

**IN THE HON'BLE NATIONAL GREEN TRIBUNAL PRINCIPAL
BENCH, NEW DELHI**

ORIGINAL APPLICATION NO. 1203 OF 2024

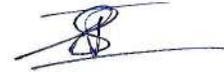
IN RE: News Item titled "Notified Aravalli forest portion sold for mining"
appearing in the Times of India dated 15.09.2024

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NDOH:07.11.2025

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Filed by:



Purushottam Sharma Tripathi

Advocate for Respondent No.1

Chamber No. 005, Block D, Addl. Administrative Building

Supreme Court of India, New Delhi -110001

Date: 30.10.2025

Place: New Delhi

Email: purushottam.st@gmail.com, Mobile -9818281595

**IN THE HON'BLE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI
ORIGINAL APPLICATION NO. 1203 OF 2024**

**IN RE: News Item titled "Notified Aravalli forest portion sold for mining"
appearing in the Times of India dated 15.09.2024**

**COUNTER AFFIDAVIT ON BEHALF OF UNION OF INDIA
MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE,
NEW DELHI. (RESPONDENT NO. 1)**

PRELIMINARY SUBMISSIONS:

I, Dr. K.M. Selvan, S/o Shri Muthu Kanaga Raj, aged 41 years, working as Scientist 'E' in the Regional Office, Chandigarh of the Ministry of Environment, Forest and Climate Change, do hereby solemnly affirm and state as under:

1. That I am duly authorized to swear this affidavit as such conversant with the facts of the present case and competent to swear the present affidavit.
2. That I have read and understood the contents of the accompanying affidavit and state that the same has been drafted under my instructions based on the records maintained by the Respondent No. 1 in its normal course of business and the same are true and correct.
3. That the contents of the accompanying reply shall be treated as part of this affidavit and the same are not being repeated for the sake of brevity.
4. At the outset, all the allegations made against the Answering Respondent in the instant OA are denied except those that are specifically admitted herein. The OA is not maintainable against the Answering Respondent either on law or on facts.

Signature



5. The instant original application is registered suo-motu on the basis of the news item titled "Notified Aravalli forest portion sold for mining" appearing in the Times of India dated 15.09.2024. That in the news report, it is stated that, on July 20, 2023, the Haryana Forest Department officially declared 506 acres of the Aravalli tract in Rajawas village as 'protected forest' under the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980. It is also reported that on the same day, the mining department conducted an e-auction for 119.5 acres of the newly protected land. A company won the bid and was awarded a 10-year lease on August 4, 2023, to quarry stones and operate three stone crushers, with a capacity of up to 1.4 metric tonnes per annum. It is also reported that the forest department stated that no No Objection Certificate has been issued by the forest department.

STATEMENT OF FACTS:

6. It is humbly submitted that '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 the land records, State Government has the primary responsibility to determine status of any parcel of land, giving due regards to gazette notifications, provisions under State and Central Acts and concerned judgements and directions of the Hon'ble Supreme Court. The State Government has to determine any violation of the provisions of the Central and State laws.

7. It is humbly submitted that prior approval under the Van (Sanrakshan Evam Samvardhan), Adhiniyam, 1980 {formerly known as Forest (Conservation) Act, 1980} is mandatory to carry out any non forestry activity on forest land.
- That contravention of the above provision would amount to a violation of



the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 and attract the penal provisions given under Section 3A and 3B of the Adhiniyam.

8. It is respectfully submitted that this Ministry has neither accorded any such approval nor received any proposal under Section 2 of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 from the Government of Haryana with respect to the diversion of the forest land in question for non-forest purposes.
9. The Hon'ble Supreme Court in its order dated 12.12.1996 in the matter Writ Petition(C) No. 202 of 1995 titled as T.N. Godavarman Thirumulpad Vs Union of India and Ors. *inter-alia* directed "*The word "forest: must be understood according to its dictionary meaning. This description cover all statutorily recognised forests, whether designated as reserved, protected or otherwise for the purpose of Section 2(i) of the Forest Conservation Act.*

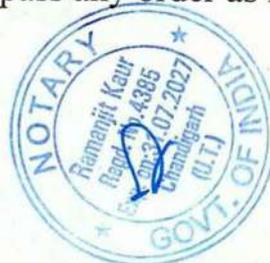
The term "forest land", occurring in Section 2, will not only include "forest" as understood in the dictionary sense, but also any area recorded as forest in the Government record irrespective of the ownership. This is how it has to be understood for the purpose of Section 2 of the Act."

