

**BEFORE THE NATIONAL GREEN TRIBUNAL**  
**PRINCIPAL BENCH AT NEW DELHI**  
**ORIGINAL APPLICATION NO. 680 OF 2024**

**IN THE MATTER OF:**

VAISHALI RANA &amp; ORS.

... APPLICANTS

VERSUS

STATE OF HARYANA &amp; ORS.

... RESPONDENTS

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**Through**

**Ritwick Dutta**

**Rahul Choudhary**

**Shreepurna Dasgupta****Advocates**

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Place:- Delhi

Dated:- 18.01.2025

**BEFORE THE NATIONAL GREEN TRIBUNAL**  
**PRINCIPAL BENCH AT NEW DELHI**  
**ORIGINAL APPLICATION NO. 680 OF 2024**

**IN THE MATTER OF:**

VAISHALI RANA & ORS.

... APPLICANTS

VERSUS

STATE OF HARYANA & ORS.

... RESPONDENTS

**ADDITIONAL AFFIDAVIT ON BEHALF OF THE APPLICANT**

I, Vaishali Rana, D/o Lt. Col. H.S. Rana, aged about 49 years, R/o 1403, T-10, Valley View Estate, Gwalpahari, Gurgaon, Faridabad Road, Gurgaon-122003, do hereby solemnly affirm and declare as under:

1. That I am the Applicant No. 1 in the above-titled Original Application, and conversant with the facts and circumstances of the case and competent to swear this affidavit.
2. That the contents of the Additional Affidavit are true and correct and nothing material has been concealed therefrom.
3. That the above-titled Original Application has been filed under Section 14 read with Section 20 of the National Green Tribunal Act, 2010 raising substantial question relating to the environment arising out of the numerous and indiscriminate felling of trees in the urban areas of Gurugram, Haryana.
4. That the Hon'ble Tribunal was pleased to issue notice to all the Respondents on 4.07.2024. However, during the pendency of the above-titled Original Application, the Forest Department (Respondent No. 2) has issued permits for felling of total 686 trees for the construction of three roads detailed as below:
  - a. Permission dated 20.11.2024 for felling of 27 trees for the construction of Sector Dividing Road at Sector 53/56, Gurugram granted to the Gurugram Metropolitan Development Authority



- b. Permission dated 20.11.2024 for felling of 462 trees for the construction of Master Dividing Road between Sector 102 A/103, Gurugram granted to the Gurugram Metropolitan Development Authority
- c. Permission dated 13.12.2024 for felling of 197 trees for the construction of Master Dividing Road between Sector 70A, Gurugram granted to the Gurugram Metropolitan Development Authority

It is submitted that granting these permissions mentioned above, necessitated filing of this Additional Affidavit. The Deponent submits that the Forest Department issued permissions to the permit holders without any application of mind.

A copy of the permits issued by the Forest Department is annexed herewith as **ANNEXURE A-1(Colly)**.

5. That in this regard, the Deponent is making the following submissions:
- i. That the permits issued are in violation of the Notification dated 4.01.2013 issued as per exercise of Section 4, PLPA, wherein the felling of trees in the revenue estates of Gurgaon, Sohna and Pataudi tehsils of Gurugram district has been prohibited except for bona fide domestic or agriculture purpose of right holder of the land. Further, owner of land requires permission of the Divisional Forest Officer, Gurugram for selling of trees or timber. Such permission can be granted only in the interest of forest conservation.
  - ii. That Gurgaon is already one of the extremely polluted cities in the world and the felling of urban trees create a lot of issues from rising temperatures to increasing air pollution. As mentioned in the Original Application, there has been continuous large scale felling of urban trees since 2021, and such felling of trees severely impact the already degrading ecology of Gurgaon
  - iii. That the permits have been granted as a mechanical exercise and without considering aspects of undertaking transplantation of trees rather than chopping down centuries old trees. It is submitted that as an alternative to cut down trees, transplantation may be undertaken, and cutting of trees may be directed as a last resort.



- iv. That as per the interim order of ***Association for Protection of Democratic Rights & Anr. v. State of West Bengal [SLP No. 25047 of 2018]*** the Hon'ble Supreme Court vide order dated 25.03.2021, had held that the ecological value of the felled tree is compensated for.
- v. The permit copies show that the condition put on the permit holder to undertake compensatory plantation, shows no system of accountability on part of the permit holder to undertake compensatory plantation in the permissions mentioned above. The felling of trees should be subject to prior compensatory plantation to ensure accountability on part of the permit holder as well as the damage to the ecology is compensated for. The Hon'ble Supreme Court while hearing a plea for felling of trees for construction of a railway line in Uttar Pradesh, vide interim order dated 6.09.2024 in ***M.C. Mehta v. Union of India & Ors [I.A. No. 108684 of 2023 in W.P. (C) No. 13381 of 1984]*** had directed that:

***"1. Pursuant to the order dated 5th August, 2024, the applicant-State of Uttar Pradesh has filed an affidavit dated 5th September, 2024 in which it is stated that for the reasons set out therein, the work of compensatory afforestation has not started. We cannot permit felling of trees and trans-location of trees unless substantial work of compensatory afforestation is carried out by the State."***

Therefore, in light of the observation made by the Hon'ble Supreme Court, permission for felling of trees are required to be granted subject to compensatory plantation undertaken, and compliance report submitted to the Forest Department.

A copy of the interim order dated 6.09.2024 in in ***M.C. Mehta v. Union of India & Ors [I.A. No. 108684 of 2023 in W.P. (C) No. 13381 of 1984]*** is annexed herewith as **ANNEXURE A-2.**

- vi. That the permits also do not consider the issue of bird nesting sites which might be present on any of the 686 trees that have been scheduled to be cut down for construction of roads. The Principal Chief Conservator of Forests and Wildlife Department, Government of Haryana had sent a letter to all the departments of the government of Haryana dated 27.12.2021 that



since birds lay nests on dry and green trees, the trees used for habitat should be kept safe.

