. The recurring wrong could have new elements in addition to or substitution of*

the first wrong or when cause of action first arose. It could even have the same features but it's recurrence is complete and composite. The recurring cause of action would not stand excluded by the expression cause of action first arose. In some situation, it could even be a complete distinct cause of action hardly having nexus to the first breach or wrong thus not inviting the implicit consequences of the expression 'cause of action first arose' "

As the violation of the provisions of the Forest (Conservation) Act, 1980 and the orders passed by the Hon'ble Supreme Court in ***T.N.Godavarman Thirumulpad vs. Union of India, AIR 1997 SC 1228*** is continuously taking place, the cause of action is recurring in nature. On account of such continuous and recurring cause of action the present Application is well within limitation of the NGT Act, 2010.

PRAYER

In view of the above facts and circumstances it is most respectfully prayed that this Hon'ble Tribunal may be pleased to:

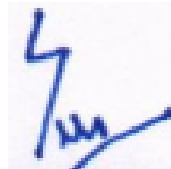
- a. Direct the Respondents to immediately stop the construction activity and quarrying and use of forest land in question for non-forest purposes, and
- b. Direct the Respondent No. 3 to produce the number of mutations permitted by the Revenue Department till date and to be directed to stop issuing of any mutation certificates in the protected forest in question, and

- c. Direct the Respondents for restoration of the protected forest land in question to its original state.
- d. Direct the Respondent No.2 to initiate inquiry for illegal use of forest land and fix the responsibility of the offender/s and take legal action against them.
- e. Direct the levy of environmental compensation for causing damage to the ecology and public health on the basis of polluter pays principle on the violators;
- f. Any other or further relief may also be granted in favour of the Applicant and against the Respondents.



APPLICANT

THROUGH



(SAURABH SHARMA)



(BIJAY KUMAR)

Advocates
Counsels for Applicant
Chamber No. 746, Lawyers Chamber Block,
Saket, New Delhi
E-mail: saurabh.envirolawyer@gmail.com
(M): 9810983559

Place:- New Delhi
Dated: 20.09.2024

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL

EASTERN ZONE BENCH AT KOLKATA

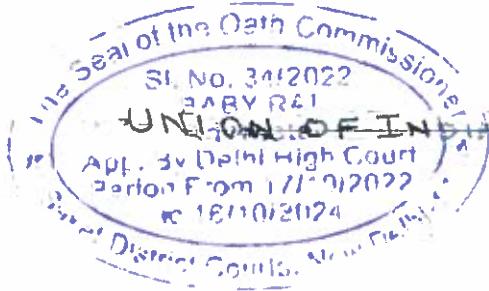
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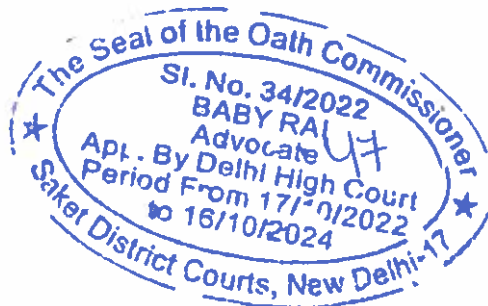


& ORS.RESPONDENTS

AFFIDAVIT

I, Dr. Rakesh Kumar Singh, son of Late Shri Nitya Nand Singh, presently residing at G-600, Gama 2, Greater Noida, Uttar Pradesh aged about 59 years, presently in Delhi do hereby solemnly affirm and declare as under:

1. That I am the Applicant in the abovementioned Original Application and therefore competent to swear the present Affidavit.
2. That the abovementioned Original Application has been drafted by my counsel on my instructions and the contents of the same are true and correct to my knowledge.



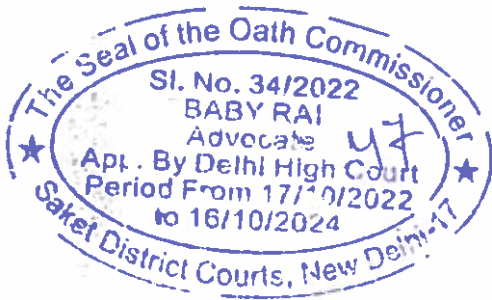

DEPONENT

Identify the Deponent Who Has Signed / Put In My presence

VERIFICATION: Verified today on this 13 SEP 2024 at New Delhi do hereby verify and declare that the facts mentioned above are true and correct nothing material has been concealed therefrom and no part of it is false.

