

BEFORE THE NATIONAL GREEN TRIBUNAL, PRINCIPAL BENCH,  
NEW DELHI

In

ORIGINAL APPLICATION NO. 829 OF 2024

IN THE MATTER OF:

Public Action Committee through its Member Kapil Dev

...Applicant

VERSUS

State of Punjab & Ors.

...Respondents

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Dated: 17.02.2026

Filed by:

Place: New Delhi

Respondent No. 1

Through

*Kapil Dev*

(Counsel for Respondent No. 1)

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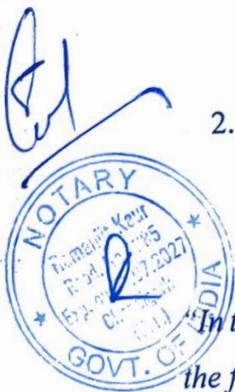
...Respondents

**ADDITIONAL AFFIDAVIT ON BEHALF OF RESPONDENT NO. 7**  
**(REGIONAL OFFICE, MoEF&CC, CHANDIGARH)**

I, Sunny Goel, son of Shri Ram Kumar, aged about 42 years, working as Technical Officer in the Regional Office, Chandigarh of the Ministry of Environment, Forest & Climate Change (hereinafter referred to as MoEF&CC), do hereby solemnly affirm and state as under:

1. That I am the authorized deponent for the Answering Respondent and well conversant with the facts of the case based on official records maintained at the Regional Office, Chandigarh.
2. That this Additional Affidavit is being filed in pursuance of the directions passed by this Hon'ble Tribunal vide order dated 24.11.2025, the relevant portion of which is reproduced as under:

*In these Original Applications, the reply affidavits have been filed and commencing the final arguments the Applicant had submitted that the conditions imposed by the MoEF&CC while granting the in-principal approval to the project under the Forest Conservation Act, 1980 by the order dated 01.08.2023, have not been complied with by the project proponent. He has referred to the standard condition 2.1.1.9 and 14 and has submitted these conditions are violated by the project proponent. Learned counsel appearing for the Respondent-MoEF&CC seeks time to obtains*



instructions, if these conditions are complied with by the project proponent and file an affidavit.”

3. That in-principle approval granted by the Central Government means the preliminary approval of the Central Government to allow the use of forest land for a given purpose specified under sub-section (1) of section 2 of the Adhiniyam subject to the compliance of conditions stipulated therein. Such conditions, inter alia, include payment of statutory compensatory levies such as Compensatory Afforestation (CA) charges, Net Present Value (NPV), and implementation of Site-Specific Plans and mitigation measures, wherever prescribed. It also includes conditions to be complied with during project implementation and operational phase such as maintaining the approved layout plan without alteration, raising plantations along road verges in accordance with IRC norms, and other environmental safeguards.
  4. That after receipt of necessary commitments on conditions imposed in the Stage-I approval and other satisfactory compliance report from the State Government confirming fulfillment of the conditions stipulated in the in-principle approval such as payment towards Compensatory Afforestation (CA), Net Present Value (NPV), implementation and submission of Site-Specific Plans, wherever prescribed, and other mitigation measures, the Central Government grants final approval to the proposal under the Adhiniyam.
  5. It is submitted that the MoEF&CC had granted the 'in-principle / Stage-I approval to the proposal on 01.08.2023 for the diversion of 22.59 hectares of forest land for the four-laning of the Sirhind-Patiala Road inter-alia stipulating the following conditions:
    - i. **Condition No. 2.1.9:** “User agency shall raise strip plantation on both sides and central verge of the road as per the IRC norms.”
    - ii. **Condition No. 2.14:** The layout plan of the proposal shall not be changed without prior approval of Central Government.
- A copy of the Stage-I approval is enclosed at **Annexure-R1**.
6. That upon receipt of the necessary commitments on conditions imposed in the Stage-I approval and other satisfactory compliance report from the State Government on the conditions stipulated in the in-principle approval dated



01.08.2023 from the State Government, the Central Government has examined and analyzed the said report and after ensuring completeness of in-principle approval, the final approval was granted by the Central Government on 18.01.2024.