10. The Hon'ble Supreme Court in its order dated 21.07.2022 in Civil Appeal No. 10294 of 2013 titled as Narinder Singh and Ors. Vs Divesh Bhutani and Ors. *inter-alia* observed that "*Once a land is found to be a 'forest' within the meaning of the 1980 Forest Act, its user for non-forest purposes will be always governed by Section 2 of the 1980 Forest Act. Secondly, clause (i) of Section 2 provides that even in the case of a reserved forest under the 1927 Forest Act, the State Government cannot pass an order declaring that the same shall cease to be a reserved forest, without the prior approval of the Central Government. Thirdly, Section 2 starts with a non obstante clause*



which overrides anything contained in any other law for the time being in force in a State which will include all State and Central legislations applicable to the State.”

11. It is humbly submitted that to ascertain the correct position and truthfulness of the matter, the Ministry, vide its letters no. FC-7/31/2024-FC dated 07.11.2024, 19.12.2024, 22.01.2025, 25.03.2025, 16.05.2025 and 11.08.2025 had requested the Government of Haryana to take cognizance of the matter and submit a factual report with the documentary evidences on the contentions raised in the OA and whether any violation of Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 has taken place. The report from the State Government is awaited. (Copy of the letters dated 07.11.2024, 19.12.2024, 22.01.2025, 25.03.2025, 16.05.2025 and 11.08.2025 has been annexed hereto as **Annexure-R1, Annexure -R2, Annexure -R3, Annexure -R4, Annexure -R5 and Annexure -R6** respectively).
12. That this Ministry reserves its right to file additional affidavit as and when required till *pende-lite*.
13. That in light of the aforementioned facts and circumstances it is respectfully prayed that this Hon'ble Tribunal may pass any order as it deem fit.



[Signature]
DEPONENT

VERIFICATION

I, the above-named Deponent do hereby verify that the contents of the above affidavit are true and correct to my knowledge and are based on official records and nothing material is concealed therein.

Verified at Chandigarh on this Day of 29th October, 2025.

The contents of this Affidavit/Document has been explained to the deponent. He/She has admitted the same to be correct. The deponent/executor has signed the affidavit at Sr. No. 2004 P. No. 125 Date 29/10/2025

ATTESTED
[Signature]
RAMANJIT KAUR
Notary, Distt. Courts, Chandigarh

[Signature]
DEPONENT

29 OCT 2025

FC-7/31/2024-FC
Government of India
Ministry of Environment, Forest and Climate Change
(Forest Conservation Division)

Indira Parayavaran Bhawan
Jor Bagh Road,
New Delhi-110003
Dated:As per E-sign.

To,

The Additional Chief Secretary,
Department of Environment, Forest
and Wildlife, Government of Haryana

Sub: OA No. 1203 of 2024 in the matter of News Item titled "Notified Aravalli forest portion sold for mining" appearing in the Times of India dated 15.09.2024 in the Hon'ble NGT(PB), New Delhi – reg.

Sir,

1. This is in apropos with the above stated matter which is pending in the Hon'ble National Green Tribunal(PB), New Delhi.
2. The instant original application is registered suo-motu on the basis of the news item titled "Notified Aravalli forest portion sold for mining" appearing in the Times of India dated 15.09.2024 wherein it is alleged that a portion of Aravalli forest in the Mahendergarh District was a 'protected forest' which was auctioned for mining without any approval from the forest department or the Central Government.
3. Accordingly, the State Government is requested to submit a factual report to this Ministry on the allegations raised in the OA **within one week's time from the date of issuance of this letter.** Further, if any violation of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 is reported, the State Government may initiate appropriate action and submit an action taken report to this Ministry.

This may be treated on urgent basis.

Yours faithfully,

Encl. As above.