A copy of the letter dated 27.12.2021 issued by the Principal Chief Conservator of Forests and Wildlife Department, Government of Haryana is annexed herewith as

**ANNEXURE A-3.**

6. That therefore, this Hon'ble Tribunal may consider the above-mentioned submissions on behalf of the Deponent for further adjudication of the matter.

**DEPONENT**

**VERIFICATION**

18 JAN 2025

Verified on this \_\_\_\_ day of \_\_\_\_\_ 2025 that the contents of the present Affidavit are true and correct to my knowledge and belief and nothing material is concealed therefrom.

**DEPONENT**

I, IDENTIFIED THE  
DEPONENT WHO HAS  
SIGNED IN MY PRESENCE

NOTARY PUBLIC APPOINTED BY GOVT. OF INDIA G. S. KHARBANDA		
Notary Reg. No. 785	18 JAN 2025	ADVOCATE ENL. No. D 287/61
ATTESTED 9899422266		

**ATTESTED**

**NOTARY PUBLIC**



प्रभागीय वन अधिकारी द्वारा अनुमति पत्र  
Permission letter by  
Concerned Divisional Forest Officer  
हरियाणा सरकार / Government of Haryana



हरियाणा भू-परिक्षण अधिनियम, 1900 (1900 का पंजाब का अधिनियम II) की धारा-4 के अधीन अधिसूचित भूमि में वृक्षों की कटाई और वृक्ष ट्रांजिट/ प्रत्यारोपण की अनुमति।

Permission for felling of trees in areas notified under general section-4 of Haryana Land and Preservation Act, 1900 (Punjab Act II of 1900) and tree transit/transplantation.

नाम Name	अडीशनल सेो उएड जमदा Additional Ceo Ued Gmda
संगठन का नाम Organisation Name	GMDA
वर्तमान पता Current Address	Tau Devi Lal Biodiversity & Botanical Garden Sector - 52a Gurugram
भूमि स्थान Land Location	Gurgaon , Gurgaon (Haryana),
भूमि मापन Land Measurements	500(Meter)
खसरा/ प्लाट नम्बर Khasra/Plot Number	Sector Dividing Road Sector - 53/56 Asset Id - 10 Gurugram
रेंज अफसर का नाम Range Officer Name	Karamvir Malik

Reference No. (SRN):-TXJ-JY7-RRXT

जारी करने की तिथि / Date of Issuance: 20-11-2024

जारी करने का स्थान / Place of Issuance: Mahendragarh

जारी करने वाला प्राधिकरण / Issuing Authority: Divisional Forest Officer (Vijender Singh)



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प्रभागीय वन अधिकारी द्वारा अनुमति पत्र  
Permission letter by  
Concerned Divisional Forest Officer  
हरियाणा सरकार / Government of Haryana



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Permission for felling of trees in areas notified under general section-4 of Haryana Land and Preservation Act, 1900 (Punjab Act II of 1900) and tree transit/transplantation.

Species	Classwise number of trees							Under Size Trees	Total no. of trees	Total Volume (M3)
	V	IV	III	IIA	IIB	IA	IB			
Papdi	1	4	1	1	0	0	0	0	7	2.32
Imali	0	0	1	1	2	0	0	0	4	5.66
Alastonia	0	1	2	1	1	1	0	0	6	7.22
Beri	0	1	0	0	0	0	0	0	1	0.14
Maroodfali	4	0	0	0	0	0	0	0	4	0.24
Casia Semia	0	1	2	2	0	0	0	0	5	3.54
Total	5	7	6	5	3	1	0	0	27	19.12

जारी करने की तिथि / Date of Issuance: 20-11-2024  
जारी करने का स्थान / Place of Issuance: Mahendragarh  
जारी करने वाला प्राधिकरण / Issuing Authority: Divisional Forest Officer (Vijender Singh)



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प्रभागीय वन अधिकारी द्वारा अनुमति पत्र  
Permission letter by  
Concerned Divisional Forest Officer  
हरियाणा सरकार / Government of Haryana



हरियाणा भू-परिक्षण अधिनियम, 1900 (1900 का पंजाब का अधिनियम II) की धारा-4 के अधीन अधिसूचित भूमि में वृक्षों की कटाई और वृक्ष ट्रांजिट/ प्रत्यारोपण की अनुमति।

Permission for felling of trees in areas notified under general section-4 of Haryana Land and Preservation Act, 1900 (Punjab Act II of 1900) and tree transit/transplantation.

Applicant Additional Ceo Ued Gmdc located at village Gurgaon district Gurgaon made a proposal to fell trees on this land with Khasra/ Plot number -. The report submitted by RFO, Karamvir Malik dated 14-11-2024.

CONDITIONS OF PERMIT

1. Only the numbered trees will be felled.
2. Trees to be felled will not be uprooted except in case of developmental works/ Individual plots.
3. No dragging of wood will be permitted.
4. Felling after sun set and before the sun rise will not be permitted.
5. No fire will be allowed.
6. No damage to unmarked trees will be caused during felling in the area and the owner will have to pay the compensation as determined by DFO for any such damage.
7. The owner of land shall be responsible for any illicit felling in the area and he will have to pay the compensation as determined by DFO for any such illicit felling.
8. No forest produce will be removed without a Rawana Challan from concerned Range Officer.
9. The permit is liable to be cancelled at any time if any violations of conditions of permit take place / facts given in the application for permit are found incorrect. The decision of DFO in this regard will be final.
10. The forest department does not hold any responsibility for distribution of sale proceeds among the owners of the land.
11. No separate permit for timber transit as per Indian Forest Act, 1927 is required within the territory of Haryana.
12. Permission Is Granted For Felling Of 27 Trees. Subjected To The Condition That The Applicant Must Plant 10 X Saplings In A Lieu Of Felling Trees. Permission Is Valid For 03 Months From The Date Of Issuance.



