

BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

ORIGINAL APPLICATION NO.686 OF 2024

IN THE MATTER OF:

Pt. Girdhari Lal

...Applicant

Versus

Govt. of NCT of Delhi & Ors.

...Respondents

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NDOH: 24.09.2025

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RESPONDENT NO.4

THROUGH



Singhania & Partners LLP
Solicitors & Advocates
P-24, Green Park Extension
New Delhi-110016

Dated: 19.09.2025
Place: New Delhi

BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

ORIGINAL APPLICATION NO.686 OF 2024

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...Respondents

ADDITIONAL RESPONSE ON BEHALF OF RESPONDENT NO.4/NHAI

MOST RESPECTFULLY SHOWETH:

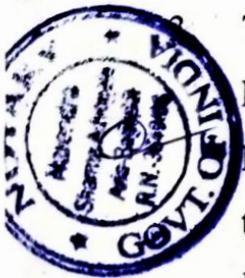
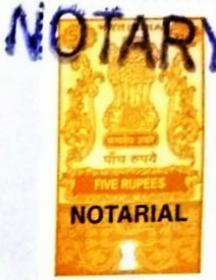
1. The present reply is being filed by the Answering Respondent/NHAI in compliance with the order dated 20.08.2025 passed by the Hon'ble Tribunal regarding the Compensatory Afforestation ("CA") being carried out for the present project.
2. The Answering Respondent submits that it has fulfilled its obligations as required under the Forest (Conservation) Act, 1980, the Forest (Conservation) Rules, 2003 and the Compensatory Afforestation Fund Act, 2016, with respect to the diversion of 4.1671 hectares of protected forest land for the construction of a 6-lane National Highway along the Delhi-Dehradun Economic Corridor, as detailed in the following paras.

That pursuant to Section 2(iii) of the Forest (Conservation) Act, 1980, and Rule 6 of the Forest (Conservation) Rules, 2003, the State Forest Department has prepared a CA plan for 8.3342 hectares, equivalent to twice the diverted forest land, as mandated for linear projects. The identified CA land is located at "Badshahibag Van Block, Compartment No-1B, Barkala Range, Shivalik Forest Division, District Saharanpur, Uttar Pradesh",

NOTARY

[Signature]

Project Director
National Highway Authority of India
PIL-Raghat



which is legally classified as Reserved Forest under the Indian Forest Act, 1927. The CA plan had a financial outlay of ₹5,861,681 (comprising ₹2,515,500 for compensatory afforestation and ₹3,346,181 for Net Present Value), and included land preparation, planting of native species, maintenance, monitoring for 10 years, and payment of Net Present Value (NPV), as stipulated in MoEFCC guidelines (F.No. 11-423/2011-FC). The plan has also been vetted and submitted by the State Forest Department to the Ministry of Environment, Forest and Climate Change (MoEFCC) for approval, ensuring compliance with all statutory requirements.

4. It is further submitted that the Answering Respondent has in compliance with the Compensatory Afforestation Fund Act, 2016, and Rule 6(3)(b) of the Forest (Conservation) Rules, 2003, duly deposited the required amount of ₹5,861,681 into the CAMPA fund under Application No. ROAD1181702020. The payment was executed via NEFT/RTGS (Transaction ID: CNRB235673912597) through Union Bank of India on 23/12/2021, thus fulfilling its financial obligations under the Forest (Conservation) Act, 1980, and CAMPA guidelines. The aforesaid deposit by the Answering Respondent covers the costs of afforestation activities, including soil preparation, planting of indigenous species, 10-year maintenance and monitoring of the 8.3342 hectares of CA land in *Badshahibag Van Block*, and the NPV for the diverted forest land.
5. It is pertinent to note that, as per Section 4(2) of the Compensatory Afforestation Fund Act, 2016, the State Fund is under the exclusive control of the State Government and is managed by the State CAMPA Authority. Section 4(2) is extracted below:



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12-09-21

[Signature]
Project Director
National Highway Authority of India
PIU-Baghat

"The State Fund in each State shall be under the control of the State Government of such State and managed by the State Authority of such State, in such manner as may be prescribed."

