

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL

PRINCIPAL BENCH, NEW DELHI

ORIGINAL APPLICATION NO. 1284 OF 2024

IN THE MATTER OF:

MR. TARUN KUMAR JAIN & ORS.

...APPLICANT

VERSUS

KANPUR DEVELOPMENT AUTHORITY & ORS.

...RESPONDENTS

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*THROUGH COUNSEL*



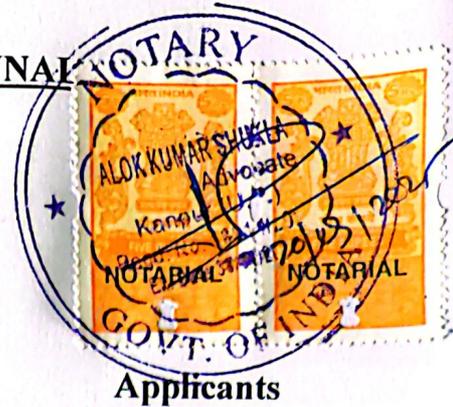
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DATE: 20.09.2025

PLACE: NOIDA

**BEFORE THE NATIONAL GREEN TRIBUNAL****PRINCIPAL BENCH, NEW DELHI****Original Application No. 1284/2024****Applicants****IN THE MATTER OF:****Mr. Tarun Kumar Jain & Ors.****Versus****Kanpur Development Authority & Ors.****Respondents****AFFIDAVIT ON BEHALF OF THE DIVISIONAL FOREST OFFICER,  
KANPUR**

I Divya Agarwal aged about 38 years, S/o Shri Sitaram Agarwal Divisional Forest Officer, Kanpur, state of Uttar Pradesh, presently at Kanpur, do hereby most solemnly state and affirm as under;

1. That I, the Deponent in the above captioned matter am fully conversant with the facts of the case and is competent and authorized to swear the present response.
2. That I state that the contents of the response have been drafted by my counsel on my instructions and the contents of the same are true to my knowledge and nothing material has been concealed therefrom.

**I. BACKGROUND OF THE MATTER:**

3. The present Original Application has been filed by the applicants, who are residents of Saket Nagar, Kanpur, concerning Plot No. 70, Block W-1, Kanpur City, admeasuring 5138.67 sq. m.
4. The applicants contend that the said land is a notified park, enlisted in the list of parks published under the U.P. Parks, Playgrounds and Open Spaces (Regulation and Control) Rules, 2005 on 13.01.2016. They allege that there

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काणपुर

are numerous fully grown trees, pathways, and other features of a functioning park, which has been in existence for over four decades. 882

5. The grievance raised is that despite the park status, the Kanpur Development Authority (Respondent No.1) executed a lease deed dated 23.01.2021 in favour of Respondent No.5, a school, which may result in the demolition of the park.

**II. SUBMISSIONS OF THE FOREST DEPARTMENT**

6. That in compliance with the order dated 12.11.2024 passed by this Hon'ble Tribunal, it is submitted that in the present case no tree felling or removal of trees has been reported from the disputed land situated at Plot No. 70, Block W-1, Kanpur City.

7. That the land in question falls under the jurisdiction of the Kanpur Development Authority with respect to allotment, lease, or transfer. The Forest Department is not the concerned authority for decisions relating to such lease or allotment.

8. That the role of the Forest Department is confined to matters of tree protection and green cover maintenance.

That same has been informed to the District Magistrate, Kanpur vide letter dt. 18.07.2025.

9. That as of now, no application relating to tree felling has been filed before the Forest Department, nor is any such matter pending in this office. Therefore, there is currently no occasion for the Forest Department to interfere in the subject matter.

A Copy of the letter dt. 18.07.2025 has been annexed herewith as ANNEXURE R-1

10. That the Forest Department shall remain vigilant to ensure that no trees are felled without due process of law, and any such violation will be dealt with strictly in accordance with statutory provisions.

11. Hence, the present affidavit is being submitted for the kind perusal of this Hon'ble Tribunal. It is prayed that the same be taken on record.

I state that everything stated above has been stated by me in my  
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कातघर

official capacity on and derived from the official record and I state that nothing material has been concealed therefrom.



*[Signature]*  
**DEPONENT**  
प्रमाणाय निदेशक  
सामाजिक वानिकी प्रभाग,  
कानपुर

**VERIFICATION**

Verified at Kanpur on this 20 day of September, 2025, that the contents of the above affidavit from paragraphs 1 to 11 are believed to be true and correct to the best of my knowledge and belief. No part of it is false and nothing material has been concealed therefrom.

*[Signature]*  
**DEPONENT**  
सामाजिक वानिकी प्रभाग  
कानपुर

Certified that this documents presented affidavit sworn before me on...  
by shri Shri. Dinesh Singh Kanpur  
The Contents have been read over and explained to him who is identified by Shri.....

*[Signature]*  
Alok Kumar Shukla, Advocate  
Notary Govt of India) Kanpur (U P

प्रेषक,  
प्रभागीय वन अधिकारी,  
कानपुर नगर।

सेवा में,  
जिलाधिकारी  
कानपुर नगर।

पत्रांक :

दिनांक : 18/07/2025

विषय : मा0 राष्ट्रीय हरित अधिकरण (N.G.T) में योजित O.A. No. 1284/2024 तरुण कुमार जैन व अन्य बनाम कानपुर विकास प्राधिकरण व अन्य महोदय,

अवगत कराना है कि उपर्युक्त O.A. No. 1284/2024 में निम्नलिखित प्रतिवादी है :-

1. कानपुर विकास प्राधिकरण
2. उत्तर प्रदेश राज्य द्वारा वन विभाग
3. उत्तर प्रदेश राज्य द्वारा जिलाधिकारी कानपुर।
4. आवास विकास विभाग।
5. जवाहर विद्या समिति द्वारा सचिव
6. नगर निगम कानपुर।

उक्त O.A. No. 1284/2024 की संलग्नकों सहित छायाप्रति अवलोकनार्थ संलग्न है। उक्त O.A. No में मुख्य पक्षकार प्रतिवादी सं0 1 तथा प्रतिवादी सं0 5 है। इस सम्बन्ध में कानपुर विकास प्राधिकरण द्वारा संलग्नकों सहित प्रतिशपथ पत्र दाखिल किया जा चुका है, जिसमें समस्त प्रासंगिक तथ्य तथा प्रस्तरवार प्रतिउत्तर उपलब्ध है। उक्त प्रतिशपथ पत्र की छायाप्रति अवलोकनार्थ संलग्न है। उक्त प्रतिशपथ पत्र के दृष्टिगत वर्तमान में वन विभाग के स्तर से प्रतिशपथ पत्र दाखिल किये जाने की आवश्यकता परिलिखित नहीं हो रही है। प्रतिवादी संख्या-5 द्वारा न तो कोई वृक्ष पातन से सम्बन्धित कोई आवेदन वर्तमान में दाखिल किया गया है और न ही इस कार्यालय में लम्बित है। यदि मा0 अधिकरण द्वारा किसी बिन्दु पर वन विभाग से उत्तर मांगा जाता है तो शपथ पत्र दाखिल किया जायेगा।

कृपया अवगत होने का कष्ट करें।

संलग्नक : यथोक्त।

भवदीया,



(दिव्या)

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सामाजिक वानिकी प्रभाग  
कानपुर नगर।