

IN THE NATIONAL GREEN TRIBUNAL  
 PRINCIPAL BENCH, AT NEW DELHI  
 O.A. NO. 333 OF 2024

IN THE MATTER OF:

GAURAV KUMAR BANSAL

...APPLICANT

VERSUS

UNION OF INDIA AND OTHERS

...RESPONDENTS

COUNTER AFFIDAVIT ON BEHALF OF RESPONDENT NO.(S) 6 TO 9 BY  
 DIVISIONAL FOREST OFFICER, PILIBHIT TIGER RESERVE, PILIBHIT,  
 UTTAR PRADESH IN COMPLIANCE OF THE ORDER DATED 29.05.2024  
 AND 13.09.2024.

I Manish Singh aged about 40 years, S/o Shri Late Indra Pal Singh  
 Divisional Forest Officer, Pilibhit Tiger Reserve, Pilibhit, State of Uttar  
 Pradesh presently at Pilibhit, do hereby most solemnly state  
 and affirm as under: ✓

1. I am the Divisional Forest Officer, Pilibhit Tiger Reserve, Pilibhit, State of Uttar Pradesh and fully conversant with the facts and circumstances of the present case. I affirm that this Affidavit is being filed by the Deponent in compliance of order dated 29.05.2024 and 13.09.2024 of this Hon'ble Tribunal. ✓
2. At the outset, with utmost respect it is submitted that I have the highest respect and regard to the orders passed by the Hon'ble Tribunal and duty bound to fulfil the obligation which are assigned under the law and directions passed by this Hon'ble Tribunal in true letter and spirit. ✓

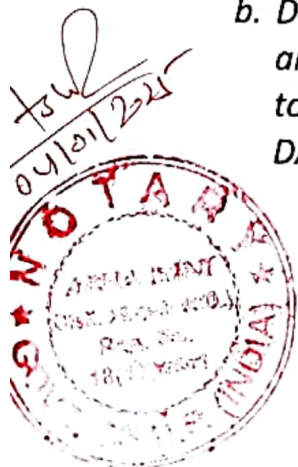


ASW  
04/10/2024

3. That in this Original Application the applicant submits that the Forest (Conservation) Act, 1980, was enacted to ensure the conservation, management, and restoration of forests, as well as to maintain ecological security and cultural values. Section 3-C of the Act empowers the Central Government to issue directions for its implementation. Similarly, Section 36 of the Biological Diversity Act, 2002, mandates Respondent No. 1 to develop national strategies and plans for the conservation, promotion, and sustainable use of biological diversity, including measures for identifying and monitoring areas rich in biological resources. A recent news article dated 26.01.2024 reports that approximately 250 forest watchers in Pilibhit Tiger Reserve, Uttar Pradesh, have not been paid for over 15 months and have threatened to boycott their duties. The applicant contends that forest reserves, especially tiger reserves, hold immense ecological value, requiring constant monitoring by frontline workers. The failure of the Respondents to compensate these workers for an extended period not only violates their duties under Section 36 of the Biological Diversity Act, 2002, but also undermines the intent of the Forest (Conservation) Act, 1980. Hence, the applicant seeks redress for this lapse in statutory obligations.

4. That the applicant has filed this Original Application with the following prayers:

- a. Direct Respondents to forthwith release the SALARIES which is due to the Daily Wage Workers working in Pilibhit Tiger Reserve, Dudhwa Tiger Reserve, Amangarh Tiger Reserve and Katarnia Ghat Wildlife Sanctuary, Uttar Pradesh.
- b. Direct the Respondents and in particular Respondent No. 01 and Respondent No. 02 to Constitute a High Level Committee to suggest measures for mitigation of the hardship which the DAILY WAGE WORKERS are bound to face during performance



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*of their duties in Tiger Reserves and Protected Area of Country.* ✓

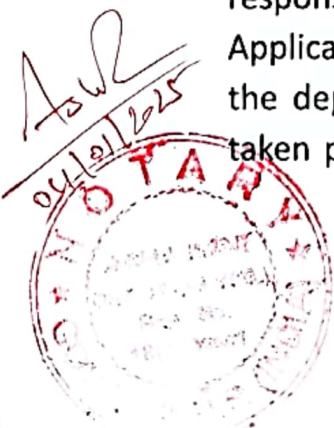
*c. Direct the Respondents to set up an ONLINE PORTAL to provide seamless information regarding basic amenities facilities available to FRONTLINE WORKERS engaged in the protection and conservation of Biological Resources of Tiger Reserves and other Protected Areas of Country.* ✓

5. That in the last order dated 29.05.2024, the Original Application was still in the initial stage and yet to be considered on the issue of admission by this Hon'ble Tribunal. That in the same order a direction was given to just to issue notice to the Respondents keeping the issue of maintainability of the O.A. open and the applicant was asked to serve the respondents and also file the affidavit of such service. The relevant part of this last order has been mentioned below: ✓