Date: 20-11-2024  
Place: Mahendragarh

Vijender Singh  
(Divisional Forest Officer)

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प्रभागीय वन अधिकारी द्वारा अनुमति पत्र  
Permission letter by  
Concerned Divisional Forest Officer  
हरियाणा सरकार / Government of Haryana



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Permission for felling of trees in areas notified under general section-4 of Haryana Land and Preservation Act, 1900 (Punjab Act II of 1900) and tree transit/transplantation.

नाम Name	अडीशनल सेो उएड जमदा Additional Ceo Ued Gmda
संगठन का नाम Organisation Name	GMDA
वर्तमान पता Current Address	Tau Devi Lal Biodiversity & Botanical Garden Sector - 52a Gurugram
भूमि स्थान Land Location	Kharki Majra Dhankot , Gurgaon (Haryana),
भूमि मापन Land Measurements	1250(Meter)
खसरा/ प्लाट नम्बर Khasra/Plot Number	Master Dividing Road Between Sector - 102a/103 (asset Id - 130)
रेंज अफसर का नाम Range Officer Name	Karamvir Malik

Reference No. (SRN):-J12-A8B-XWNE

जारी करने की तिथि / Date of Issuance: 20-11-2024

जारी करने का स्थान / Place of Issuance: Mahendragarh

जारी करने वाला प्राधिकरण / Issuing Authority: Divisional Forest Officer (Vijender Singh)



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प्रभागीय वन अधिकारी द्वारा अनुमति पत्र  
Permission letter by  
Concerned Divisional Forest Officer  
हरियाणा सरकार / Government of Haryana



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Permission for felling of trees in areas notified under general section-4 of Haryana Land and Preservation Act, 1900 (Punjab Act II of 1900) and tree transit/transplantation.

Species	Classwise number of trees							Under Size Trees	Total no. of trees	Total Volume (M3)
	V	IV	III	IIA	IIB	IA	IB			
Pipal Transplant	3	2	0	0	0	0	0	0	5	0.46
Pilkhan Transplant	1	1	0	0	0	0	0	0	2	0.20
Shisham	10	13	1	0	0	0	0	0	24	2.99
Jund	1	1	0	0	0	0	0	0	2	0.20
Kikar	32	31	2	0	0	0	0	38	103	7.40
Papdi	33	0	0	0	0	0	0	0	33	1.98
Muskat	239	21	0	0	0	0	0	0	260	17.28
Subabul	11	2	0	0	0	0	0	0	13	0.94
Sahtoot	0	2	0	0	0	0	0	0	2	0.28
Maroodfali	2	0	0	0	0	0	0	0	2	0.12
Neem	6	4	0	0	0	0	0	2	12	0.92
Lasooda	1	0	0	0	0	0	0	0	1	0.06
Beri	8	1	0	0	0	0	0	0	9	0.62
Safeda	0	1	0	0	0	0	0	0	1	0.42

जारी करने की तिथि / Date of Issuance: 20-11-2024  
जारी करने का स्थान / Place of Issuance: Mahendragarh  
जारी करने वाला प्राधिकरण / Issuing Authority: Divisional Forest Officer (Vijender Singh)



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Permission letter by  
Concerned Divisional Forest Officer  
हरियाणा सरकार / Government of Haryana



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Permission for felling of trees in areas notified under general section-4 of Haryana Land and Preservation Act, 1900 (Punjab Act II of 1900) and tree transit/transplantation.

Applicant Additional Ceo Ued Gmdc located at village Kharki district Gurgaon made a proposal to fell trees on this land with Khasra/ Plot number -.  
The report submitted by RFO, Karamvir Malik dated 11-11-2024.

CONDITIONS OF PERMIT

1. Only the numbered trees will be felled.
2. Trees to be felled will not be uprooted except in case of developmental works/ Individual plots.
3. No dragging of wood will be permitted.
4. Felling after sun set and before the sun rise will not be permitted.
5. No fire will be allowed.
6. No damage to unmarked trees will be caused during felling in the area and the owner will have to pay the compensation as determined by DFO for any such damage.
7. The owner of land shall be responsible for any illicit felling in the area and he will have to pay the compensation as determined by DFO for any such illicit felling.
8. No forest produce will be removed without a Rawana Challan from concerned Range Officer.
9. The permit is liable to be cancelled at any time if any violations of conditions of permit take place / facts given in the application for permit are found incorrect. The decision of DFO in this regard will be final.
10. The forest department does not hold any responsibility for distribution of sale proceeds among the owners of the land.
11. No separate permit for timber transit as per Indian Forest Act, 1927 is required within the territory of Haryana.
12. Permission Is Granted For Felling Of 462 Trees And Transplant Of Pipal And Pilkhan Tree Subject To Requirement Of Clearance From Wildlife Wing As This Might Be Falling Within The Eco Sensitive Zone. Applicant Must Plant 10x Sapling Of Felling Tree.  
Permission Is Valid For 03 Months



Date: 20-11-2024  
Place: Mahendragarh

Vijender Singh  
(Divisional Forest Officer)

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हरियाणा सरकार / Government of Haryana



हरियाणा भू-परिक्षण अधिनियम, 1900 (1900 का पंजाब का अधिनियम II) की धारा-4 के अधीन अधिसूचित भूमि में वृक्षों की कटाई और वृक्ष ट्रांजिट/ प्रत्यारोपण की अनुमति।

Permission for felling of trees in areas notified under general section-4 of Haryana Land and Preservation Act, 1900 (Punjab Act II of 1900) and tree transit/transplantation.