Hence, the said provision clearly delineates that the management and utilization of CAMPA funds are the responsibility of the State Government, through its State Authority, and not the User Agency (Answering Respondent/NHAI in this case).

6. Reference is also made to Section 4(3)(iii) of the Compensatory Afforestation Fund Act, 2016, which further clarifies the role of User Agency and states that:

"4(3) There shall be credited into the State Fund of a State-

.....
(iii) all monies realized from user agencies by such State, towards compensatory afforestation, additional compensatory afforestation, penal compensatory afforestation, net present value, catchment area treatment plan or any money for compliance of conditions stipulated by the Central Government."

This establishes that the Answering Respondent/NHAI's responsibility as the User Agency is limited to depositing the requisite funds, with no role in the subsequent management or execution of afforestation activities.

7. Rule 5(1) of the Compensatory Afforestation Fund Rules, 2018 provides that the monies received towards net present value deposited in the State Fund shall be used in the matter provided in sub-rule (2) and sub-rule (3). Whereas, Rule 5(2) of the Compensatory Afforestation Fund Rules, 2018, the State CAMPA Authority is mandated to utilize the funds for specific forestry and wildlife-related activities, including artificial regeneration, forest management, and wildlife protection, all of which are executed by the State Forest Department. Rule 6 further allows the interest on the State Fund



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[Signature]
 Project Director
 National Highway Authority of India
 PIU-Baghat

to be used for the State Authority's management, including staff salaries, reinforcing the State's administrative responsibility for fund management.

8. Thus, the Compensatory Afforestation Fund Rules, 2018 mandate the State Authority to prepare an Annual Plan of Operation (APO) for the utilization of CAMPA funds, which is approved by the State's Steering Committee and the National Authority. This process ensures that the State Forest Department is solely responsible for planning and executing all afforestation activities, including site preparation, planting, maintenance, and monitoring, as affirmed by the Handbook of Forest (Conservation) Act, 1980. Consequently, NHAI's role as the user agency is confined to only depositing the required funds, with all subsequent implementation duties vested with the State Forest Department.

9. It is submitted that inspite of the fact that the responsibility of utilisation of CAMPA fund and afforestation in identified land purely vest with the State Government/State Forest Department, as per direction of the Hon'ble Tribunal on 20.08.2025, the Answering Respondent vide letter dated 21.08.2025 has sought details of Compensatory afforestation carried out by State Government in respect to deposited fund. In response, the Divisional Forest Officer vide letter dated 01.09.2025 has conveyed that the Divisional Director, Shivalik Forest Division, Saharanpur was requested to provide the information as sought by the Answering Respondent, and the same was provided vide letter dated 30.08.2025. True copy of letter dated 01.09.2025 enclosing letter dated 30.08.2025 of DFO Saharanpur is annexed herewith and marked as **Annexure R-4/1 (Colly)**.



It is submitted that the Divisional Forest Office, Shivalik in its letter dated 26.08.2025 confirmed that the certificate for the required 8.3342 hectares of

NOTARY
12.09.25

Project Director
National Highway Authority of India
PIL-Baghat



compensatory afforestation has been provided for in the Annual Operational Plan for the fiscal year 2025-26 and accordingly the preliminary soil work for the CA is planned for 2025-26, and the plantation is proposed to be carried out during the monsoon season of 2026.

