

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

IA No. 28 OF 2025
IN
ORIGINAL APPLICATION NO. 200 OF 2024 (EZ)

IN THE MATTER OF

DR. R.K. SINGH

...APPLICANT

VERSUS

UNION OF INDIA & ORS.

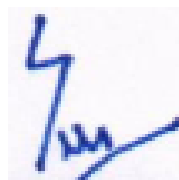
....RESPONDENTS

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NDOH: 20.02.2025

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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: 13.02.2025

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**INTERLOCUTORY APPLICATION (IA) UNDER SECTION 19 (4) (i) &
(j) OF THE NGT ACT, 2010 PRAYING INTERIM
ORDERS/DIRECTIONS**

MOST RESPECTFULLY SHOWETH:

1. 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.***
2. That even after issuance of Notice by this Hon'ble Tribunal, illegal construction on the protected forest in mouza Tetulia which is subject matter of the present Original Application has been going on and as per the photographic evidence taken by the Applicant recently the construction activity by certain persons with vested interests has infact intensified as they

want to create a *fait accompli* situation. Such construction in a protected forest area is not possible without the active connivance of the persons with vested interests and Respondent No.3- Deputy Commissioner and Respondent No.5 – Divisional Forest Officer and officials of their respective offices.

Copy of recent photographs of illegal construction going on in Tetulia which is a Protected Forest are annexed herewith as **ANNEXURE-1 (Colly)**.

3. That the very purpose of filing the present Original Application would be lost if the Respondent No.3 is not directed to stop the illegal construction in the Protected Forest.
4. That a mere reading of the Original Application and the contents /material placed by the Applicant shows that he has a good *prima-facie* case. The balance of convenience is in favour of the Applicant and against the Respondents. It is submitted that irreparable loss would occur to both the case of the Applicant as well as the Environment of area in question and it's surroundings, if directions are not issued for stopping of the illegal construction in the protected forest area of Tetulia.
5. That Notice in the present Original Application was issued on 01.10.2024 but till date only Respondent No.1 -MoEF&CC and Respondent No.5 – Divisional Forest Officer has filed the Counter Affidavit while Counter Affidavits of other Respondents especially Respondent No,3 – the Deputy Commissioner is yet to be filed. As it will take some time for adjudication for the present Original Application, it is prayed

that in the meanwhile directions may be issued to Respondent No.3- Deputy Commissioner and Respondent No.5 – Divisional Forest Officer to ensure that no construction is carried out in the protected forest of Tetulia which is the subject matter of this *lis*.

PRAYER

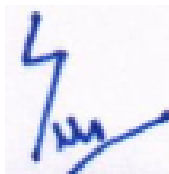
In light of the above facts and circumstances, the Hon'ble Tribunal may be pleased to pass the following interim orders/ directions:

- a) Ex-Parte/Ad Interim directions may be issued to the Respondent Nos.3 and 5 to stop forthwith any construction in the protected forest of Tetulia which is the subject matter of this *lis*, and /or
- b) Any other or further relief may also be granted in favour of the Applicant.



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: 12.02.2025

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
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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 New 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 interlocutory application (ia) under section 19 (4) (i) & (j) of the ngt act, 2010 praying interim orders/directions has been drafted by my counsel on my instructions and the contents of the same are true and correct to my knowledge.

I, IDENTIFIED THE
DEPONENT WHO HAS
SIGNED IN MY PRESENCE

DEPONENT

VERIFICATION: Verified today on this _____ 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.

DEPONENT

NOTARY PUBLIC APPOINTED BY
GOVT. OF INDIA
G. S. KHARRANDA

Notary
Reg. No.
785

12 FEB 2025

ADVOCATE
Enl. No.
D 287781

ATTESTED 9899422266

ATTESTED

NOTARY PUBLIC



 **GPS Map Camera**



Bokaro Steel City, Jharkhand, India
Manorama Niwas, Plot No 638, Bari Co-operative Colony,
Siwandih, Bokaro Steel City, Tentulia, Jharkhand 827012, India
Lat 23.629197° Long 86.118258°
04/02/25 12:03 PM GMT +05:30



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Lat 23.62921° Long 86.118217°
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827010, India
Lat 23.629217° Long 86.118176°
04/02/25 12:03 PM GMT +05:30