

**BEFORE THE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI**

**IN  
ORIGINAL APPLICATION NO. 745 OF 2024**

**IN THE MATTER OF:**

Siya Ram Mandal ...Applicant

Versus

Eldico Company & Ors ....Respondent(s)

WITH

**ORIGINAL APPLICATION NO. 951 OF 2024**

Rajpal Singh ...Applicant

Versus

ELDICO Company & Ors. ....Respondent(s)

**INDEX**

S.NO	PARTICULARS	PAGE NO.
1.	Additional Affidavit Of District Magistrate Bareillyin compliance of order dated 30.01.2025 passed by this Hon'ble Tribunal.	1-6
2.	<b>ANNEXURE R-1</b> A Copy of office letter no.374/S.T.- 2025 dated 24 <sup>th</sup> February 2025	7
3.	<b>ANNEXURE R-2</b> A copy of report dated 22.03.2025	8-12

FILED THROUGH

*Ankit Verma*

**(ANKIT VERMA)**

**STANDING COUNSEL STATE OF UP**

**A-15 FF, NIZAMUDDIN EAST, NEW DELHI- 110013**

**MOB:- 0999080440 Email-ankit.scngtup@gmail.com**

**BEFORE THE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI**

**IN**

**ORIGINAL APPLICATION NO. 745 OF 2024**

**IN THE MATTER OF:**

Siya Ram Mandal

...Applicant

Versus

Eldico Company & Ors

....Respondent(s)

WITH

**ORIGINAL APPLICATION NO. 951 OF 2024**

Rajpal Singh

...Applicant

Versus

ELDICO Company & Ors.

....Respondent(s)



**ADDITIONAL AFFIDAVIT OF DISTRICT MAGISTRATE  
BAREILLY IN  
COMPLIANCE OF ORDER DATED 30.01.2025 PASSED BY  
THIS HON'BLE TRIBUNAL**

The Respondent No. 3 Herein states as under

**MOST RESPECTFULLY SHOWETH:**

I, Ravindra Kumar aged about 43 years, presently posted as District Magistrate District Bareilly, Uttar Pradesh, the deponent, do hereby solemnly state and affirm as under: -

*A.*

That I am above mentioned officer of the answering Respondent and is duly competent to file the present affidavit. That the Deponent is well conversant with the facts and the circumstance of the instant case and is competent to swear this affidavit.

1. That the Deponent has read and understood the contents of the present affidavit. The averments made in the Original Application which are not specifically admitted hereunder to be considered to have been denied by the Deponent.
2. That the deponent is posted as District Magistrate Bareilly since 03.10.2023.
3. That this Hon'ble Tribunal in vide order dated 30.01.2025 was pleased to pass the following directions:



**.....The Counsel for the State has submitted that proceedings have been initiated for the exchange of land of pond. The State is required to disclose under which provision of law such proceedings are initiated and how a natural water body can be filled up and permitted to be exchanged with a land where no water body exists. Learned Counsel for the State submits that keeping in view the observations made above, further reply by way of affidavit will be filed by Respondent No. 3- District Magistrate, Bareilly.....**

*Jc*

That the present additional affidavit is being filed in respectful compliance of the order dated 30.01.2025 passed by this Hon'ble Tribunal.

4. That in respectful compliance of order dated 30.01.2025 passed by this Hon'ble Tribunal, the office of the deponent through Additional District Magistrate (F/R) District Bareilly issued an office letter no. 374/S.T.- 2025 dated 24<sup>th</sup>February 2025 and constituted a Joint Committee of Administrative Officials comprising of Sub Divisional Magistrate Bareilly, Tehsildar Sadar, Bareilly and Naib Tehsildar Bareilly and further directed to submit a factual report. A copy of office letter no.374/S.T.- 2025 dated 24<sup>th</sup>February 2025 is annexed herewith and marked as **Annexure R-1.**



5. That the aforesaid Joint Committee as constituted by the office of the deponent inspected the alleged Gata No.508, which is recorded as a Jheel (lake) as per the revenue records on 22.03.2025 and observed that the catchment area of the said Jheel (lake) is surrounded by private agricultural land. Further it was observed that the construction work of the passage leading to the Jheel (lake) has commenced and will be completed with in a period of 3 months as informed by the respondent company who is constructing the passage. The joint committee also took recent photographs of the alleged Gata No. A copy of report dated 22.03.2025 submitted by the Joint Committee along with recent photographs to the office of deponent is annexed herewith and marked as **Annexure R-2.**

*[Handwritten signature]*

6. That it is most respectfully submitted that proposal of land exchange as per the clause 4(4) of the Government Order No. 33/745/ek-1-2016-20(5)/2016 dated 03.06.2016 [which is annexed as Annexure R-7 to the affidavit dated 25<sup>th</sup> January 2025 filed by the deponent in the instant case] was not taken into consideration and was not acted upon as the respondent company executed a gift deed of two parcel of lands dated 30.12.2024 to the Land Management Committee of Gram Sabha Bilwa from which the approach road/passage for the Jheel (lake) has been made out and demarcated which is evident from the photographs annexed with Annexure R-2.



That the catchment area of the Gata No.508, which is registered as Jheel (lake) in the revenue records, is the surrounding agricultural land and the primary source of water is periodic rainfalls.

8. That it is further submitted that all earnest efforts are being undertaken by the District Administration to ensure that the ecological nature of Jheel (lake) is preserved.
9. That in the interest of justice the present additional affidavit may be taken on record by this Hon'ble Tribunal.