[Handwritten signature]

Project Director

National Highway Authority of India
PIU-Baghat

RESPONDENT NO. 4

THROUGH

[Handwritten signature]

Singhania & Partners LLP
Solicitors & Advocates
P-24, Green Park Extension
New Delhi-110016

Dated: 12.09.2025
Place: New Delhi



BEFORE THE NATIONAL GREEN TRIBUNAL,
PRINCIPAL BENCH, NEW DELHI

ORIGINAL APPLICATION NO.686 OF 2024



IN THE MATTER OF:

Pt. Girdhari Lal

...Applicant

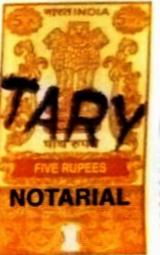
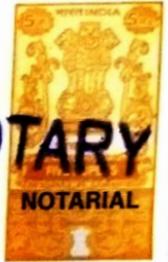
Versus

Govt. of NCT of Delhi & Ors.

...Respondents

AFFIDAVIT

I, Narendra Singh S/o Sh. Birbal Singh aged about 37 years, working as Project Director at National Highways Authority of India, having office at PIU-Baghat, do hereby on solemn affirmation state and submit as under:



1. I say that I am duly authorized to initiate and pursue the present proceedings for and on behalf of Respondent No.4. I am conversant with the facts and circumstances of the present reply on the basis of the records being maintained in the ordinary course of its business and hence, am competent to swear the present affidavit.
2. I say that the accompanying reply has been drafted by my counsel on my instructions and I have read and understood the contents of the same which are true and correct based on the official records maintained by Respondent No.4.
3. I say that the annexures filed along with the present reply are true copies of their respective originals.

NOTARY
12-09-25

Narendra Singh
DEPONENT
Project Director
National Highway Authority of India
PIU-Baghat

**VERIFICATION:**

Verified at Bagpat on this 12th day of September, 2025 that the contents of the above affidavit are true and correct to the best of my knowledge based on the official records. No part of it is false and that nothing material has been concealed therefrom.

DEPONENT

Project Director
National Highway Authority of India
PIU-Bagpat

S.N - 1454/2025

प्रमाणित किया जाता है कि Narendrasingh s/o Sh. Birbel Singh
निवासी ग्राम Project Director PTU, Bagpat Distt-Bagpat
जिसकी पहचान श्री Sofy
समक्ष मेरे शपथ पत्र में की गयी तथ्यों
को स्वीकार किया दिनांक 12.09.2025
समय 04:40 P.M. SSC

सर्वे एडवोकेट नोदरी बागपत

कार्यालय प्रभागीय वनाधिकारी, बागपत वन प्रभाग, बागपत ।

पत्रांक 347/35-3 (एन०जी०टी०) , दिनांक, बागपत, 01.09.2025

सेवा में,

परियोजना निदेशक,

प०क०ई०-बागपत ।

विषय:- मा० एन०जी०टी० में योजित वाद सं०- 686/2024 पं० गिरधारी लाल बनाम नई दिल्ली में प्रतिपूरक वृक्षारोपण की जानकारी उपलब्ध कराने के सम्बन्ध में।

सन्दर्भ:- आपका पत्रांक NHA/PIU-BPT/1012/GF/Pkg-I/2025/D- 17760 Dated 21.08.2025

महोदय,

उपरोक्त विषयक व सन्दर्भित पत्र ग्रहण करने का कष्ट करें, जिसके क्रम में आपके प्रभाग से निम्न सूचना चाही गई थी:-

Kindly request you to provide a detailed status report on the compensatory afforestation work being undertaken in the identified 8.3342 hectares of land at Badshahibag Van Block, Compartment No- 1B, Barkala Range, Shivallivision, District Saharanpur.

जिसके क्रम में इस कार्यालय के पत्रांक 329/35-3 (एन०जी०टी०) दिनांक 28.08.2025 द्वारा प्रभागीय निदेशक, शिवालिक वन प्रभाग से उपरोक्त सूचना आपको उपलब्ध कराने हेतु अनुरोध किया गया था। तदक्रम में शिवालिक वन प्रभाग द्वारा उनके कार्यालय के पत्रांक 747/14-10 दिनांक 30.08.2025 द्वारा कार्यालय में उपलब्ध करायी गयी है। अतः शिवालिक वन प्रभाग द्वारा उपलब्ध करायी गयी सूचना संलग्न कर सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित।