7. That the Central Government while granting the Stage-II approval had categorically imposed the following conditions:

i. **Condition No. 1.1.13:** The layout plan of the proposal shall not be changed without prior approval of Central Government.

ii. **Condition No. 2.1.1:** "User agency shall raise strip plantation on both sides and central verge of the road as per the IRC norms."

A copy of the final / Stage-II approval is enclosed at **Annexure-R2**.

8. That abundant precaution has been taken by the Answering Respondent for granting the approval under the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980, ensuring that all environmental safeguards and compensatory measures were strictly scrutinized and verified.

9. That the conditions stipulated in the final approval, in respect of which undertakings have been furnished by the User Agency, constitute a binding framework governing the manner in which the diverted forest land is to be utilized, safeguarded, and managed for the projects granted approval under the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 by the Central Government.

10. That it is humbly submitted that compliance of the conditions, both those involving payment of compensatory levies and those supported by undertakings, is required to be continuously monitored and ensured by the State Government and the user agency during the construction as well as operational phases of the project. The State Government and the user agency are duty-bound to ensure that none of the approval conditions, on the basis of which diversion of forest land has been permitted, are violated by the User Agency at any stage of project implementation.

11. That any breach of the conditions stipulated in the approval amounts to a violation of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 and the Rules framed thereunder. In such instances, action is required to be initiated in accordance with para 1.16 of Chapter 1 of the Consolidated



Guidelines and Clarifications issued under the said Adhiniyam. As per the relevant provisions:

**(iii) Violation / non-compliance of any conditions imposed while granting approval under The Van (Sanrakshan Evam Samvardhan) Adhiniyam:**

- a. In such cases the penalty will be imposed on the recommendation of the Dy. Director General of Forests (Central), Regional Office in whose jurisdiction the alleged violation has occurred. The violation will be reported to REC/AC and the committee will give time to comply the conditions within stipulated time.
- b. In case the offence is proved then the penalty shall be imposed for violation committed over forest area without approval equal to twice the normal NPV.

12. That the present affidavit is filed in bonafide compliance with the directions of this Hon'ble Tribunal. That in view of the foregoing submissions, the Reply Affidavit filed by the answering Respondent be admitted and accepted by this Hon'ble Tribunal.

13. That the answering respondent craves leave of this Hon'ble Tribunal to file additional information, if any till pendent lite.

14. That in view of the foregoing submissions, this Hon'ble Tribunal may be pleased to pass such or further Orders as it may deem fit and proper in the given circumstances of this case.

मुद्रा  
संसाधन एवं पर्यावरण विभाग/बिस  
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय



  
DEPONENT

**VERIFICATION**

I, the above named deponent do hereby verify that the contents of the above affidavit are true and correct to my knowledge and are based on official records and nothing material is concealed therein. Verified at Chandigarh on this 17<sup>th</sup> Day of February 2026.

The contents of this Affidavit/Document has been explained to the deponent/executants. He/She has admitted the same to be correct. The deponent/executant has signed Register at Sr. No. 411 P. No. 85 Date 17 FEB 2026

**ATTESTED**  
**RAMANJIT KAUR**  
Notary, Dist. Courts, Chandigarh

  
DEPONENT  
सन्नी गौल/SUNNY GOEL  
तकनीकी अधिकारी (वानिकी) ग्रेड-1  
Technical Officer (Forestry) Gr.-I  
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय  
Ministry of Environment, Forest and Climate Change  
क्षेत्रीय कार्यालय, चंडीगढ़/Regional Office, Chandigarh

17 FEB 2026



सत्यमेव जयते

Government of India  
Ministry of Environment, Forest and Climate Change  
Integrated Regional Office, Chandigarh



Online Proposal No.: **FP/PB/ROAD/414057/2023**



Dated: **01/08/2023**

To,  
Additional Chief Secretary  
(Forest)  
Chandigarh ,Punjab.

