

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL**

**PRINCIPAL BENCH, NEW DELHI**

Original Application No.360/2024

**IN THE MATTER OF:**

News item titled "*Felling of 234 trees on century-old college campus distresses many in Kashmir*" appearing in The Hindu dated 22.03.2024

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Dated: 03.02.2025



(Shalabh Gupta)

Counsel for MoEF&CC

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**IN THE MATTER OF:**

News item titled "*Felling of 234 trees on century-old college campus distresses many in Kashmir*" appearing in The Hindu dated 22.03.2024

**AFFIDAVIT ON BEHALF OF REGIONAL OFFICE, CHANDIGARH,  
MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE  
(RESPONDENT NO.3)**

1. I, Dr. K.M. Selvan, S/o Shri Muthu Kanaga Raj, aged about 41 years, working as Scientist 'E' in the Regional Office of Ministry of Environment, Forest and Climate Change (hereinafter referred to as the MoEF&CC) at Chandigarh do hereby solemnly affirm and state as under:
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 issue raised in this application is regarding. felling of 234 trees on the 111-year-old campus of Amar Singh College in Srinagar.
4. In this regard, it is humbly submitted that the MoEF&CC deals with policy and regulatory issues at a broader level. The role of the MoEF&CC 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



*[Handwritten signature]*

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 MoEFCC Sub office at Jammu vide its letter dated 09.04.2024 has sought a factual status report from the UT Government of Jammu & Kashmir. However, to date, the state Government has not provided any information in this regard. A copy of the letter dated 09.04.2024 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/UT Forest Departments regarding the protection and conservation of forests and wildlife.

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



*darshan*

11. 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.

*[Handwritten Signature]*  
DEPONENT

*[Handwritten Signature]*  
- 3 FEB 2025

**Verification**

Verified at Chandigarh on this 03<sup>rd</sup> February, 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.

Identified the deponent who has signed / thumb marked in my presence

Signature

*[Handwritten Signature]*  
- 3 FEB 2025

*[Handwritten Signature]*  
DEPONENT



Certified That above Statement made on Oath/S.A. before me at Chandigarh  
BY..... *[Handwritten: Mr. K.M. Selvam]*  
Son/Daughter/Wife of.....  
Resident of..... *[Handwritten: G. N. Muller Rd]*  
Teh..... *[Handwritten: Sec 55 E]*  
Identified by.....  
entered at Sr. No. *[Handwritten: 12077]* File No. *[Handwritten: 55 of 2025]*  
Date *[Handwritten: 3/2/25]*  
ATTESTED *[Handwritten Signature]*  
DARSHAN LAL  
OATH COMMISSIONER  
CHANDIGARH



सत्यमेव जयते



ONE EARTH • ONE FAMILY • ONE FUTURE

INTERNATIONAL YEAR OF  
MILLETS  
2023

Annexure R3/1

भारत सरकार

GOVERNMENT OF INDIA  
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय

MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE

क्षेत्रीय कार्यालय, चंडीगढ़, उपकार्यालय, जम्मू / Sub-office, Jammu,

Regional Office, Chandigarh

LIFE  
Lifestytle for  
Environmentआज़ादी का  
अमृत महोत्स

4 124

File no: 10-01/2021-Jammu

Date: 09-04-2024

To,

The Principal Chief Conservator of Forests/ HoFF,  
Forest Resource Management Centre,  
Narwal, Jammu-180001  
Email: [pccfjkforest@gmail.com](mailto:pccfjkforest@gmail.com)

**Subject: Felling of 234 trees on century-old college campus distresses many in Kashmir-reg.**

**Ref: OA No. 360/2024.**

Sir,

With reference to above mentioned subject and reference therein, I am directed to inform you that, NGT has taken Suo motu cognisance regarding the above said matter and directed to appear before the Hon'ble Tribunal on 12<sup>th</sup> April, 2024 (Copy of order enclosed).

In view of the above, I am directed to request you to kindly send the factual status in the matter on or before **12:30 pm on 10.04.2024**

Yours faithfully,

Signed by  
Raja Ram Singh  
Date: 09-04-2024 15:56:53

Sd/-  
**Raja Ram Singh**  
DIGF (Central)  
Sub-Office, Jammu

Copy to: -

- (i) Legal monitoring call, Ministry of Environment, Forest and Climate Change, Indira Paryavaran Bhawan, Jor Bagh, New Delhi- 110003 ([imc.moefcc@gov.in](mailto:imc.moefcc@gov.in))