नाम Name	मेट्रोपॉलिटन ग्रीन प्लान्नेर अर्बन एन्वायरन्मेंट डिविजन जमदा Metropolitan Green Planner Urban Environment Division Gmda
संगठन का नाम Organisation Name	GMDA
वर्तमान पता Current Address	Tau Devi Lal Biodiversity And Botanical Garden Sector - 52a
भूमि स्थान Land Location	Gurgaon , Gurgaon (Haryana),
भूमि मापन Land Measurements	700(Meter)
खसरा/ प्लॉट नम्बर Khasra/Plot Number	Sector Road At Sector - 70a, Gurugram
रेंज अफसर का नाम Range Officer Name	Karamvir Malik

Reference No. (SRN):-P6H-CDH-V8A1

जारी करने की तिथि / Date of Issuance: 13-12-2024

जारी करने का स्थान / Place of Issuance: Mahendragarh

जारी करने वाला प्राधिकरण / Issuing Authority: Divisional Forest Officer (Vijender Singh)



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हरियाणा भू-परिक्षण अधिनियम, 1900 (1900 का पंजाब का अधिनियम II) की धारा-4 के अधीन अधिसूचित भूमि में वृक्षों की कटाई और वृक्ष ट्रांजिट/ प्रत्यारोपण की अनुमति।

Permission for felling of trees in areas notified under general section-4 of Haryana Land and Preservation Act, 1900 (Punjab Act II of 1900) and tree transit/transplantation.

Species	Classwise number of trees							Under Size Trees	Total no. of trees	Total Volume (M3)
	V	IV	III	IIA	IIB	IA	IB			
Pipal Transplant	5	0	1	0	0	0	0	0	6	0.87
Neem	22	6	10	7	2	0	0	0	47	19.73
Subabul	9	0	0	0	0	0	0	0	9	0.54
Awla	11	9	0	0	0	0	0	0	20	1.92
Silver Oak	0	1	0	0	0	0	0	0	1	0.14
Molsari	3	0	0	0	0	0	0	0	3	0.18
Shisham	1	2	3	2	0	0	0	0	8	4.31
Alastonia	4	4	3	1	1	0	0	0	13	5.62
Gulmohar	0	0	0	1	0	0	0	0	1	1.13
Lasooda	2	1	1	0	0	0	0	0	4	0.83
Kikar	0	1	0	0	0	0	0	0	1	0.14
Sahtoot	12	7	2	0	0	0	0	0	21	2.84

जारी करने की तिथि / Date of Issuance: 13-12-2024  
जारी करने का स्थान / Place of Issuance: Mahendragarh  
जारी करने वाला प्राधिकरण / Issuing Authority: Divisional Forest Officer (Vijender Singh)



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प्रभागीय वन अधिकारी द्वारा अनुमति पत्र  
Permission letter by  
Concerned Divisional Forest Officer  
हरियाणा सरकार / Government of Haryana



हरियाणा भू-परिक्षण अधिनियम, 1900 (1900 का पंजाब का अधिनियम II) की धारा-4 के अधीन अधिसूचित भूमि में वृक्षों की कटाई और वृक्ष ट्रांजिट/ प्रत्यारोपण की अनुमति।

Permission for felling of trees in areas notified under general section-4 of Haryana Land and Preservation Act, 1900 (Punjab Act II of 1900) and tree transit/transplantation.

Applicant Metropolitan Green Planners Urban Planning Division district Gurgaon made a proposal to fell trees on this land with Khasra/ Plot number -.  
The report submitted by RFO, Karamvir Malik dated 06-12-2024.

CONDITIONS OF PERMIT

1. Only the numbered trees will be felled.
2. Trees to be felled will not be uprooted except in case of developmental works/ Individual plots.
3. No dragging of wood will be permitted.
4. Felling after sun set and before the sun rise will not be permitted.
5. No fire will be allowed.
6. No damage to unmarked trees will be caused during felling in the area and the owner will have to pay the compensation as determined by DFO for any such damage.
7. The owner of land shall be responsible for any illicit felling in the area and he will have to pay the compensation as determined by DFO for any such illicit felling.
8. No forest produce will be removed without a Rawana Challan from concerned Range Officer.
9. The permit is liable to be cancelled at any time if any violations of conditions of permit take place / facts given in the application for permit are found incorrect. The decision of DFO in this regard will be final.
10. The forest department does not hold any responsibility for distribution of sale proceeds among the owners of the land.
11. No separate permit for timber transit as per Indian Forest Act, 1927 is required within the territory of Haryana.
12. Permission Is Granted For Felling/transplant. Applicant Must Plant 10x Saplings In A Lieu Of Felling Trees. Permission Is Valid For 03 Months From The Date Of Issuance.



Date: 13-12-2024  
Place: Mahendragarh

Vijender Singh  
(Divisional Forest Officer)

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S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G SWRIT PETITION(S)(CIVIL) NO(S). 13381/1984

M.C. MEHTA

Petitioner(s)

VERSUS

UNION OF INDIA &amp; ORS.

Respondent(s)

(IN RE: TAJ TRAPEZIUM ZONE)

(1) IA NO. 108684/2023 (APPLN. FOR DIRECTIONS ON BEHALF OF GOVT. OF U.P.); (2) IA NO. 116768/2018 (APPLN. FOR DIRECTION ON B/O GANGA GLASS INDUSTRIES AND ORS.); (3) IA NOS. 20616, 20617/2020 AND 64225/2022 (APPLNS. FOR INTERVENTION, DIRECTIONS AND CLARIFICATION ON BEHALF OF ARUN KR. GUPTA); (4) IA NOS. 130769 AND 130771/2024 (APPLNS. FOR DIRECTIONS AND EXEMPTION FROM FILING O.T. ON B/O GOVT. OF U.P); (5) IA NO. 376/2003 AND 389/2001 (APPLNS. FOR DIRECTIONS FILED BY AMICUS CURIAE); (6) IA NOS. 387/2000 (APPLN. FOR DIRECTIONS FILED BY AMICUS CURIAE); AND (7) IA NOS. 478 AND 479/2008 (APPLNS. FOR DIRECTIONS FILED BY PETITIONER-IN-PERSON)

("ONLY" IN W.P. (C) NO. 13381/1984 ARE LISTED)  
("ONLY" NAMES OF THE FOLLOWING ADVOCATES MAY BE TREATED TO HAVE BEEN SHOWN IN THE LIST.)

