

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**
Original Application No. 1226/2024

IN THE MATTER OF:

Praveen Kumar & Anr.

...Applicant(s)

Versus

State of Haryana & Ors.

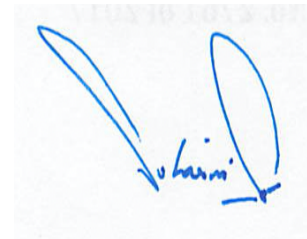
...Respondent(s)

N.D.O.H. – 07.02.2025

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THROUGH



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New Delhi
Date: 06.02.2025

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**AFFIDAVIT ON BEHALF OF THE MINISTRY OF ENVIRONMENT,
FOREST AND CLIMATE CHANGE (RESPONDENT NO.7)**

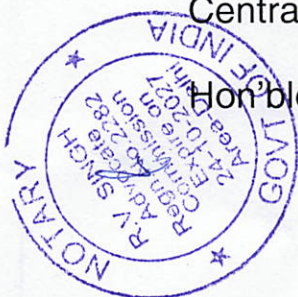
1. I, Sanjay Kumar Chauhan, S/o Shri A.S.Chauhan, aged about 41 years working as the Assistant Inspector General of Forests (Forest Protection Division) in the Ministry of Environment, Forest and Climate Change (hereinafter referred to as MoEFCC) at New Delhi do hereby solemnly affirm and say on oath that, I am competent and authorized to swear this affidavit for and on behalf of the Respondent No.-1.
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.



[Handwritten signature]



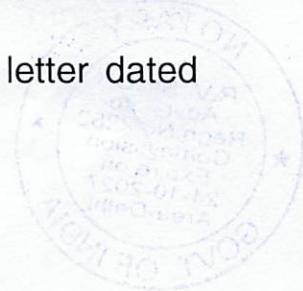
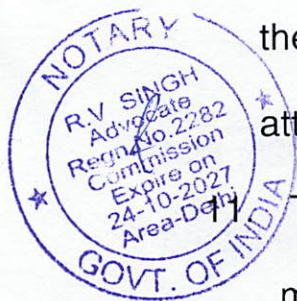
6. That, the instant application was filed by the applicant regarding the alleged cutting of 15 Jaal and Kikar trees. It has been alleged that Sarpanch of Village Panchayat, Mohanpur, Block Kanina, District Mahendragarh, Haryana has illegally cut and uprooted Jaal and Kikar trees without obtaining the requisite permission from the Forest Department.
7. 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.
8. 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.



[Handwritten signature]



9. It is submitted that the felling of trees in non-forest land is regulated by the respective State Government /UT 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.
10. 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. Any contravention of the above provision would amount to a violation of the Act and attract the penal provisions in it.
- That to ascertain the correct position and the truthfulness of the matter, the Ministry vide letter dated 30.01.2025 has sought a factual status report from the State Government of Haryana. However, to date, no information has been received from the State Government in this regard. A copy of the letter dated 30.01.2025 is annexed hereto as **Annexure-1**.



12. 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.
13. That, the answering respondent reserves the right to file additional information before the Hon'ble Tribunal, if required till Pendente-lite.
14. 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.


DEPONENT

(संजय कुमार चौहान)
(SANJAY KUMAR CHAUHAN)
सहायक वन महानिरीक्षक/Asstt. Inspector General of Forests
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय
M/o Environment, Forest and Climate Change
भारत सरकार, नई दिल्ली
Govt. of India, New Delhi

Verification

I Identified the deponent/executioner
who has signed in my presence

Verified at New Delhi on this **6 FEB 2025** Day of, 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.



solemnly affirmed before me, read
over & explained to the deponent.

Notary Public. DELHI

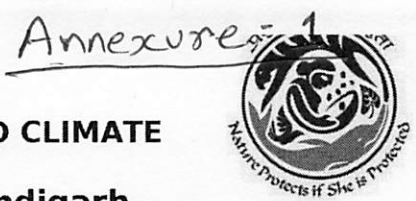
6 FEB 2025


DEPONENT

(संजय कुमार चौहान)
(SANJAY KUMAR CHAUHAN)
सहायक वन महानिरीक्षक/Asstt. Inspector General of Forests
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Govt. of India, New Delhi



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



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E-MAIL

F. No: 19-CC-019/2025-RoC

Dated: as per e-sign

To

The Principal Chief Conservator of Forests (HoFF),
Government of Haryana,
Van Bhawan, C-18, Sector-6,
Panchkula, Haryana - 134109

Sub: Original Application No. 1226/2024 in the matter of Praveen Kumar & Anr. Vs. State of Haryana & Ors. before NGT (PB) New Delhi-reg.

Ref: i. Ministry Email dated:27.01.2025.

ii. A copy of petition filed before Hon'ble NGT, PB, New Delhi.

Sir,

The undersigned is directed to refer to the subject and letter under reference, it is to inform that the instant application was filed by the applicant(Sh. Praveen Kumar & Anr.), has alleged illegally cut and uprooted Jaal and Kikar trees without obtaining the requisite permission from the Forest Department. Since, the instant matter pertains to encroachment of land and illegal cutting of trees, land being subject matter of the State Government, the Government of Haryana is requested to provide factual report of the land under question along with para wise comments on the allegations made in the petition so as to enable this office to prepare the reply. Further, it is informed that the said information is required to be provided by 03.02.2025.

This issues with the approval of the DDGF (Central), Regional Office, Ministry of Environment, Forest & Climate Change (MoEF&CC), Chandigarh.

Encl: As above.

Yours faithfully

-sd-

(Dr. Raja Ram Singh)

DIG (Central)

Copy to:

1. The Inspector General of Forest, Forest Protection Division, Ministry of Environment, Forest & Climate Change, Indira Paryavaran Bhawan, Jor Bagh Road, Aliganj, New Delhi- 110003.