**Subject:** Proposal for non-forestry use of 22.59 ha of forest land under Forest (Conservation) Act, 1980 in favour of M/s EXECUTIVE ENGINEER CENTRAL WORKS DIVISION PWD for Patiala Division in PATIALA Forest Division, District (PUNJAB)(FP/PB/ROAD/414057/2023) – reg.

**Sir/Madam,**

Kindly refer to the subject cited above and letter under reference for seeking prior approval in accordance with section 2 of the Forest (Conservation) Act, 1980 for diversion of 22.59 Ha forest land for non-forestry purpose. After careful examination of the proposal, In principle approval is hereby conveyed for the above mentioned project, subject to the following conditions:-

**1. General Conditions**

Sr. No	Conditions
1.1	<ol style="list-style-type: none"> <li>1. Legal status of the forest land shall remain unchanged.</li> <li>2. Cost of <b>Compensatory Afforestation</b>, as per CA scheme, may be realized from the user agency.</li> <li>3. Net Present Value (NPV) of the forest land <b>22.59</b> hectares being diverted for non-forestry purpose may be realized from the user agency, as per Ministry's directions issued vide letters No.5-3/2011-FC (Vol-I) dated 6th January 2022 and Hon'ble Supreme Court of India's Order <b>WP(C)No. 202/1995, I.A. No. In 566</b>, dated 30th October 2002, 28th March, 2008, 24th April, 2008 and 9th May 2008.</li> <li>4. The Net Present Value (NPV) of the forest land and all other CA levies shall be deposited through web portal of Ministry of Environment, Forest and Climate Change <a href="http://www.parivesh.nic.in">www.parivesh.nic.in</a>.</li> <li>5. Complete compliance report will be uploaded in the e-portal (<a href="https://parivesh.nic.in/">https://parivesh.nic.in/</a>).</li> </ol>

Sr. No	Conditions
	<p>6. User agency should ensure that the compensatory levies (CA cost, NPV, etc.) are deposited through challan generated online on web portal and deposited in appropriate bank only. Amount deposited through other mode will not be accepted as compliance of the Stage-I clearance.</p> <p>7. The complete compliance of the FRA, 2006 shall be ensured by way of prescribed certificate from the concerned District Collector.</p> <p>8. The Divisional Forest Officer shall furnish undertaking that the approved CA site(s) will not be changed without the approval of competent authority.</p> <p>9. The Nodal Officer (State CAMPA) Authority shall furnish undertaking that the funds under State CAMPA will be released to Divisional Forest Officer as per approved CA scheme.</p> <p>10. NOC form Irrigation Department has to be submitted.</p>

## 2. Standard conditions

Sr. No	Conditions
2.1	<p>1. The number of trees/plants to be felled shall not in any way exceed the number indicated in the proposal and no harm shall be done to the wildlife during felling of trees. The felling of trees/plants will be carried out under the strict supervision of the State Forest Department and the amount spent on felling of trees/plants will be deposited by the user agency to the State Forest Department.</p> <p>2. As per the proposed CA Scheme, Compensatory afforestation (CA) shall be taken up by the State Forest Department over degraded forest land in <b>H B No 496 of village Dada PF, Tehsil and district Hoshiarpur</b> at the cost of the user agency. The Plantation shall be done within one year from the date of issue of approval. As far as possible, a mixture of local indigenous species shall be planted and monoculture of any species shall strictly be avoided.</p> <p>3. The Divisional Forest Officer shall ensure that the approved CA/ACA site (s) will not be changed without the approval of Competent Authority.</p> <p>4. The Nodal Officer (State CAMPA) Authority shall ensure that the funds under State CAMPA will be released to Divisional Forest Officer as per approved CA scheme.</p> <p>5. The State Government shall upload the KMLfiles of the degraded forest area accepted for raising compensatory afforestation in the <i>E-Green watch portal of FSI</i>, before handing over of forest land to the user agency.</p> <p>6. The forest land shall not be used for any purpose other than that specified in the proposal.</p> <p>7. The user agency shall pay additional amount of NPV as and when increased by the order of Hon'ble Supreme Court and the State Government will ensure that the increased amount is deposited.</p> <p>8. No kind of damage will be done to the adjoining forest land. Simultaneously, all efforts will be made to save adjoining forest and forest land.</p> <p>9. User agency shall raise strip plantation on both sides and central verge of the road as per the IRC</p>