*"2. I.A. No. 252/2024 has been filed by the applicant seeking amendment of the OA. The OA is at the initial stage and is yet to be considered on the issue of admission. Hence, considering the circumstances of the case I.A No. 252/2024 is allowed.*

*5. Issue notice to the Respondents keeping the issue of maintainability of the OA open. Applicant is directed to serve the respondents and file affidavit of service at least one week before the next date of hearing."* ✓

6. It is respectfully submitted here with utmost humility and regard to this Hon'ble Tribunal that as per the directions in the last order dated 29.05.2024, a para-wise reply has been prepared which briefs about the various contentions held by the respondents in response to the paragraphs mentioned in the Original Application. It is also submitted here that by this para-wise reply the deponent has mentioned all the developments that have taken place before and after filing of this Original Application. ✓



That this reply elaborates about the grievances held in this O.A. by the applicant and describes every step taken towards resolving those grievances.

7. That the para-wise reply is mentioned hereinunder:
1. That no comment is made in respect of item no. 1 of the original application.
  2. That no comment is made regarding item no. 2 of the original application.
  3. That item no. 3 of the original application is a matter of record. No comment is made on it.
  4. That in respect of item no. 4 of the original application it is stated that-

(A) It is the responsibility of the respondent parties to protect and conserve all biological resources (animal kingdom).

(B) The opposite parties have consistently borne the responsibility of remunerating frontline daily wage workers engaged in the security and protection of Tiger Reserves and protected areas. This arrangement arose due to the non-availability of budgetary allocations from the government for a certain period, despite continuous efforts to secure the necessary funds.

Correspondence from the Forest Conservator/Field Director, Pilibhit Tiger Reserve Circle (Respondent No. 8), through Letter Nos. 773/5-3 dated 26.10.2023, 1666/5-3 dated 19.03.2024, and 2003/5-3 dated 24.05.2024, was made to higher authorities, including the Deputy Inspector General of Forests, National Tiger Conservation Authority, New Delhi, to address liabilities under the Project Tiger and Elephant Scheme. Consequently, the required funds have been received.

As a result, payments have been made to daily wage workers as follows:



1. Amangarh Tiger Reserve, Bijnor – Paid till December 2024.
2. Deputy Director, Dudhwa Tiger Reserve, Palia Kheri – Paid till September 2024.
3. Deputy Director, Buffer Zone, Dudhwa Tiger Reserve, Lakhimpur Kheri – Paid till November 2024.
4. Pilibhit Tiger Reserve, Pilibhit – Paid till November 2024.
5. Katarnia Ghat Wildlife Division – Paid till September 2024.

(C) These payments are matters of record and require no further comment.

(D) Under Section 36 of the Biodiversity Act, the Central Government is mandated to develop national policies and programs for the conservation, promotion, and sustainable use of biodiversity. This includes identifying and monitoring biologically rich areas, conserving natural resources, managing resources, and promoting research, training, and public education, based on recommendations from the National Biodiversity Authority.

5. In response to paragraph 5 of the original application, it is submitted that the payment of wages to frontline daily wage workers has been addressed in paragraph 4(b) by Opponent No. 8. Frontline workers are essential for the protection of forests and wildlife, as provided under the law. The State and Central Governments allocate budgetary provisions for their remuneration. Tiger Reserves and other protected areas are invaluable repositories of rare biodiversity, whose protection and preservation are not feasible without these frontline workers.

6. In response to item no. 6 of the original application, it is submitted:



1. Conservation of biodiversity is driven by benefits from the sustainable use of its components and genetic resources, as per the Biological Diversity Act, 2002.
2. The duties of the State and Central Governments are well-defined, and concrete steps are being undertaken in compliance with the Act.
3. Conservation and promotion of biodiversity, including identification and monitoring of biologically rich areas, are being implemented through departmental schemes, resources, and programs under the Biological Diversity Act, 2002.
4. The department is actively conserving endangered species listed under the Act, with penalties prescribed for violations. Efforts align with the intent of the State and Central Governments.
5. Endangered animal species, as defined under the Biological Diversity Act, 2002, are being protected without laxity.
6. Conservation and promotion of the tiger (*Panthera Tigris*), an endangered species, are being undertaken through various State and Central Government schemes and initiatives aimed at population recovery and habitat protection.
7. The State and Central Governments are actively monitoring the tiger population across the country, with the current data on tiger presence available. Efforts are being made to ensure proper care of tigers in the forests.
8. The status of tigers for the year 2022 has been published based on reports submitted by State Governments to the Wildlife Institute of India, Dehradun, which compiles and submits a consolidated report to the Central Government. While natural hunting risks persist, the department is committed to tiger conservation, providing a conducive environment for breeding, and safeguarding their lives.