संलग्नक:- सन्दर्भित पत्र की छायाप्रति।

भवदीय,

प्रभागीय वनाधिकारी,
बागपत वन प्रभाग
बागपत।

पत्रांक 347 / उक्त दिनांकित

प्रतिलिपि:- वन संरक्षक एवं क्षेत्रीय निदेशक, मेरठ वृत्त, मेरठ को सादर सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित।

प्रतिलिपि:- प्रभागीय निदेशक, सामाजिक वानिकी प्रभाग, सहारनपुर को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित।

प्रभागीय वनाधिकारी,
बागपत वन प्रभाग
बागपत।

कार्यालय प्रभागीय वनाधिकारी, शिवालिक वन प्रभाग, सहारनपुर।
पत्रांक 747 / 14-10 सहारनपुर दिनांक, 30/08/2025

सेवा में

प्रभागीय वनाधिकारी,
बागपत वन प्रभाग,
बागपत।

विषय:-

मा0 एन0जी0टी में आयोजित वाद संख्या 686/2024 पं0 गिरचारी लाल वनाम नई दिल्ली में प्रतिपूरक वृक्षारोपण की जानकारी उपलब्ध कराने के सम्बन्ध में।

सदम-
महोदय

आपका पत्रांक 329/35-3 दिनांक (एन0जी0टी0) दिनांक 28.8.2025

उक्त संदर्भित पत्र द्वारा आपके प्रभाग से सम्बन्धित ऑनलाइन प्रस्ताव संख्या FP/UP/Road/118170/2020 (Development of six lane National Highway from the junction of Eastern Peripheral Expressway of Khokra to Saharanpur by pass at Latifpur village from 0.00 to km 118.533 of Delhi to Dehradun Economic Corridor under Bharatmala Pariyojna Package-1 (km. 0.000 to 27.000) के सम्बन्ध शिवालिक वन प्रभाग के क्षेत्रान्तर्गत प्रस्तावित 8,3342 हे0 क्षतिपूरक वृक्षारोपण के सम्बन्ध में जानकारी चाही गयी है, जिसके कम में अवगत कराना है कि आलोच्य 8,3342 हे0 क्षतिपूरक वृक्षारोपण के सम्बन्ध में प्रभाग की, कम्पा वार्षिक प्रचालन योजना वर्ष 2025-26 में प्राविधान किया गया है।

अतः उक्त क्षतिपूरक वृक्षारोपण हेतु वर्ष 2025-26 में अग्रिम मृदा कार्य एवं वर्षाकाल 2026 में वृक्षारोपण कराया जाना प्रस्तावित है।

प्रभागीय

§

(शुभम सिंह)

प्रभागीय वनाधिकारी,
शिवालिक वन प्रभाग,
सहारनपुर।

पत्रांक 747 / 14-10 उक्त दिनांकित।

प्रतिनिधि वन संरक्षक, मेरठ वृत्त मेरठ को उक्त संदर्भित पत्र के कम में सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित।

§

(शुभम सिंह)

प्रभागीय वनाधिकारी,
शिवालिक वन प्रभाग,
सहारनपुर।

True translated copy of letter dated 01.09.2025

**Hon'ble National Green Tribunal – Time-Sensitive Matter
Office of the Divisional Forest Officer, Baghpat Forest Division, Baghpat**

Letter No.: 347/35-3 (NGT)

Date: Baghpat, 01.09.2025

To:

Project Director, NHAI–Baghpat

Subject: Regarding the provision of information on compensatory afforestation in connection with Case No. 686/2024, Pt. Girdhari Lal vs. New Delhi, filed in the Hon'ble NGT.

Reference: Your letter No. NHAI/PIU-BPT/1012/GF/Pkg-1/2025/D-17760 dated 21.08.2025

Sir,

Kindly accept the above-mentioned subject and referenced letter, in response to which the following information was requested from your division:

“Kindly request you to provide a detailed status report on the compensatory afforestation work being undertaken in the identified 8.3342 hectares of land at Badshahibag Van Block, Compartment No-1B, Barkala Range, Shivalik Division, District Saharanpur.”