Sr. No	Conditions
	<p>norms.</p> <p>10. Speed regulating signage will be erected along the road at regular intervals in the Protected Areas/ Forest Areas.</p> <p>11. The user agency shall provide suitable under / over pass in Protected Area / Forest Area as per recommendations of CWLW / NBWL / FAC / RE C.</p> <p>12. The boundary of the diverted forest land shall be suitably demarcated on ground at the project cost, as per the directions of the concerned Divisional Forest Officer.</p> <p>13. The forest land proposed to be diverted shall, under no circumstances, be transferred to any other agency, department, or person without approval of the Central Government.</p> <p>14. The layout plan of the proposal shall not be changed without prior approval of Central Government.</p> <p>15. The user agency shall carry out muck disposal at pre-designated sites as per the scheme approved.</p> <p>16. No additional or new road will be made inside the forest area for transportation of construction material for execution of project work.</p> <p>17. Any other condition may be stipulated by this regional office from time to time, in the interest of conservation, protection and development of forests &amp; wildlife.</p> <p>18. User Agency shall obtain Environmental Clearance as per the provisions of the Environmental (Protection) Act, 1986, if applicable.</p> <p>19. The initial permission will be given to this proposal for <b>99</b> years. After that the permission shall again be obtained from the Government of India. The period of diversion under this approval shall be co-terminus with the period of lease to be granted in favor of the user agency or the project life, whichever is less.</p>

### 3. Specific Conditions

After receipt of the compliance report on the fulfillment of the conditions mentioned above, the proposal shall be considered for final approval under section 2 of the Forest (Conservation) Act, 1980. Transfer of forest land shall not be affected till final approval is granted by the Government in this regard.

#### Copy To

- वन महानरीक्षक (आर.ओ.एच.क्यू), पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, इन्दिरा पर्यावरण भवन, जोरबाग, अलीगंज, नई दिल्ली। ([ramesh.pandey@nic.in](mailto:ramesh.pandey@nic.in))
- PCCF (PCCF (HoFF), Forest Department, Government of Punjab, Forest Complex, Sector-68, SAS Nagar, Mohali, Punjab ([pccfpunjab@gmail.com](mailto:pccfpunjab@gmail.com))
- APCCF(FCA), Forest Department, Government of Punjab, Forest Complex, Sector-68, SAS Nagar, Mohali, Punjab. ([pccfpunjab@gmail.com](mailto:pccfpunjab@gmail.com)).