13 SEP 2024

Singh
DEPONENT



CERTIFIED THAT THE DEPONENT
Shri / Smt. / Km. D. R. Rakesh Kumar
R/o
Identified by Shri / Smt. Saurabh Singh
has solemnly affirmed before me Sharma
Delhi
That the contents of the affidavit which
have been & explained to him are
true and correct to the knowledge

B. Rai
Oath Commissioner, Delhi
BABY RAI
New Delhi

Annexure A-1

Thana Chas. (Other Estate)

PART II.]

THE BIHAR GAZETTE, JULY 9, 1958.

1886

The 24th May, 1958

No. C/F-17014/58-1429-R.—In exercise of the powers conferred by section 29 of the Indian Forest Act, 1927 (Act XIV of 1927), the Governor of Bihar is pleased to declare the provisions of Chapter IV of the said Act applicable, from the date of this notification, to the forest lands and waste lands specified in the schedule hereto annexed and situated in the district of Dhanbad.

The forest lands and waste lands comprised in this notification shall be called a "Protected forest".

The nature and extent of the rights of Government and of private persons in or over the forest land and waste lands comprised in this notification have not yet been enquired into and recorded as laid down in sub-section (3) of section 29 of the said Act, but as the State Government thinks that such enquiry and record will occupy such length of time as in the meantime to endanger the rights of Government and as the enquiry and record of rights will hereafter be made this notification is issued subject to all existing rights of individuals or communities.

SCHEDULE.

Serial no.	Name of owner.	Name of forests.	Thana.	Thana no.	District.	Area.	Plot numbers.
1	2	3	4	5	6	7	8
1	State of Bihar.	Maheshpur	Chas	4	Dhanbad	50.01	1218, 1289, 1220, 1270, 1283, 249, 1168, 1240.
2	Ditto	Mahuar	Do.	8	Ditto	8.69	4698.
3	Ditto	Asansol	Do.	8	Ditto	206.47	433, 1988, 1989, 1897, 2024, 2118, 2189, 2209, 2308, 2000, 2191, 2297.
4	Ditto	Panrus	Do.	9	Ditto	9.80	1047.
5	Ditto	Harila	Do.	12	Ditto	18.70	391, 6786.
6	Ditto	Pirarguria	Do.	18	Ditto	66.43	2, 16, 21, 16, 50, 81, 153, 189, 161 and 299.
7	Ditto	Bhatua	Do.	21	Ditto	127.21	431, 395, 191, 397, 372, 275, 274, 314, 4316, 5017, 4554, 4558, 3857, 3358, 3350, 3349, 3488, 3619, 396.
8	Ditto	Pupunkighat-bera.	Do.	24	Ditto	199.70	1231, 1236, 5917, 5977, 6029, 6030, 6232, 6160, 6370, 1235, 5990, 5991.
9	Ditto	Bhawanidih alis Phudanidi.	Do.	27	Ditto	70.71	67, 69, 68, 63, 66, 44, 45, 46, 47, 48, 40, 24, 8, 10, 209, 216, 376, 377, 384, 28, 29, 27, 2, 7, 6, 11, 385, 386, 387, 388, 389, 390, 383, 344, 145, 210, 391, 374, 58, 43.

*Delimit
noted*

28-9-57

SCHEDULE—contd.

Serial no.	Name of owner.	Name of forests.	Thana.	Thana no.	District.	Area.	Plot numbers.	Set of Vectors
1	2	3	4	5	6	7	8	
10	State of Bihar.	Dumargor	Chas	28	Dhanbad	38.01	934, 806, 824, 857, 1012, 1017, 1270, 791, 757.	18-8-53
11	Ditto	Chas	Do.	30	Ditto	(166.48) 115.00	7788, 7790, 7925, 7885, 7926, 7360, 7358, 7768, 7562, 7923.	18-8-53
12	Ditto	Kamaldi	Do.	31	Ditto	(62.90) 115.97	337, 370, 20, 335, 57, 170, 69, 44, 444, 24.	
13	Ditto	Shiarda	Do.	32	Ditto	50.94	815, 944, 943, 940, 942.	
14	Ditto	Narainpur	Do.	33	Ditto	136.39	5339, 4790, 5371, 3589.	
15	Ditto	Bandhgora	Do.	35	Ditto	113.40	15, 18, 1025, 1022, 985, 978, 1040, 5.	18-8-53
16	Ditto	Ukrid	Do.	37	Ditto	113.92	1431, 1514, 1465, 1515, 1384.	
17	Ditto	Tetulia	Do.	38	Ditto	95.65	426, 450, 483, 554, 479.	
18	Ditto	Satanpur	Do.	39	Ditto	155.78	1, 2326, 2360, 2324, 2003, 2247, 1504, 2409, 956, 943, 964.	
19	Ditto	Amdiha	Do.	40	Ditto	90.26	1296, 1195, 1196, 1154, 1132, 2.	
20	Ditto	Ghatiali	Do.	41	Ditto	151.12	10455, 10452, 10453, 2036, 2005, 10458, 2447, 10451, 5225, 5183, 3, 737, 731, 732, 734, 882, 2006, 5165, 2052.	
21	Ditto	Surfa	Do.	42	Ditto	81.60	627, 221, 1272, 2287, 2646, 3883, 3884.	
22	Ditto	Chitami	Do.	43	Ditto	64.12	3525, 3562, 3624.	
23	Ditto	Bahadurpur	Do.	45	Ditto	57.03	1698, 1723.	
24	Ditto	Chakalia	Do.	46	Ditto	250.55	17, 19, 264, 1513, 1543, 1613, 2520, 2464, 2510, 2515, 2516, 2517, 2527, 2526, 2518, 2519.	
25	Ditto	Jogidih alias Raghunathdih.	Do.	47	Ditto	28.60	1, 269.	18-8-53
26	Ditto	Durgapur	Do.	49	Ditto	14.46	2905.	
27	Ditto	Gopdi	Do.	50	Ditto	86.10	19, 50, 120, 121.	

