

**BEFORE THE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI**  
Original Application No. 813/2024

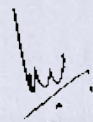
**IN THE MATTER OF:**

News article titled as *“Irony on World Environment Day: U.P. Forest Corporation to auction 400 green trees in Lucknow on June 5”* appearing in **The Hindustan Times** dated 04.06.2024.

**INDEX**

<b>S. No.</b>	<b>Particulars</b>	<b>Annexure No.</b>	<b>Page No.</b>
1.	Counter Affidavit on behalf of Ministry Environment, Forest and Climate Change. Government of India i.e. Respondent no.3	-	1-6
2.	A copy of letter dated 06.08.2024.	R3/1	7-8

**Date: 7/05/2025**

  
**Asha Gopalan Nair**  
Counsel for MoEF&CC  
Mobile No. 9810348981  
Email: chamberasha119@gmail.com

**BEFORE THE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI**  
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**IN THE MATTER OF:**

News article titled as *“Irony on World Environment Day: U.P. Forest Corporation to auction 400 green trees in Lucknow on June 5”* appearing in *The Hindustan Times* dated 04.06.2024.

**AFFIDAVIT ON BEHALF OF RESPONDENT NO. 03 (THE MINISTRY OF ENVIRONMENT, FORESTS & CLIMATE CHANGE)**

I, Dr. R.B. Lal, currently working as Scientist ‘F’ at the Ministry of Environment, Forest and Climate Change (MoEF&CC), Regional Office, Lucknow, do hereby solemnly affirm and state as under:

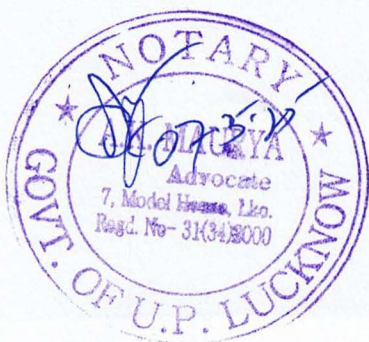
1. That in my official capacity as stated above, I am aware of the facts and circumstances of the present case and am competent to swear to the



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contents of the present affidavit. I state that my knowledge in this regard is based on the official records available with the Ministry of Environment, Forest & Climate Change (hereinafter the 'MoEF&CC').

2. It is submitted that the present Affidavit is being filed by the answering Respondent and the Answering Respondent humbly seeks liberty to file an additional affidavit in the present matter if so directed by this Hon'ble Tribunal as and when required.
3. That the present application has been registered suo moto by this Hon'ble Tribunal on the basis of the news article titled as "*Irony on World Environment Day: U.P. Forest Corporation to auction 400 green trees in Lucknow on June 5*" appearing in The Hindustan Times dated 04.06.2024. The said article alleges about the auction of 400 green trees in Lucknow, Uttar Pradesh. As per the news item, the U.P. Forest Corporation published an advertisement, stating its intent to auction 308 trees obstructing the construction work of building and sheds at Ashok Leyland, formerly the Scooters India Limited complex, located in the Sarojini Nagar industrial



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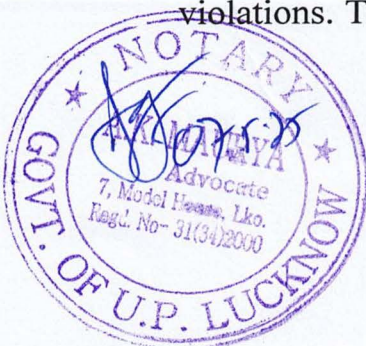
area. Another 92 green trees obstructing construction work on the premises of the Uttar Pradesh State Road Transport Corporation (UPSRTC) regional workshop at Vibhuti Khand, Gomti Nagar, Lucknow will also be auctioned. Ironically, the auction took place on June 5 i.e. World Environment Day. The article states that these trees are between five and 80 years old. Furthermore, loss of these trees will worsen the already severe heat stress in the affected areas. The 400 trees that will be auctioned are: peepal, neem, sheesham, babool, 2 banyan, eucalyptus, bauhinia variegata (kachnar), jamun, albizia lebbeck (shirisha tree), golden shower (Amaltas tree), ficus racemosa (gular), madina and chilbil. The article claims that trees provide essential shade and cooling, particularly in the urban areas where heatwave is becoming increasingly common and deadly due to climate change.