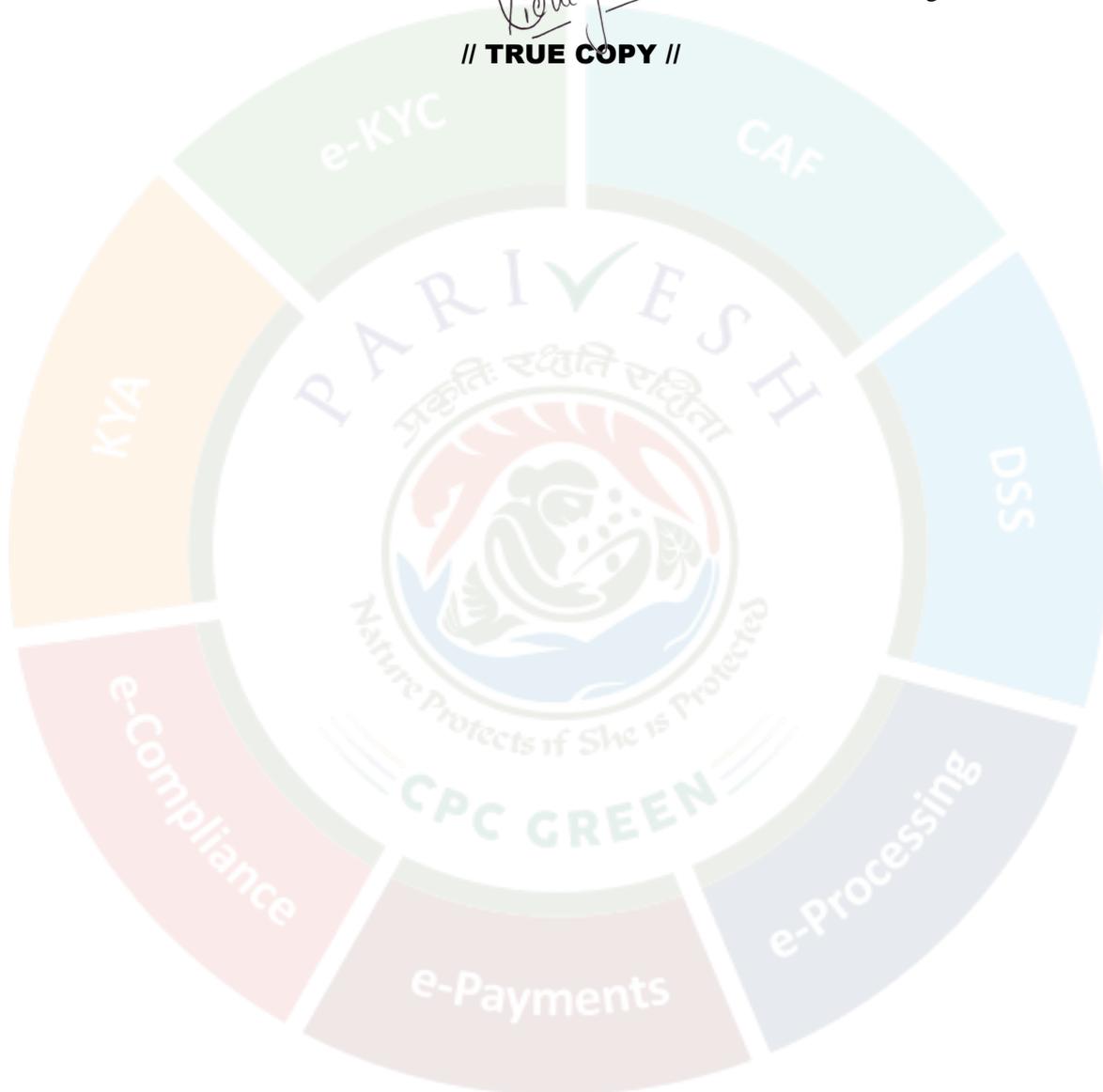
4. The Divisional Forest Officer, Forest Division & District Patiala & Fatehgarh Sahib, Punjab ([dfopta@gmail.com](mailto:dfopta@gmail.com)).
5. The Executive Engineer, Executive Engineer, PWD B and R Mohali, SAS Nagar. ([eecwdmohpwpdp@gmail.com](mailto:eecwdmohpwpdp@gmail.com)).

**Yours Faithfully**

Raja Ram Singh  
Deputy Inspector General of Forests(C)  
Regional Office, Chandigarh.