No. C/CF-1701/58 ---1429-R, ---In exercise of the powers conferred by section 29 of the India Forest Act, 1927 (Act XIV of 1927), the Governor of Bihar is pleased to declare the provisions of chapter IV of the said Act applicable, from the date of this notification, to the forest lands and waste lands specified in the schedule hereto annexed and situated in the district of Dhanbad.

The forest lands and waste lands comprised in this notification shall be called a "Protected Forest".

The nature and extent of the rights of Government and of private persons in or over the forest land and waste lands comprised in this notification have not yet been enquired into and recorded as laid down in sub-section (3) of section 29 of the said Act, but as the state Government thinks that such enquiry and record will occupy such length of time as in the meantime to endanger the rights of Government and as the enquiry and record of rights will hereafter be made this notification is issued subject to all existing rights of individuals or communities.

SCHEDULE

Serial no.	Name of owner	Name of forests	Thana	Thana no.	District	Area	Plot numbers
1	2	3	4	5	6	7	8
1.	State of Bihar	Maheshpur	Chas	4	Dhanbad	50.01	1218,1289,1220,1279,1283,249,1168,1240.
2.	Ditto	Mahuar	Do	6	Ditto	8.69	4698.
3	Ditto	Asansol	Do	8	Ditto	206.47	583,1988,1989,1897,2024,2118,2169,2209,2303,2000,2191,2297.
4	Ditto	Panrua	Do	9	Ditto	9.80	1047.
5	Ditto	Harila	Do	12	Ditto	18.70	391,6786.
6	Ditto	Pirarguria	Do	18	Ditto	66.43	2,19,21,16,50,81,133,139,161 and 299.
7	Ditto	Bhatua	Do	21	Ditto	127.21	431,398,191,397,379,275,274,314,4315,5017,4554,4558,3357,3358,3350,3349,3488,3619,396.
8	Ditto	Pupunkighat-bera	Do	24	Ditto	199.70	1231,1236,5917,597,6029,6030,6232,6160,6370,1235,5990,5991.