Signed by Suneet Bhardwaj
Date: 07-11-2024 17:42:21

Sd/
(Suneet Bhardwaj)
Assistant Inspector General of Forests

Copy to: The Deputy Director General of Forests(C), Regional Office Chandigarh is also requested to submit its comments on the contentions

in the OA.

REMINDER-I

File No.: FC-7/31/2024-FC
Government of India
Ministry of Environment, Forest and Climate Change
(Forest Conservation Division)

Indira Parayavaran Bhawan
Jor Bagh Road,
New Delhi-110003

Dated: As per E-sign.

To,

The Additional Chief Secretary,
Department of Environment, Forest
and Wildlife, Government of Haryana

Sub: OA No. 1203 of 2024 in the matter of News Item titled "Notified Aravalli forest portion sold for mining" appearing in the Times of India dated 15.09.2024 in the Hon'ble NGT(PB), New Delhi – reg.

Ref: This Ministry's letter dated 07.11.2024.

Sir,

1. This is in apropos with the above stated matter which is pending in the Hon'ble National Green Tribunal(PB), New Delhi.
2. The instant original application is registered suo-moto on the basis of the news item titled "Notified Aravalli forest portion sold for mining" appearing in the Times of India dated 15.09.2024 wherein it is alleged that a portion of Aravalli forest in the Mahendergarh District was a 'protected forest' which was auctioned for mining without any approval from the forest department or the Central Government.
3. The Ministry vide its letter dated 07.11.2024 requested the State Government to submit a factual report in the matter. The same has not been received till date. Accordingly, the State Government is again requested to submit a factual report to this Ministry on the allegations raised in the OA **within one week's time from the date of issuance of this letter**. Further, if any violation of the Van (Sanrakshan Evam Samvardhan) Adhinyam, 1980 is reported, the State Government may initiate appropriate action and submit an action taken report to this Ministry.

This may be treated on urgent basis.

Yours faithfully,

Encl. as above.

Signed by

Suneet Bhardwaj

Date: 19-12-2024 16:06:05

Sd/-

(Suneet Bhardwaj)

Assistant Inspector General of Forests

Copy to: The Deputy Director General of Forests(C), Regional Office Chandigarh is also requested to submit its comments on the contentions in the OA.

REMINDER-II

**File No.: FC-7/31/2024-FC
Government of India
Ministry of Environment, Forest and Climate Change
(Forest Conservation Division)**

Indira Parayavaran Bhawan
Jor Bagh Road,
New Delhi-110003
Dated: 21-01-2025

To,

The Additional Chief Secretary,
Department of Environment, Forest
and Wildlife, Government of Haryana, Panchkula.

Sub: OA No. 1203 of 2024 in the matter of News Item titled "Notified Aravalli forest portion sold for mining" appearing in the Times of India dated 15.09.2024 in the Hon'ble NGT(PB), New Delhi - reg.

Ref: This Ministry's letter dated 07.11.2024 and 19.12.2024.

Sir,

1. This is in apropos with the above stated matter which is pending in the Hon'ble National Green Tribunal(PB), New Delhi.
2. The instant original application is registered suo-motu on the basis of the news item titled "Notified Aravalli forest portion sold for mining" appearing in the Times of India dated 15.09.2024 wherein it is alleged that a portion of Aravalli forest in the Mahendergarh District was a 'protected forest' which was auctioned for mining without any approval from the forest department or the Central Government.
3. Accordingly, the State Government is again reminded to submit a factual report to this Ministry on the allegations raised in the OA **within three days from the date of issuance of this letter** . Further, if any violation of the Van (Sanrakshan Evam Samvardhan) Adhinyam, 1980 is reported, the State Government may initiate appropriate action and submit an action taken report to this Ministry.

This may kindly be treated as urgent.

Encl. As above.

**Signed by Sundar
Sambamoorthi
Date: 22-01-2025 11:53:05**

Yours faithfully,

(S. Sundar)
Assistant Inspector General of Forests

Copy to: The Deputy Director General of Forests(C), Regional Office Chandigarh is also reminded to submit a counter affidavit in the matter.

REMINDER-III

File No.: FC-7/31/2024-FC
Government of India
Ministry of Environment, Forest and Climate Change
(Forest Conservation Division)

Indira Parayavaran Bhawan
Jor Bagh Road,
New Delhi-110003
Dated: As per E-sign.