*K. Devi fassal*

**// TRUE COPY //**





सत्यमेव जयते

Government of India

Ministry of Environment, Forest and Climate Change

Regional Office, Chandigarh



Online Proposal No.: **FP/PB/ROAD/414057/2023**



Dated: **18/01/2024**

To,

The Additional Chief Secretary (Forests),  
Government of Punjab, Mini Secretariat,  
Sector-9, Chandigarh

**Subject:** **Proposal for non-forestry use of 22.59 ha of forest land under Forest (Conseravation) Act, 1980 in favour of M/s EXECUTIVE ENGINEER CENTRAL WORKS DIVISION PWD for Patiala Division in PATIALA Forest Division, District (PUNJAB)(FP/PB/ROAD/414057/2023) – reg.**  
Ref: State Government's Stage-I Compliance report dated 04.01.2024.

Sir/Madam,

Kindly refer to the subject cited above and letter under reference for seeking prior approval in accordance with section 2 of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 for diversion of **22.59 ha.** of forest land for non-forestry purpose. In this proposal, *In-principle* approval was granted by this office's letter of even number dated **01.08.2023**, whose compliance report was received through State Government's Stage-I Compliance report dated 04.01.2024. After careful examination of the received compliance, I am directed to convey **FinalApproval** for the above-mentioned project, subject to the following conditions:

#### 1. General Conditions

S. No	Conditions
1.1	<ol style="list-style-type: none"> <li>1. Legal status of the forest land shall remain unchanged.</li> <li>2. The number of trees/plants to be felled shall not in any way exceed the number indicated in the proposal and no harm shall be done to the wildlife during felling of trees. The felling of trees/plants will be carried out under the strict supervision of the State Forest Department and the amount spent on felling of trees/plants will be deposited by the user agency to the State Forest Department.</li> <li>3. As per the proposed CA Scheme, Compensatory afforestation (CA) shall be taken up by the State Forest Department over degraded forest land in <b>H.B No. 496 of village Dada PF, Tehsil</b></li> </ol>

S. No	Conditions
	<p><i>and district Hoshiarpur</i> at the cost of the user agency. The Plantation shall be done within one year from the date of issue of approval. As far as possible, a mixture of local indigenous species shall be planted and monoculture of any species shall strictly be avoided.</p> <ol style="list-style-type: none"> <li>4. As per the proposed CA Scheme, Additional Compensatory afforestation (ACA) shall be taken up by the State Forest Department over degraded forest land in <b><i>Bhangala Forest in Rup Nagar Forest Division</i></b> at the cost of the user agency. The Plantation shall be done within one year from the date of issue of approval. As far as possible, a mixture of local indigenous species shall be planted and monoculture of any species shall strictly be avoided.</li> <li>5. The Divisional Forest Officer shall ensure that the approved CA/ACA site (s) will not be changed without the approval of Competent Authority.</li> <li>6. The Nodal Officer (State CAMPA) Authority shall ensure that the funds under State CAMPA will be released to Divisional Forest Officer as per approved CA scheme.</li> <li>7. The State Government shall upload the KML files of the degraded forest area accepted for raising compensatory afforestation in the <i>E-Green watch portal of FSI</i>, before handing over of forest land to the user agency.</li> <li>8. The initial permission will be given to this proposal for <b>99</b> years. After that the permission shall again be obtained from the Government of India. The period of diversion under this approval shall be co-terminus with the period of lease to be granted in favor of the user agency or the project life, whichever is less.</li> <li>9. The forest land shall not be used for any purpose other than that specified in the proposal.</li> <li>10. The user agency shall pay additional amount of NPV as and when increased by the order of Hon'ble Supreme Court and the State Government will ensure that the increased amount is deposited.</li> <li>11. No kind of damage will be done to the adjoining forest land. Simultaneously, all efforts will be made to save adjoining forest and forest land.</li> <li>12. The forest land proposed to be diverted shall, under no circumstances, be transferred to any other agency, department, or person without approval of the Central Government.</li> <li>13. The layout plan of the proposal shall not be changed without prior approval of Central Government.</li> <li>14. The user agency shall carry out muck disposal at pre-designated sites as per the scheme approved.</li> <li>15. Any other condition may be stipulated by this regional office from time to time, in the interest of conservation, protection and development of forests &amp; wildlife.</li> <li>16. User Agency shall obtain Environmental Clearance as per the provisions of the Environmental (Protection) Act, 1986, if applicable.</li> <li>17. Violation of any of these conditions will amount to violation of Van (Sanrakshan Evam Samvardhan)Adhiniyam, 1980 and action would be taken as per para 1.16 of the consolidated guidelines and clarifications on Van (Sanrakshan Evam Samvardhan)Adhiniyam, 1980 and Van (Sanrakshan Evam Samvardhan)Rules, 2023, MoEF&amp;CC.</li> <li>18. It will be the responsibility of the State Government/User Agency to obtain all other prior approvals/clearances under all other relevant Acts/Rules/ Court's Rulings/instructions, etc., including environmental clearance, as applicable to this proposal.</li> </ol>