SCHEDULE-contd

Serial no.	Name of owner	Name of forests	Thana	Thana no.	District	Area	Plot numbers
1	2	3	4	5	6	7	8
9	State of Bihar	Bhawanidih alis Phudanidi	Chas	27	Dhanbad	70.71	67,69,68,63,66,44,45,46,47,48,40,24,8,10, 209,216,376,377,384,28,29,27,2,7,6,11,385, 386,387,388,389,390,383,144,145,210,391, 378,58,43.
10	Ditto	Dumargor	Do	28	Ditto	38.01	934,806,824,857,1012,1017,1270,791,757.
11	Ditto	Chas	Do	30	Ditto	166.48	7788,7790,7925,7885,7926,7360,7358,7768, 7562,7923.
12	Ditto	Kamaldi	Do	31	Ditto	62.90	337,370,20,335,57,170,69,44,444,24.
13	Ditto	Shiarda	Do	32	Ditto	50.94	815,944,943,940,942.
14	Ditto	Narampur	Do	33	Ditto	136.39	5339,4790,5371,3589.
15	Ditto	Bandhgora	Do	36	Ditto	113.40	15,18,1025,1022,985,978,1040,5.
16	Ditto	Ukrid	Do	37	Ditto	113.92	1431,1514,1465,1515,1384.
17	Ditto	Tetulia	Do	38	Ditto	95.65	426,450,483,554,479.
18	Ditto	Satanpur	Do	39	Ditto	155.78	1,2326,2360,2324,2005,2247,1504,2409, 956,943,964.
19	Ditto	Amdiha	Do	40	Ditto	90.26	1296,1195,1196,1154,1132,2.
20	Ditto	Ghatiala	Do	41	Ditto	151.12	10455,10452,10456,2036,2005,10458,2447, 10451,5225,5183,3,737,731,732,734,882, 2006,5165,2052.
21	Ditto	Sunta	Do	42	Ditto	81.60	627,221,1272,2287,2346,3883,3884.
22	Ditto	Chitami	Do	43	Ditto	64.12	3525,3562,3624.
23	Ditto	Bahadurpur	Do	45	Ditto	57.03	1698,1723.
24	Ditto	Chakalia	Do	46	Ditto	250.55	17,19,264,1513,1543,1613,2520,2464,2510, 2515,2516,2517,2527,2526,2518,2519.
25	Ditto	Jogidih-alis Raghunathdih	Do	47	Ditto	28.60	1,269.
26	Ditto	Durgapur	Do	49	Ditto	14.46	2905.
27	Ditto	Gopidi	Do	50	Ditto	86.10	12,50,120,121.



Google image showing the extent of the notified forest land plots in question



Google image of April 2024 showing massive construction on northern part of PF 450



Photograph showing constructed metalled road in PF 450



Photograph showing plotting for housing in PF 450



Photograph showing ongoing construction in PF 450

**BEFORE THE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH AT KOLKATA
VAKALATNAMA**

IN THE MATTER OF:-

DR. R.K. SINGH

...APPLICANT

VERSUS

UNION OF INDIA & ORS.

...RESPONDE

KNOW ALL to whom these present shall come that I/We Dr. R.K. Singh, Applicant the above named Applicant, do hereby appoint (herein after called the advocate) to be my/our Advocate in the above noted case authorized him :-

Saurabh Sharma and Bijay Kumar, Advocates**D/2329/1999****D/1771/2007****Counsel for the Applicant, Chamber No. 746, Lawyers Chamber Block, Saket Delhi , Mobile No. 9810983559**

To act, appear and plead in the above-noted case in this Court or in any other Court which the same may be tried or heard and also in the appellate Court including Court subject to payment of fees separately for each Court by me/ us. To sign, file and present pleadings, appeals cross objections or petitions for execution review, withdrawal, compromise or other petitions or affidavits or other documents as may deemed necessary or proper for the prosecution of the said case in all its stages.

To file and take back documents to admit and/or deny the documents of opposite party. To withdraw or compromise the said case or submit to arbitration any difference disputes that may arise touching or in any manner relating to the said case. To take execution proceedings. The deposit, draw and receive money, cheques, cash and grant receipts thereof and to do all other acts and things which may be necessary to be done for the progress and in the course of the prosecution of the said case. To appoint and instruct any other Legal Practitioner, authorizing him to exercise the power and authority hereby conferred upon the Advocate whenever he may think it to do so and to sign the Power of Attorney on our behalf.

And I/We the undersigned do hereby agree to ratify and confirm all acts done by the Advocate or his substitute in the matter as my/our own acts, as if done by me/us to all intents and purposes.

And I/We undertake that I / we or my /our duly authorized agent would appear in the Court on all hearings and will inform the Advocates for appearance when the case is called.

And I /we undersigned do hereby agree not to hold the advocate or his substitute responsible for the result of the said case. The adjournment costs whenever ordered by the Court shall be of the Advocate, which he shall receive and retain himself.

And I /we the undersigned do hereby agree that in the event of the whole or part of the fee agreed by me/us to be paid to the Advocate remaining unpaid he shall be entitled to withdraw from the prosecution of the said case until the same is paid up. The fee settled is only for the above case and above Court. I/We hereby agree that once the fee is paid. I /we will not be entitled for the refund of the same in any case whatsoever. If the case lasts for more than three years, the advocate shall be entitled for additional fee equivalent to half of the agreed fee for every addition three years or part thereof.

IN WITNESS WHEREOF I/We do hereunto set my /our hand to these presents the contents of which have been understood by me/us on this 20th day of September, 2024.

Accepted subject to the terms of fees.

Saurabh Sharma
ADVOCATE

Bijay Kumar

CLIENT

Dr. R.K. Singh