PETITIONER-IN-PERSON; MR. A.D.N. RAO, SR. ADVOCATE (A.C.), MR. AMRISH KUMAR, MR. M.K. MARORIA, MR. G.S. MAKKER, MR. VIJAY PANJWANI, MR. ANKIT GOEL, MR. N.L. GANAPATHI, MS. SUPRIYA JUNEJA, MS. APARNA BHAT, MS. MAYURI RAGHUVANSHI, MR. E.C. AGRAWALA, MR. ARVIND KUMAR SHARMA, MS. APARNA BHAT, MS. SAROJ TRIPATHI, MR. GAURAV GOEL, MR. M.C. DHINGRA, MR. SHISHIR DESHPANDE, MR. RAVI PRAKASH MEHROTRA, MR. KAMLENDRA MISHRA, MR. PRADEEP MISRA, MR. ASHOK KUMAR SRIVASTAVA AND MS. MRIDULA RAY BHARDWAJ, ADVOCATES)

Date : 06-09-2024 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ABHAY S. OKA  
HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

Mr. A.D.N. Rao, Sr. Advocate (Amicus Curiae)

**For parties:**

Mrs. Aishwarya Bhati, A.S.G.  
 Ms. Ruchi Kohli, Sr. Adv.  
 Mr. Gurmeet Singh Makker, AOR  
 Mrs. Suhashini Sen, Adv.  
 Mr. S S Rebello, Adv.  
 Mr. Kanu Agrawal, Adv.  
 Mrs. Satvik Mishra, Adv.  
 Mr. Adit Khorana, Adv.  
 Mrs. Satvika Thakur, Adv.  
 Mrs. Aarushi Singh, Adv.  
 Mr. Rohan Gupta, Adv.  
 Ms. Shivika Mehra, Adv.  
 Mr. Aaditya Dixit, Adv.  
 Mr. Kartikeya Asthana, Adv.  
 Dr. N. Visakamurthy, AOR  
 Mr. S N Terdal, Adv.  
 Ms. Astha Singh, Adv.  
 Ms. Rajeshwari Shankar, Adv.  
 Mr. Sarthak Karol, Adv.  
 Mr. Mukesh Kumar Maroria, AOR  
 Mr. Gurmeet Singh Makker, AOR

Ms. Aishwarya Bhati, A.S.G.  
 Mr. Rajeev Kumar Dubey, Adv.  
 Ms. Prashasti Singh, Adv.  
 Mr. Anirudh Singh, Adv.  
 Mr. Ashiwan Mishra, Adv.  
 Mr. Kamlendra Mishra, AOR

Ms. Aparna Bhat, Sr. Adv.  
 Ms. Rajkumari Banju, AOR  
 Ms. Karishma Maria, Adv.

Ms. Garima Prashad, Sr. A.A.G.  
 Mr. Sudeep Kumar, AOR  
 Ms. Manisha, Adv.  
 Ms. Rupali, Adv.

Mr. Manoj K. Mishra, AOR  
 Mr. A. Baskar, Adv.  
 Mr. Umesh Dubey, Adv.  
 Mr. B.P. Singh Parihar, Adv.  
 Ms. Madhulika, Adv.  
 Ms. Vuzmal Nehru, Adv.  
 Mr. Amulya Dev, Adv.

**Applicant-in-person**

**Petitioner-in-person**

Mr. Atishi Dipankar, AOR

Mr. Vaibhav Agnihotri, Adv.

Mr. Arpit Sharma, Adv.

Ms. Supriya Juneja, AOR

Mr. Ankur Prakash, AOR

Mr. R.K. Mudgal, AAG

Mr. Akshay Amritanshu, AOR

Mr. Samyak Jain, Adv.

Ms. Drishti Saraf, Adv.

Ms. Pragya Upadhyay, Adv.

Mr. Lakshmi Raman Singh, AOR

Mr. Ajit Sharma, AOR

Mr. Ravinder Singh, Adv.

Mr. Katubadi Ismail, Adv.

For M/S. Lawyer S Knit & Co, AOR

Mrs. Rachana Joshi Issar, AOR

Mr. Kishan Chand Jain, Adv.

Mr. Rajesh Kumar, Adv.

Mr. E.C. Agrawala, AOR

Dr. (Mrs.) Vipin Gupta, AOR

Mr. Prashant Kumar, AOR

Mr. Rajiv Tyagi, AOR

Mr. Ajay K. Agrawal, AOR

Mr. Shiv Prakash Pandey, AOR

Mr. Sudhir Kulshreshtha, AOR

Mr. P.K. Manohar, AOR

Mr. Pradeep Misra, AOR

Mr. Daleep Dhyani, Adv.

Mr. P. Parmeswaran, AOR

Mr. P. Narasimhan, AOR

M/S. Manoj Swarup And Co., AOR

Dr. Sumant Bharadwaj, Adv.  
Ms. Mridula Ray Bharadwaj, AOR  
Mr. Vedant Bharadwaj, Adv.

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Mr. Jogy Scaria, AOR

Mr. Guntur Pramod Kumar, AOR  
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Mr. Amrish Kumar, AOR

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Mr. Shrimay Mishra, Adv.  
Mr. Abhinav Pandey, Adv.

Mr. Ashutosh Dubey, AOR  
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Mr. Abhishek Chauhan, Adv.  
Mr. H.B. Dubey, Adv.  
Mr. Amit P. Shahi, Adv.  
Mr. Amit Kumar, Adv.

Mr. Ankur Prakash, AOR

Mr. Vishal Arun Mishra, AOR

Mr. Gaurav Goel, AOR

M/S. GSL Chambers, AOR

Ms. Aparna Bhat, AOR

Mr. Gaurav Goel, AOR

Mr. Gaurav Agrawal, AOR

Mr. Saksham Maheshwari, AOR

Mr. Pushkar Sharma, AOR  
Ms. Nagma Bee, Adv.

Mr. Arvind Kumar Sharma, AOR

Mr. Sanjeev Kumar Choudhary, Adv.  
Mrs. Shradha Choudhary, Adv.  
Mr. Seshatalpa Sai Bandaru, AOR

Mr. Gaurav Dhingra, AOR

Mr. Shantanu Krishna, AOR

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Mr. Shanto Mukherjee, Adv.