Accordingly, through this office's letter No. 329/35-3 (NGT) dated 28.08.2025, a request was made to the Divisional Director, Shivalik Forest Division, to provide the above-mentioned information. In response, the Shivalik Forest Division has made the information available through their office letter No. 747/14-10 dated 30.08.2025.

Therefore, the information provided by the Shivalik Forest Division is hereby enclosed for your reference and necessary action.

Enclosure: Photocopy of the referenced letter.

Yours sincerely,

Divisional Forest Officer

Baghpat Forest Division, Baghpat

Copy to:

- Conservator of Forests and Regional Director, Meerut Circle, Meerut – for kind information and necessary action.
- Divisional Director, Social Forestry Division, Saharanpur – for information and necessary action.
- Divisional Forest Officer, Baghpat Forest Division, Baghpat

**Office of the Divisional Forest Officer, Shivalik Forest Division,
Saharanpur**

Letter No.: 747/14-10, Saharanpur

Date: 30/08/2025

To:

Divisional Forest Officer,
Baghpat Forest Division, Baghpat

Subject: Regarding the provision of information on compensatory afforestation in connection with Case No. 686/2024, Pt. Girdhari Lal vs. New Delhi, held in Hon'ble NGT.

Reference: Your letter No. 329/35-3 dated 28.08.2025 (NGT)

Sir,

With reference to the above-mentioned letter, information has been sought regarding the online proposal number FP/UP/Road/118170/2020 concerning the development of a six-lane National Highway from the junction of Eastern Peripheral Expressway at Khekra to Saharanpur bypass at Latifpur village (from km 0.00 to km 118.533) as part of the Delhi–Dehradun Economic Corridor under Bharatmala Pariyojna Package-1.

In this context, it is to be informed that for the proposed compensatory afforestation over 8.3342 hectares within the jurisdiction of Shivalik Forest Division, provisions have been made in the CAMPA Annual Operation Plan for the year 2025–26.

Therefore, advance soil work is proposed to be carried out in the year 2025–26, and the afforestation is scheduled to be undertaken during the monsoon season of 2026.

(Shubham Singh)

Divisional Forest Officer,
Shivalik Forest Division, Saharanpur

Copy:

To Conservator of Forests, Meerut Circle, Meerut — for information and necessary action in reference to the above-mentioned letter.

(Shubham Singh)

Divisional Forest Officer,

Shivalik Forest Division, Saharanpur

//True Translated Copy//

Rajesh Kumar

From: Rajesh Kumar
Sent: 19 September 2025 13:28
To: 'secy-moef@nic.in'; 'rocz.lko-mef@nic.in'; 'ms@uppcb.in'; 'pccf-up@nic.in'; 'dfome-up@nic.in'; 'dfogz-up@nic.in'; 'dfobghpat@gmail.com'; 'dfosa-up@nic.in'; 'moef.ddn@gov.in'; 'pccf-forest-uk@nic.in'; 'dfodoon@gmail.com'; 'msukpcb@yahoo.com'
Cc: Yash Kapoor
Subject: RE: Advance Service of Additional Response and Application on behalf of NHAI in the matter of Original application no. 686/2024 in the matter Pt. Girdhari Lal Vs Govt. of NCT Delhi & Others.
Attachments: Additional response by NHAI.pdf; Application - Chairman NHAI.pdf

Dear Sir,

Please find attached herewith the Additional Response and Application seeking exemption from appearance, on behalf of Respondent No.4/NHAI, filed in the subject matter for your reference.

Kindly accept the same as advance service.

Best Regards,

Rajesh | Executive Assistant



T: +91 (11) 4747 1414 | D: +91 (11) 4747 1426

P – 24 Green Park Ext., New Delhi 110 016 INDIA

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