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.

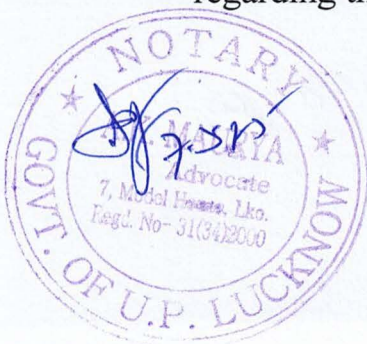
5. That the 'land' is a subject matter of the State Government. The forest areas and the legal boundaries thereof are determined and maintained by the concerned State Government. That being the repository of land records, the State Government has the primary responsibility to determine the status of 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 on 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



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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", 2023, [earlier known as the Forest (Conservation) Act, 1980] (hereinafter referred to as "Van 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, 1980 and attract the penal provisions in it.
8. That to ascertain the correct position and the truthfulness of the matter, the answering respondent vide letter dated 06.08.2024 has sought a factual status report from the State Government of Uttar Pradesh. However, till date no information has been received from the State Government in this regard. (Copy of letter dated 06.08.2024 is annexed as **Annexure-R3/1**)
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.



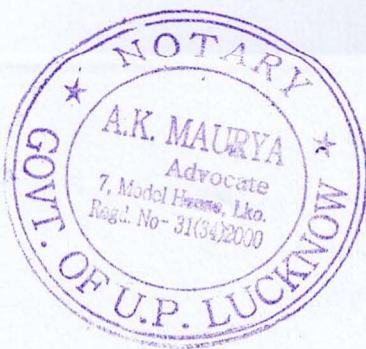
10.It is humbly submitted that no action of the Ministry of Environment, Forest and Climate Change is being challenged by the applicant in the present matter.

11.That the present affidavit may kindly be taken on record so as to assist this Hon'ble Tribunal in passing appropriate orders in the present matter as deemed fit. That it is respectfully submitted the Respondent No. 03 undertakes to file a further affidavit if so directed by this Hon'ble Tribunal.

DEPONENT

VERIFICATION

Verified at Lucknow on this 7<sup>th</sup> day of May, 2025 that the contents of this affidavit based on official record(s) maintained and information available in the office are true and correct, no part of it is false and nothing has been concealed there from.



EXECUTION ADMITTED  
BEFORE ME.  
  
Advocate Notary  
7, Model House, Lucknow

DEPONENT

Identify the deponent/executor who has signed/paid T.I. before me.



भारत सरकार  
Government of India  
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय  
Ministry of Environment, Forest & Climate Change  
क्षेत्रीय कार्यालय, लखनऊ  
Regional Office, Lucknow



केन्द्रीय भवन, ग्यारवां तल, सेक्टर एच, अलीगंज, लखनऊ-226024

Kendriya Bhawan, 11<sup>th</sup> Floor, Sector H, Aliganj, Lucknow-226024, Phone No : 0522-2326696

Email : roc.lko-mef@nic.in, goimoeofrolko@gmail.com

File No: L-1324/UP/2024/176

Date: 06.08.2024

Court matter/ Email

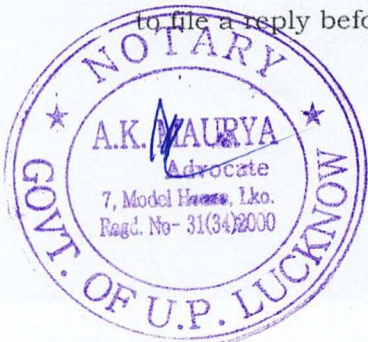
To,

**Additional Chief Secretary,  
Forest & Wildlife Department.  
Government of U.P.  
Lucknow.  
Email: psecforest@nic.in**