Mr. Abhinav Agrawal, AOR

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Mr. Sanjay Upadhyay, Sr. Adv.  
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Mr. Venkatesh Netha Borlakunta, Adv.

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Mr. Suryansh Vashisth, Adv.  
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Mr. N.L. Ganapathi, AOR  
Ms. Rini V. Tigga, Adv.  
Mr. Amogh S. Rao, Adv.

Mr. Abhishek Chaudhary, AOR

Mr. Anurag Kishore, AOR

Mr. Rachit Mittal, AOR

Mr. Nischal Kumar Neeraj, AOR

Mr. Zoheb Hossain, AOR

Mr. Arvind Gupta, AOR

UPON hearing the counsel the Court made the following  
O R D E R

IA No.108684 of 2023

1. Pursuant to the order dated 5<sup>th</sup> August, 2024, the applicant-State of Uttar Pradesh has filed an affidavit dated 5<sup>th</sup> September, 2024 in which it is stated that for the reasons set out therein, the work of compensatory afforestation has not started. We cannot permit felling of trees and trans-location of trees unless substantial work of compensatory afforestation is carried out by the State.

2. To enable the State of Uttar Pradesh to file an affidavit reporting compliance, this application shall be listed on 4<sup>th</sup> October, 2024 at the end of the Cause List.

IA No.116768 of 2018

3. We have perused the affidavit dated 1<sup>st</sup> September, 2024 filed by the State of Uttar Pradesh. It is stated that the process of finalizing draft sectorial guidelines of glass industries prepared by the National Environmental Engineering Research Institute (NEERI), Nagpur, Maharashtra is in progress. Therefore, for the time being, we adjourn this application till 4<sup>th</sup> October, 2024. Further progress in the matter shall be reported to the Court.

IA No.64225 of 2022

4. The issue is about the meaning of "non-polluting industries". We need assistance of the experts for the purpose of dealing with the prayer clause (A) and for elaborating the meaning of "non-polluting industries".

5. We appoint NEERI to undertake the task of defining and clarifying the meaning of "non-polluting industries". NEERI will take the assistance of the Central Pollution Control Board. The learned counsel appearing on behalf of the applicant has suggested the names of the following experts:

1. Dr.T.V.Ramachandra,  
Energy and Wetlands Research Group,  
Centre for Ecological Sciences,  
New Bioscience Building, 3<sup>rd</sup> Floor, E Wing  
Indian Institute of Science,  
Bengalooru-560012
2. Professor Virendra Sethi,Adv.  
Head, Centre for Urban Science and Engineering,  
Environmental Science and Engineering Department,  
IIT Bombay, Powai,  
Mumbai 400076
3. Dr. Ajay Deshpande,  
Environment Safeguards Specialist,  
(Former Expert Member, NGT)  
IIT Bombay, Powai,  
Mumbai 400076
4. Dr. Ravindra Khaiwal,  
Professor of Environmental Health,  
Department of Community Medicine and School of  
Public Health, Post Graduate Institute of Medical  
Education and Research (PGIMER),  
Chandigarh 160012

6. NEERI will consult the aforesaid experts as well as any other appropriate experts in the field. As the task entrusted to NEERI is very crucial which will have wide

repercussions, NEERI will call a meeting of all stakeholders including the learned Amicus Curiae before undertaking the work. In the first meeting, the presence of the learned Amicus Curiae will be necessary, as they will be able to explain to all concerned what is expected of them by the Court. The first meeting can be always held through the medium of video conference.

7. A copy of this order shall be forwarded to NEERI by the Registry.

8. We direct NEERI to submit a preliminary report defining outer limit for completion of the task. NEERI will submit that report before 3<sup>rd</sup> October, 2024.

9. List on 4<sup>th</sup> October, 2024 so that outer limit can be fixed to enable NEERI to complete the exercise.

IA Nos.20616 and 20617 of 2020

10. List these applications on 14<sup>th</sup> October, 2024 at the end of the Cause List.

IA Nos.130769 and 130771 of 2024

11. Additional affidavit has been filed by the applicant, pursuant to this Court's order dated 5<sup>th</sup> August, 2024. Now, the prayer in the application has been modified in terms of paragraph 9 of the said affidavit which provides for saving at least 96 trees.

12. We direct the Central Empowered Committee (CEC) to look into the prayer made by the applicant. As pointed out in our earlier orders, the CEC will examine the proposal with a view to ascertain whether requirement of

felling the number of trees can be reduced. The CEC to submit a report by 14<sup>th</sup> October, 2024.

13. List on 14<sup>th</sup> October, 2024 at the end of the Cause List.

IA Nos.376/2003, 387/2000, 389/2001,478/2008 and 479/2008

14. List these applications on 4<sup>th</sup> October, 2024 at the end of the Cause List.

15. In the meanwhile, the State of Uttar Pradesh and the Archaeological Survey of India shall file a status report concerning the controversy in these applications.

IA No.31946 of 2024

16. List on 13<sup>th</sup> September, 2024 at the end of the Cause List.

IN RE: REPORT NO.17 OF 2024

17. We have perused the CEC Report No.17 of 2024. To begin with, the CEC has flagged 16 cases wherein this Court had granted permissions for felling of trees subject to compliance with various conditions, but the applicants have as yet not fully complied with the conditions. The details of the applicants are as under:

S. No.	Project Proponent	IA No.	SC order dated	Project Name	Conditions Not Complied With so far
1.	J.P. Infotech Lintied	490 -492 of 2011	14.03.2011	Construction of Taj Expressway	Appropriate plantation was to be done by the user agency in the vacant spaces on both sides of the proposed road. However, no compliance report has been received so far.
2.	Uttar Pradesh Expressway	548-549 of 2015	14.12.2015	Construction of Agra Lucknow Expressway	The plantation of 2810 trees in lieu of 281 trees required to be felled was to be