To,

The Additional Chief Secretary,
Department of Environment, Forest
and Wildlife, Government of Haryana,
Panchkula.

Sub: OA No. 1203 of 2024 in the matter of News Item titled "Notified Aravalli forest portion sold for mining" appearing in the Times of India dated 15.09.2024 in the Hon'ble NGT(PB), New Delhi – reg.

Ref: This Ministry's letter dated 07.11.2024, 19.12.2024 and 22.01.2025.

Sir,

1. This is in apropos with the above stated matter which is pending in the Hon'ble National Green Tribunal(PB), New Delhi.
2. The instant original application is registered suo-motu on the basis of the news item titled "Notified Aravalli forest portion sold for mining" appearing in the Times of India dated 15.09.2024 wherein it is alleged that a portion of Aravalli forest in the Mahendergarh District was a 'protected forest' which was auctioned for mining without any approval from the forest department or the Central Government.
3. The Ministry vide its letter dated 07.11.2024, 19.12.2024 and 22.01.2025 has requested the State Government to submit a factual report to this Ministry on the allegations raised in the OA. However, reply/response has not been received till date.
4. Accordingly, the State Government is requested to immediately take necessary action and submit a factual report **within three days from the date of issuance of this letter**. Further, if any violation of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 is reported, the State Government may initiate appropriate action and submit an action taken report to this Ministry.

Since the matter is listed for hearing on **04.04.2025**, this may be treated as **MOST URGENT** .

Yours faithfully,

Encl. As above.

Digitally signed by
SUNEET BHARDWAJ
Date: 25-03-2025
10:36:37

(Suneet Bhardwaj)
Assistant Inspector General of Forests

Copy to: The Deputy Director General of Forests(C), Regional Office Chandigarh
is reminded to submit a counter affidavit in the matter expeditiously.

REMINDER-IV

**File No.: FC-7/31/2024-FC
Government of India
Ministry of Environment, Forest and Climate Change
(Forest Conservation Division)**

Indira Parayavaran Bhawan
Jor Bagh Road,
New Delhi-110003
Dated: As per E-sign.

To,

The Additional Chief Secretary,
Department of Environment, Forest
and Wildlife, Government of Haryana,
Panchkula.

Sub: OA No. 1203 of 2024 in the matter of News Item titled "Notified Aravalli forest portion sold for mining" appearing in the Times of India dated 15.09.2024 in the Hon'ble NGT(PB), New Delhi - reg.

Ref: This Ministry's letter dated 07.11.2024, 19.12.2024, 22.01.2025 and 25.03.2025.

Sir,

1. This is in apropos with the above stated matter which is pending in the Hon'ble National Green Tribunal(PB), New Delhi.
2. The Hon'ble NGT in the aforesaid matter vide order dated 04.04.2025 *inter-alia* directed as follows:

"Since a serious issue of permitting mining on the protected forest area without requisite permission is involved, therefore, we direct the State authorities of State of Haryana to ensure that no illegal mining takes place in the area concerned till the next date of hearing."

3. Accordingly, the State Government is requested to comply with aforesaid order and submit a factual report **within three days from the date of issuance of this letter**. Further, if any violation of the Van (Sanrakshan Evam Samvardhan) Adhinyam, 1980 is reported, the State Government may initiate appropriate action and submit an action taken report to this Ministry.

This may be treated as most urgent.

Yours faithfully,

Encl. As above.

Sd/-
(Suneet Bhardwaj)
Assistant Inspector General of Forests

Copy to: The Deputy Director General of Forests(C), Regional Office Chandigarh is also reminded to submit a counter affidavit in the matter expeditiously.

Digitally signed by
SUNEET BHARDWAJ
Date: 16-05-2025
10:08:46

REMINDER-V

File No.: FC-7/31/2024-FC
Government of India
Ministry of Environment, Forest and Climate Change
(Forest Conservation Division)

Indira Parayavaran Bhawan

Jor Bagh Road,

New Delhi-110003

Dated: As per E-sign.