**2. Standard conditions**

S. No	Conditions
2.1	<p>1. User agency shall raise strip plantation on both sides and central verge of the road as per the IRC norms.</p> <p>2. Speed regulating signage will be erected along the road at regular intervals in the Protected Areas/ Forest Areas.</p> <p>3. The boundary of the diverted forest land shall be suitably demarcated on ground at the project cost, as per the directions of the concerned Divisional Forest Officer.</p>

**3. Specific Conditions**

S. No	Conditions
3.1	The Ministry may suspend/cancel this approval if the implementation of any of the above conditions is not satisfactory. The State Government will ensure compliance of these conditions through the Forest Department.

**Copy To**

1. Inspector General of Forests (ROHQ), Ministry of Environment, Forest & Climate Change, Indira Paryavaran Bhawan, Jorbagh, Aliganj, New Delhi. (ramesh.pandey@nic.in)
2. Principal Chief Conservator of Forests, Punjab, Forest Complex, Sector-68, SAS Nagar, Mohali, Punjab. ([pccfpunjab@gmail.com](mailto:pccfpunjab@gmail.com))
3. Chief Executive Officer, CAMPA, Forest Complex, Sector-68, SAS Nagar, Mohali, Punjab([ceo.puncampa@gmail.com](mailto:ceo.puncampa@gmail.com))
4. The Divisional Forest Officer, Forest Division & District Patiala & Fatehgarh Sahib, Punjab([dfopta@gmail.com](mailto:dfopta@gmail.com)).
5. The Executive Engineer, Executive Engineer, PWD B&R, Mohali, SAS Nagar.([ecwdmohpwpdp@gmail.com](mailto:ecwdmohpwpdp@gmail.com)).

**Your's faithfully****(Raja Ram Singh)**Dy. Inspector General of Forests (Central),  
MoEF&CC, RO, Chandigarh

*K. @ni faswal*  
// TRUE COPY //



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**Original Application No. 829 of 2024 titled as Public Action Committee through its member Kapil Dev Vs. State of Punjab & Ors.**

1 message

**Amogh Bansal** <adv.amoghbansal@gmail.com>

Tue, Feb 17, 2026 at 2:01 PM

To: mattewarasutlejpac@gmail.com, cs@punjab.gov.in, pccf-pb@nic.in, pccfcomplex@gmail.com, dc.ptl@punjab.gov.in, "eecdwmohpwdpb@gmail.com" <eecdwmohpwdpb@gmail.com>, eero\_patiala@yahoo.com, dfopta@gmail.com, Amandeep Kaur Ghuman <dfowildlifepatiala@gmail.com>

Dear All,

Please find attached herewith the Affidavit being filed on behalf of the MoEF & CC in compliance of the Order dated 24.11.2025.

Regards  
Amogh Bansal, Advocate  
O/o Ms. Nidhi Jaswal

**Attested affidavit NGT.pdf**

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