

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**
Original Application No. 1176/2024

IN THE MATTER OF:

Jagdish Kalra

...Applicant

Versus

Haryana State Pollution Control Board & Ors.

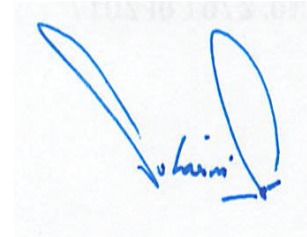
...Respondent(s)

N.D.O.H. – 17.01.2025

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THROUGH



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New Delhi
Date: 16.01.2025

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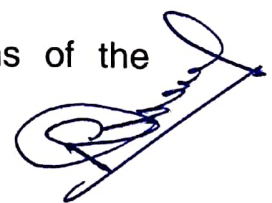
.....Respondent(s)

**AFFIDAVIT ON BEHALF OF THE MINISTRY
OF ENVIRONMENT, FOREST AND CLIMATE
CHANGE (RESPONDENT NO. 5)**

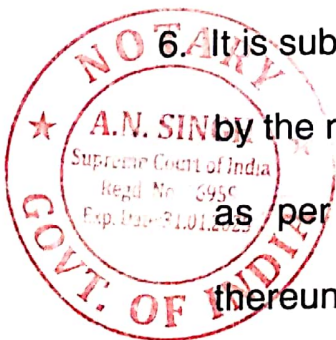
1. I, Ravinder Singh, S/o Shri B.R. Singh, aged about 58 years working as the Assistant Commissioner of Forest (Forestry) in the Ministry of Environment, Forest and Climate Change (hereinafter referred to as MoEFCC) at New Delhi do hereby solemnly affirm and say on oath that, I am competent and authorized to swear this affidavit for and on behalf of the Respondent No.- 5.
2. That, I have read and understood the contents of the present Affidavit, the contents thereof are true, and no part of it is false, and nothing material has been concealed therefrom.



3. That, the instant application was filed by the applicant against the alleged illegal cutting of trees situated in the park adjoining plot no. 761, HUDA, Sector – 11, Panipat.
4. In this regard, it is humbly submitted that the MoEFCC deals with policy and regulatory issues at a broader level. The role of the MoEFCC is to frame policy, provide directions and guidance in an advisory capacity, as well as to provide necessary approvals under the provisions of the relevant Central Acts so far as the protection and conservation of forest, wildlife, and other environmental resources are concerned.
5. That the 'land' is a subject matter of the State Government. The forest areas and the legal boundaries thereof are determined and maintained by the concerned State Government. That being the repository of land records, the State Government has the primary responsibility to determine the status of any parcel of land, giving due regard to gazette notifications, provisions under State and Central Acts, and concerned judgments and directions of the Hon'ble Supreme Court.



6. It is submitted that the felling of trees in non-forest land is regulated by the respective State Government / Union Territory Administration as per the provisions of various State Acts and Rules made thereunder. Many States have specific Tree Preservation Acts /



Tree Felling Acts including guidelines for regulating the felling of trees on revenue lands and penal provisions for the violations. The implementation of these rules is supervised by designated authorities in the State Government whose permission is necessary for the felling of reserved trees in Non- Forest Land, under such rules.

7. That, prior approval of the Central Government under Section 2 of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 is required for carrying out any non-forest activity on forest land. Any contravention of the above provision would amount to a violation of the Act and attract the penal provisions in it.

8. That to ascertain the correct position and the truthfulness of the matter, the Ministry vide letter dated 12.11.2024 has sought a factual status report from the State Government of Haryana. However, till date, no information has been received from the State Government in this regard. A copy of the letter dated 12.11.2024 is annexed hereto as **Annexure-1**.

9. It is submitted that the Ministry has been providing technical and financial assistance besides issuing guidelines to State/Union Territory Forest Departments regarding the protection and conservation of forests and wildlife.