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S. No.	Project Proponent	IA No.	SC order dated	Project Name	Conditions Not Complied With so far
3.	Industrial Development Authority COD, Agra	527 & 543 of	08.05.2015 & 14.09.2015	Obstacle trees under COD Agra	undertaken at the project cost. Compliance report from user agency is still awaited. Plantations of 28274 saplings was to be done upto Dec. 2017 and balance number of trees 16265 plus 4440 trees after modernization. No information on compliance has been received.
4.	NHAI	553-554 of 2015	14.12.2015	Construction of Bharatpur of Dholpur road (NH 123)	Plantation of 37988 trees in lieu of 3673 trees required to be felled will be undertaken at project cost. No such plantation has been done in spite of repeated reminders.
5	NHAI	44266 of 2022	31.10.2022	Construction of entry and exit road of Yogiraj Sarkar Goddi Trust complex.	Compensatory planting of minimum of 660 trees of indigenous species in lieu of 66 trees is not yet complete. It is likely to be completed in 2024.
6.	North Central Railways	576 of 2017 & 184391 of 2018	11.12.2019	Extension of Mathura Junction to Palwal Railway Line	The 4 Ha of land in village Chatikara near Vrindavan Station identified for taking up of Compensatory Plantation has not yet been handed over by the user agency.
7.	Uttar Pradesh Jal Nigam	578 of 2017 & 11157 of 2019	13.05.2022	Construction of STP at Dhadupura	6.4 hectare of land allotted for the purpose in Dhandhupura village, Agra for compensatory plantation of 7500 trees of indigenous species has not yet been handed over and no plantation has been raised till now.
8.	Rail Vikas Nigam Limited	91486 of 2021	13.05.2022	Second project of third rail line Mathura– Jhansi	Due to delay in handing over land for planting of 50940 saplings, plantation is not yet complete. It will be completed in 2024 rainy season
9.	PWD, Mathura	577 of 2017 & 8180 of 2022	08.12.2021	Work of widening of Mathura-Govardhan-Ding road (in protected forest area)	User agency has not completed the chain link fencing of the plantation site for planting of 30000 trees of indigenous species hence compensatory plantation is yet to be done.
10.	PWD, Mathura	70309 of 2021	13.05.2022	Felling of 318 trees Work of widening of	User agency has not completed the chain link fencing of the plantation site

S. No.	Project Proponent	IA No.	SC order dated	Project Name	Conditions Not Complied With so far
				Mathura-Vrindavan road	for planting of 3200 trees of indigenous species hence compensatory plantation is yet to be done.
11.	PWD, Mathura	51269 of 2017	23.09.20225	Construction of road up to Kosi-Nandgaon-Barsana-Govardhan-Saukh-Mathura and Mathura-Raya Expressway	Plantation is not yet complete. It will be completed in 2024 rainy season.
12.	PWD, Mathura	1441 of 2020	13.05.2022	Construction of proposed 10 m wide service road around Govardhan Parikrama Marg in district Mathura	Plantation is not yet complete. It will be completed in 2024 rainy season.
13.	North Central Railways	132820 of 2022	23.09.2022	Establishment of Mathura-Bhuteshwar railway line track in Mathura district and construction work of Mathura yard modeling	Plantation is not yet complete. It will be completed in 2024 rainy season.
14.	NHAI, Agra	87395 of 2022	09.02.2023	Four lane widening of Mathura-Hathras-Badau-Bareilly road (NH-530B),	Plantation not completed is in progress
15.	NHAI, Agra	3290-3291 of 2012	21.02.2012	Widening of Agra - Aligarh Road	A Project of disposal of waste with details of waste and detail of managing it and money required was to be submitted. It has not been complied with.
16.	Uttar Pradesh Metro Rail Corporation	163898 & 163904 of 2019	14.07.2020	Agra Metro Project	the Applicant undertook to utilise the harvested rainwater in the depots and the metro stations and provide sufficient vehicle parking area in metro station complexes specifically to accommodate tourist uses and cars arriving from outstations by suitably modifying the Detailed project Report. This is yet to be completed

18. We direct the Registry to issue notice to the applicants in the aforesaid applications, returnable on 14<sup>th</sup> October, 2024.

19. We call upon the aforesaid applicants to file the affidavits reporting compliance with the conditions on which they were permitted to fell the trees. We are putting the applicants to notice that if on the next date, we find that full compliance is not reported, an action under the Contempt of Courts Act, 1971 will be initiated against the concerned parties. Even a copy of this order shall be forwarded along with the notice.

20. Now, there are other important issues flagged in Report No.17 of 2024. We direct the State of Uttar Pradesh to file an affidavit dealing with the issues raised in the report. We grant longer time of six weeks to the State to file a response. The affidavit of the State will be considered along with the issues raised in the Report on 25<sup>th</sup> October, 2024.

IN RE: REPORT NO. 18 OF 2024

21. In this report, the CEC has come out with the following recommendations:

"9. The CEC has discussed the issue of monitoring the compliance of conditions imposed by this Hon'ble Court with the Ld. Amicus Curiae and the officers of the Forest Department of GNCTD. Pursuant to these discussions, the following is recommended:

I. For ensuring proper and timely compliance of the orders passed from time to time by this Hon'ble Court on issues related to the Delhi Ridge, the Central Empowered Committee (CEC) shall create a customized Management Information System (MIS) module on which the following data shall be uploaded by the Project Proponent on regular basis:

(a) Details of the project

(b) Details of the number and species of trees to be felled or translocated

(c) Details of the relevant order of this Hon'ble Court along with conditions that need to be complied with.

(d) Copy of the relevant permission for felling of trees

(e) Details of the number of trees felled with details of transit permits.

(f) Details of the area, along with its km<sup>2</sup> file, identified for transplantation of the trees.

(g) Details of area, along with its km<sup>2</sup> file identified for compensatory plantation

(h) Details of compensatory plantation and subsequent maintenance activities

(i) Details of transplantation and subsequent maintenance activities

(j) Details of the area for which approval of diversion under the Forest Conservation Act 1980 is required.