  
**DEPONENT**

**Verification**

I, the deponent above named do hereby verify and state that the contents of the foregoing paragraphs of the above application are true to the best of my knowledge and belief, no part of it is false and nothing material has been concealed there from.

On this 26 day of Mar, , 2025.

  
**DEPONENT**



**BEFORE THE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI  
IN  
ORIGINAL APPLICATION NO. 745 OF 2024**



**IN THE MATTER OF:**

Siya Ram Mandal

...Applicant

Versus

Eldico Company & Ors

....Respondent(s)

WITH

**ORIGINAL APPLICATION NO. 951 OF 2024**

Rajpal Singh

...Applicant

Versus

ELDICO Company & Ors.

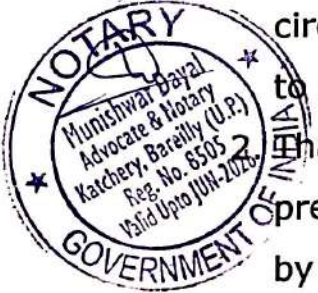
....Respondent(s)

**AFFIDAVIT**

I, Ravindra Kumar aged about 43 years presently posted as District Magistrate Bareilly, Uttar Pradesh, do hereby solemnly affirm and declare as under-

4/14  
26/3/25

1. That I am fully acquainted with the facts and circumstances and records of the case and thus competent to swear the present affidavit.



2. That the contents of the accompanying reply have been prepared under my instructions and have been understood by me and I declare the same to be true and correct to my knowledge of facts and law.


3. The contents as stated above are true and correct to my knowledge and belief.

Verification

It is verified at Bareilly on 26-03-2025 that the contents of the present application are true and correct and nothing has been concealed there from.

  
**DEPONENT**

Certified By Shri.....  
Identified By Shri.....  
Sworn and Confirmed the Contents of the  
Affidavit in my Presence At Bareilly Date. 26/3/25  
And Further Understood The Contents

  
Munishwar Dayal  
Advocate & Public Notary  
Katchery, Bareilly (U.P.)

कार्यालय जिलाधिकारी, बरेली।

पत्रांक- 374 / एस0टी0-2025

दिनांक- 24 फरवरी, 2025

विषय-ग्राम विलवा तहसील सदर जिला बरेली के गाटा सं0 508 की अद्यतन स्थिति की जांच के सम्बन्ध में।

उपर्युक्त विषयक ग्राम विलवा तहसील सदर जिला बरेली की गाटा सं0 508 जो कि राजस्व अभिलेखों में झील के रूप में दर्ज है, के सम्बन्ध में प्रकरण मा0 राष्ट्रीय हरित अधिकरण नई दिल्ली में विचाराधीन है, जिसमें मा0 अधिकरण द्वारा पारित आदेश दिनांक 30.01.2025 में प्रश्नगत प्रकरण में जिलाधिकारी महोदय बरेली की ओर से प्रति शपथ पत्र दाखिल किये जाने हेतु निर्देशित किया गया है।

अतः तहसील सदर जिला बरेली के राजस्व ग्राम विलवा स्थित झील गाटा सं0 508 की अद्यतन स्थिति की जांच हेतु तीन सदस्यीय टीम गठित की जाती है-

उप जिलाधिकारी, सदर बरेली (अध्यक्ष)

तहसीलदार सदर, बरेली (सदस्य)

नायब तहसीलदार सदर, बरेली (सदस्य)

उक्त टीम को निर्देशित किया जाता है कि वह अपनी सुस्पष्ट जांच आख्या 07दिवस में अधोहस्ताक्षरी के समक्ष प्रस्तुत करना सुनिश्चित करें।

  
24/02/25  
अपर जिलाधिकारी(वि0/रा0)  
बरेली।

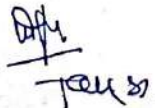
महोदय,

कृपया कार्यालय जिलाधिकारी, बरेली के पत्रांक-374/एस0टी0-2025 दिनांक-24 फरवरी, 2025 ग्राम विलवा तहसील सदर जिला बरेली के गाटा सं0 508 की अद्यतन स्थिति की जांच विषयक पत्र का सन्दर्भ ग्रहण करने का कष्ट करें, जिसमें उप जिलाधिकारी सदर बरेली के नेतृत्व में गठित तीन सदस्यीय टीम को अपनी सुस्पष्ट जांच आख्या प्रस्तुत किये जाने हेतु निर्देशित किया गया है।

उक्त के सन्दर्भ में प्रकरण की जांच की गयी, जिससे विदित हुआ कि राजस्व ग्राम विलवा स्थित गाटा सं0 508 जो कि राजस्व अभिलेखों में झील के रूप में दर्ज है, का जलग्रहण क्षेत्र आस-पास की कृषि भूमि है।

उक्त झील तक पहुँच/सम्पर्क मार्ग विकसित किये जाने हेतु निर्माण कार्य प्रारम्भ हो चुका है। झील का प्राथमिक स्रोत वर्षा का जल है। सामान्यतः वर्षा काल में ही झील में जल विद्यमान होता है। वर्तमान में झील रिक्त है। मौके की अद्यतन फोटोग्राफ संलग्न हैं। आख्या सेवा में सादर प्रेषित है।

  
NT

  
T

  
SGM



- 10 -