10. It is humbly submitted that no action of the Ministry of Environment, Forest and Climate Change is being challenged by the applicant in the present matter.

11. That, the answering respondent reserves the right to file additional information before the Hon'ble Tribunal, if required till Pendente-lite.

12. That, in view of the aforementioned facts and circumstances, this Hon'ble Tribunal may kindly be pleased to pass appropriate order(s)/directions as the Hon'ble Tribunal may deem fit and proper in the interest of justice.

I identify the deponent who has signed/T.I in my presence
Mr./Ms *Sankar*
ID No: *SP/2025/2*
Signature Adv./Self

DEPONENT
(रविन्दर सिंह/RAVINDER SINGH)
सहायक आयुक्त (बानिकी)
Asstt. Commissioner (Forestry)
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय
M/o Environment, Forest and Climate Change
भारत सरकार, नई दिल्ली
Govt. of India, New Delhi

Verification

Verified at New Delhi on this Day of **16 JAN 2025**, 2025,

that the contents of this affidavit are true and correct to my knowledge based on the official record maintained in the daily course of its business, no part of this affidavit is false and nothing material has been concealed therefrom.

Certified that the above Named Deponent Identify by Shri/Smt. *Smt. (Ravinder Singh)* Solemnly affirmed before me at Delhi S. No. *(2179)* The contents of the affidavit which have been read & explained to me are true and correct Notary

DEPONENT

(रविन्दर सिंह/RAVINDER SINGH)
सहायक आयुक्त (बानिकी)
Asstt. Commissioner (Forestry)
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय
M/o Environment, Forest and Climate Change
भारत सरकार, नई दिल्ली
Govt. of India, New Delhi



ATTESTED
(Signature)
A. N. Singh, Adv.
Notary Public
Govt. of India, New Delhi

16 JAN 2025



भारत सरकार
GOVERNMENT OF INDIA
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय
MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE
CHANGE
क्षेत्रीय कार्यालय, चंडीगढ़ / Regional Office, Chandigarh



File No.: 19-CC-014/2024-ROC



Dated: as per e-sign

To,

The Pr. Chief Conservator of Forests (HoFF),
Department of Forests, Govt. of Haryana,
C- 18, Van Bhawan, Sector 6,
Panchkula, Haryana.

Subject: OA No. 1176/2024 in the matter of Jagdish Kalra Vs. HSPCB & Ors. before NGT (PB) New Delhi. -reg

Ref.: (i). Ministry's E-mail dated:05.11.2024.

Sir,

With respect to subject cited above and letter under reference, Ministry has informed (ref-i) that Sh. Jagdish Kalra (applicant) has filed case before Hon'ble NGT(PB), New Delhi, alleged illegal cutting of trees situated in the park adjoining plot no. 761, HUDA, Sector -11, Panipat. A copy of notice of NGT (PB) New Delhi dated 24.09.2024 has enclosed.

In view of above, I am directed to request you to look into the matter and apprise this office with ground factual status within fortnight so that Ministry may be replied accordingly.

Enclosure: as above

Yours faithfully,

-sd-

(Raja Ram Singh)

Deputy Inspector General of Forests (Central)
Regional Office, Chandigarh

Copy to: -

1. The Inspector General of Forest, Forest Protection Division, Ministry of Environment, Forest and Climate Change (Government of India), Indira Paryavarn Bhawan, 5th Floor, Agni Wing, Jor Bagh Road, New Delhi-110003.
2. The Additional Pr. Chief Conservator of Forests, C- 18, Van Bhawan, Sector 6, Panchkula, Haryana.

True Copy
85

बेज नं. 24-25, सेक्टर - 31 ए, चंडीगढ़ - 160030 / Bays No. 24-25, Sector-31 A,
Chandigarh - 160030
दूरभाष / Tel No : 0172 - 2638135 Email : ronz.chd-mef@nic.in

Signed by Raja Ram Singh

Date: 12-11-2024 17:19:49