To,

The Additional Chief Secretary,
Department of Environment, Forest
and Wildlife, Government of Haryana,
Panchkula.

Sub: OA No. 1203 of 2024 in the matter of News Item titled "Notified Aravalli forest portion sold for mining" appearing in the Times of India dated 15.09.2024 in the Hon'ble NGT(PB), New Delhi – reg.

Ref: This Ministry's letter dated 07.11.2024, 19.12.2024, 22.01.2025, 25.03.2025 and 16.05.2025.

Sir,

1. This is in apropos with the above stated matter which is pending in the Hon'ble National Green Tribunal(PB), New Delhi.

2. The Hon'ble NGT in the aforesaid matter vide order dated 04.04.2025 *inter-alia* directed as follows:

"Since a serious issue of permitting mining on the protected forest area without requisite permission is involved, therefore, we direct the State authorities of State of Haryana to ensure that no illegal mining takes place in the area concerned till the next date of hearing."

3. Accordingly, the State Government is requested to comply with aforesaid order and submit a factual report within three days from the date of issuance of this letter. Further, if any violation of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 is reported, the State Government may initiate appropriate action and submit an action taken report to this Ministry.

This may be treated as **Most Urgent**.

Yours' faithfully,

Encl. As above.

(S. Sundar)

Assistant Inspector General of Forests

Copy to: The Deputy Director General of Forests(C), Regional Office Chandigarh is also reminded to submit a counter affidavit in the matter within

three days from the issuance of this letter.

Digitally signed by
Sundar Sambamoorthi
Date: 11-08-2025
00:07:25

File No.: FC-7/31/2024-FC
Government of India
Ministry of Environment, Forest and Climate Change
(Forest Conservation Division)

Indira Parayavaran Bhawan
Jor Bagh Road,
New Delhi-110003

Dated: As per E-sign

To,

The Deputy Director General Of Forests,
Regional Office,
Bays No. 24-25, Sector 31 A, Dakshin Marg,
Chandigarh - 160030.

Sub: OA No. 1203 of 2024 in the matter of News Item titled "Notified Aravalli forest portion sold for mining" appearing in the Times of India dated 15.09.2024 in the Hon'ble NGT(PB), New Delhi -reg.

Sir,

I am directed to enclose a copy of the approved counter affidavit in the above stated matter. The Regional office is requested to file the approved counter affidavit at the earliest. The important developments in the case may be intimated to the Ministry from time to time.

Yours faithfully,

Encl. As Above.

(Suneet Bhardwaj)
Assistant Inspector General of Forests

Digitally signed by
SUNEET BHARDWAJ
Date: 28-10-2025
15:28:56

Service of Counter Affidavit on behalf of Respondent No.01- OA No.1203/2024 News Item titled "Notified Aravali forest portion sold for mining"

prakhar singh <prakharsingh0599@gmail.com>

Fri, Oct 31, 2025 at 11:42 AM

To: rkhuranalegal@gmail.com, Shibani Ghosh <shibanighosh83@gmail.com>, mohit singhal <singhalmohitlegal@gmail.com>

Cc: Purushottam Sharma Tripathi <purushottam.st@gmail.com>, ramesh kumar <rkumar2188@gmail.com>, Narayanan <knarayanansvs@gmail.com>, Thanuja V <thanuja.adv@gmail.com>

PURUSHOTTAM SHARMA TRIPATHI

Advocate-on-Record

Supreme Court of India

LL.M (Gold Medalist), NLSIU, Bangalore

LL.B, Campus Law Center, D.U

Chamber Address

Chamber No. 005

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Supreme Court of India

New Delhi -110001

M: +91-9818281595 Tel: +11-22758264 Email: purushottam.st@gmail.com

Residence cum Office

C-159

MANU Apartments

Mayur Vihar Phase-I

New Delhi- 110091

Dear Sir/Ma'am,

Please find attached herewith the Counter Affidavit filed on behalf of the Union of India, Ministry of Environment, Forest and Climate Change (MoEF&CC).

You are requested to kindly treat the same as service.

Warm Regards

Chambers of Purushottam Sharma Tripathi



Virus-free.www.avast.com

 Original Application number 1203 of 2024-Attestation_0001.pdf
5683K