(k) Copy of relevant order of approval under Forest Conservation Act 1980.

(l) Details of compensatory afforestation under Forest Conservation Act 1980 and subsequent maintenance activities.

(m) Details of compliance of other specified conditions.

(n) Relevant photographs of activities performed.

(o) Details of inspection done with results of the inspection.

(p) Details of conditions imposed by any other Hon'ble Court/authority/ department.

(q) Status of compliance of conditions as on date.

II. Every project proponent shall be provided a login ID and password by the CEC for accessing the Management Information System (MIS) module and uploading the data on a regular basis, till the Compensatory Plantation is fully established and all the conditions imposed by this Hon'ble Court are complied with.

III. The MIS will also capture compliance of conditions imposed under the Forest Conservation Act 1980 or any other Hon'ble Court/authority/department as the case may be.

IV. The CEC shall, based on analysis of the data uploaded on the MIS module and physical inspections, submit consolidated status reports as on every 1st January and 1st July before this Hon'ble Court.

V. For the cases in which orders have been passed by this Hon'ble Court in the past, the CEC will collect the data of all the cases and get the information uploaded on the MIS module through the project proponent. The data shall be cross-checked on a sample basis by actual ground verification. As the number of such cases is going to be quite large, the CEC may take the

assistance of independent experts and/or any reputed government Institute/agency to do the ground verification.

VI. The creation of a customized Management Information System (MIS) module shall take around six weeks from the date of its approval. While in case of proposals, in which this Hon'ble Court has passed appropriate orders from 01.01.2023 onwards, the uploading of the data can start as soon as the module is in place. However, for the older cases, a time of around twelve weeks may be required and the first status report shall be filed before this Hon'ble Court accordingly."

22. We accept the recommendations and direct the CEC to act upon the recommendations. We permit the CEC to send the notices to all applicants/project proponents who have been earlier granted permission for felling of trees calling upon them to upload the data of compliances made by them on the customized Management Information System (MIS) within a period of three months from the date on which letters are served upon them.

23. We make it clear that if we are satisfied that notwithstanding the receipt of the letters from the CEC, the applicants/project proponents have failed to upload the data of compliance within a period of three months, action under the Contempt of Courts Act, 1971 shall be initiated against the concerned applicants/project proponents.

24. The CEC will forward a copy of this order along with the letters.

25. List on 25<sup>th</sup> October, 2024 at the end of the Cause List.

(ANITA MALHOTRA)  
AR-CUM-PS

(AVGV RAMU)  
COURT MASTER



Birds letter.pdf



वन एवं वन्य प्राणी विभाग, हरियाणा सरकार  
कार्या: प्रधान मुख्य वन संरक्षक एवं मुख्य वन्य जीव प्रतिपालक, हरियाणा, पंचकुला  
वन भवन, प्लॉट नं० सी-18, सेक्टर-8, पंचकुला, पुरगाण नं० 0172-2561224, 2563682 ई-मेल: pccf.cww-hfd@hry.gov.in

कमांक: 2400

दिनांक: 27.12.2021

सेवा में,

सर्व विभागाध्यक्ष  
हरियाणा सरकार।

विषय: पक्षियों द्वारा घाँसलों/आवास हेतु प्रयोग किये जाने वाले हरे व सूखे वृक्षों को न काटने  
बारे।

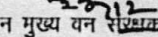
ऊपर्युक्त विषय के सम्बन्ध में कई पर्यावरण प्रेमियों एवं गैर सरकारी संस्थाओं ने इस कार्यालय के नोटिस में लाया है कि सूखे पेड़ों के काटने से कई पक्षियों के आवास खतरे में है। इसके चलते कई पक्षियों का जीवन खतरे में पड़ सकते हैं।

यहां इस बात का उल्लेख करना आवश्यक है कि पक्षी सूखे वृक्षों व उनकी डालियों पर बैठना और आराम करना खूब पसंद करते हैं। यही वृक्ष जब खोखले होते हैं तो उनके खोखलों में तोता व कठफोड़बा आदि पक्षी अंडे देते हैं और उनका जीवन चलता है।

ऊपर्युक्त के अतिरिक्त कुछ ऐसे हरे-भरे वृक्ष हैं जिनको वर्ष भर पक्षियों की भिन्न-2 प्रजातियां आवास के रूप में प्रयोग करती हैं।

अतः अनुरोध है कि आपके अधीन पड़ने वाले सूखे वृक्ष यदि मानव के लिए खतरा न हों तो उन्हें काटा ना जाएं। इसके अतिरिक्त ऐसे हरे-भरे वृक्ष जिन्हें विभिन्न प्रजातियों के पक्षी वासस्थल के रूप में प्रयोग करते हैं, सुरक्षित रखे जाएं।

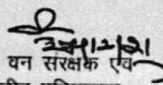
कृपया इस पत्र की प्रति अपने अधीनस्थ कार्यालयों को भी पृष्ठांकित करने का कष्ट करें।

  
प्रधान मुख्य वन संरक्षक एवं  
मुख्य वन्य जीव प्रतिपालक,  
हरियाणा, पंचकुला।

पृ०कमांक: 2401

दिनांक: 27.12.2021

इसकी एक प्रति श्री विनोद कड़वासरा, प्रदेश अध्यक्ष, अखिल भारतीय जीव रक्षा विश्वनोई सभा, हरियाणा के पत्र कमांक ABJRBSH/2021/95 दिनांक 24.12.2021 की प्रति सहित प्रधान मुख्य वन संरक्षक (वन बल प्रमुख), हरियाणा, पंचकुला को भेजते हुए अनुरोध किया जाता है कि जहां-2 संभव हो, ऐसे सभी वृक्ष (चाहे हरे या सूखे) जिन्हें वन्य जीवों द्वारा वासस्थल के रूप में प्रयोग किया जा रहा हो, को काटने की अनुमति न दी जाए।

  
प्रधान मुख्य वन संरक्षक एवं  
मुख्य वन्य जीव प्रतिपालक,  
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