**Sub: O.A. NO. 813 OF 2024 NEWS ITEM TITLED "IRONY ON WORLD ENVIRONMENT DAY U.P. FOREST CORPORATION TO AUCTION 400 GREEN TREES IN LUCKNOW ON JUNE 5" APPEARING IN THE HINDUSTAN TIMES DATED 04.06.2024 VS BEFORE THE HON'BLE, NGT, NEW DELHI-reg.**

Sir,

Kindly refer to the above cited subject matter. The matter relates to the auction of 400 green trees in Lucknow, Uttar Pradesh. As per the news item, the U.P. Forest Corporation published an advertisement, stating its intent to auction 308 trees obstructing the construction work of building and sheds at Ashok Leyland, formerly the Scooters India Limited complex, located in the Sarojini Nagar industrial area. Another 92 green trees obstructing construction work on the premises of the Uttar Pradesh State Road Transport Corporation (UPSRTC) regional workshop at Vibhuti Khand, Gomti Nagar, Lucknow will also be auctioned. Ironically, the auction took place on June 5 i.e. World Environment Day. The article states that these trees are between five and 80 years old. Furthermore, loss of these trees will worsen the already severe heat stress in the affected areas. The 400 trees that will be auctioned are: peepal, neem, sheesham, babool, banyan, eucalyptus, bauhinia variegata (kachnar), jamun, albizia lebeck (shirisha tree), golden shower (Amaltas tree), ficus racemosa (gular), madina and chilbil. The article claims that trees provide essential shade and cooling, particularly in the urban areas where heatwave is becoming increasingly common and deadly due to climate change. This office has been arrayed as the respondent in the matter and has to file a reply before the Hon'ble Tribunal.



*(Handwritten signature)*

The Hon'ble Tribunal was pleased to pass the order dated 12.07.2024 (copy enclosed), relevant para read as:

"..... 5. Hence, we implead the following as respondents in the matter:

(1). Uttar Pradesh Forest Corporation, Through its Managing Director, Aranya Vikas Bhawan, 21/475 Indira Nagar, Lucknow, Uttar Pradesh.

(2). Principal Chief Conservator of Forest, Uttar Pradesh, Principal Chief Conservator of Forests, Govt. of Uttar Pradesh, 17, Rana Pratap Marg, Lucknow, (Uttar Pradesh) – 226001

(3). Ministry of Environment, Forest and Climate Change, Through its Regional Office, Integrated Regional Office, Kendriya Bhawan, 5th Floor, Sector "H", Aliganj, Lucknow – 226020.

(4). District Magistrate, Lucknow, Room No 49, DM Office, Qaiserbagh, Lucknow.

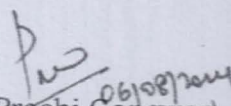
6. Issue notice to the above respondents for filing their response at least one week before the next date of hearing.

7. List on 14.10.2024. ...."

In view of above, you are requested to submit a detailed factual report based on field inspection and other documents/information in the perspective of the case so as to enable this office to file a reply before the Hon'ble Tribunal within the stipulated time period. This may be treated as urgent. please

**Encl: As above**

Yours Sincerely,

  
(Dr. Prachi Gangwar)

Deputy Inspector General of Forests (Central)

**Copy for necessary action:**

1. PCCF (HOFF), Forest Department, Lucknow. U.P.Email: [pccf-up@nic.in](mailto:pccf-up@nic.in)
2. MD, U.P. Forest Corporation, Lucknow. [md@upfc.in](mailto:md@upfc.in) [amdcer@upfc.in](mailto:amdcer@upfc.in)
3. PCCF & Nodal Officer, U.P. Forest Department, Lucknow Email: [ccfnodalup@gmail.com](mailto:ccfnodalup@gmail.com)
4. DFO, Lucknow. Email: [dfolu-up@nic.in](mailto:dfolu-up@nic.in) [dfolucknow@gmail.com](mailto:dfolucknow@gmail.com)

  
(Dr. Prachi Gangwar)

Deputy Inspector General of Forests (Central)