9. The tiger (*Panthera tigris*), known for its elusive behavior and camouflaging ability due to its color, is witnessing a steady population increase in the country through sustained conservation efforts. For the protection and management of tigers, government employees, officers, and frontline daily wage workers receive regular training through organizations such as WTI, WWF, and WCCB. New schemes are also implemented by the State and Central Governments for efficient tiger management. ✓

10. The Central Government issues guidelines under Project Tiger, which are followed by State Governments. Opponent and subordinate employees/officers work in compliance with these guidelines. ✓

11. Sporadic incidents of poaching in tiger reserves are promptly addressed. The State Government deploys patrolling teams, establishes camps, constructs outposts, and employs frontline daily wage workers as needed. These workers significantly contribute to Project Tiger. ✓

12. Monitoring areas rich in biological resources is emphasized under the Biological Diversity Act, 2002, the All-India Tiger Estimation Report, and various government schemes. Project Tiger operates under issued guidelines to ensure the conservation and promotion of tigers, a critically endangered species. ✓

13. The payment of wages to daily wage workers has been made as follows:

- Amangarh Tiger Reserve, Bijnor: Paid till December 2024. ✓
- Deputy Director, Dudhwa Tiger Reserve, Palia Kheri: Paid till September 2024. ✓
- Deputy Director, Buffer Zone, Dudhwa Tiger Reserve, Lakhimpur Kheri: Paid till November 2024. ✓



✓

- Pilibhit Tiger Reserve, Pilibhit: Paid till November 2024.

- Katarnia Ghat Wildlife Division: Paid till September 2024.

14. That the elaboration of this has been given as under:

A. Wages for frontline daily wage workers have been paid regularly in the past and continue to be paid.

B. The current payment status is as follows:

- Amangarh Tiger Reserve, Bijnor: Paid till December 2024.

- Deputy Director, Dudhwa Tiger Reserve, Palia Kheri: Paid till September 2024.

- Deputy Director, Buffer Zone, Dudhwa Tiger Reserve, Lakhimpur Kheri: Paid till November 2024.

- Pilibhit Tiger Reserve, Pilibhit: Paid till November 2024.

- Katarnia Ghat Wildlife Division: Paid till September 2024.

C. The daily wage workers of Pilibhit Tiger Reserve are assigned work based on availability and are responsible for their families. There is no evidence to suggest that any worker has sold personal belongings or Stridhan to meet their needs.

D. No daily wage worker in Pilibhit Tiger Reserve is under stress or has committed suicide. Respondents provide ration kits, clothing, bicycles, and other necessities as required. Claims made by the applicant regarding workers' payments are exaggerated and misleading. All workers are voluntarily employed. Payments have been made as follows:

- Amangarh Tiger Reserve, Bijnor: Till December 2024.

- Deputy Director, Dudhwa Tiger Reserve, Palia Kheri: Till September 2024.



- Deputy Director, Buffer Zone, Dudhwa Tiger Reserve, Lakhimpur Kheri: Till November 2024.

- Pilibhit Tiger Reserve, Pilibhit: Till November 2024.

- Katarnia Ghat Wildlife Division: Till September 2024.

15. The applicant's visit to Dudhwa Tiger Reserve and Katarnia Ghat Wildlife Sanctuary is irrelevant to Respondent No. 8. Daily wage workers are free to express their views and have not been coerced into working.

16. Frontline daily wage workers engaged in Tiger Reserve protection are working voluntarily, fully aware of budgetary constraints and irregular payments. Claims that workers are on the verge of starvation are baseless, as they would have left voluntarily if such conditions existed.

17. No daily wage worker in Pilibhit Tiger Reserve has reported deprivation of education for their children or malnutrition affecting their health.

18. That elaboration of this point is given below:

A. The respondent provides ration kits, shoes, umbrellas, raincoats, jackets, bicycles, and other items to daily wage workers in Pilibhit Tiger Reserve based on their needs and seasonal requirements.

B. Last year, new bicycles were provided to all daily wage workers with the help of WWF. Additional provisions such as water bottles, water coolers, and solar panels for night lighting at posts have also been supplied to workers patrolling within the reserve.

C. The department remains committed to meeting the needs of all daily wage workers, considering their specific requirements.

D. The education of children of daily wage workers is not impacted by school fees. If such issues existed, workers would have sought employment elsewhere. The forest department

*Asst. Dir.*  
*04/01/25*



*[Signature]*

does not force workers; they work voluntarily despite the budgetary constraints.

E. The claim that daily wage workers trade their Stridhan to meet their needs is false and baseless.

19. The applicant's statement to the Hon'ble Tribunal regarding unpaid wages for biodiversity protection workers is misleading. While some payments were delayed, once the budget was received, payments were made promptly. The following workers have been paid as per the updated schedule:

- Amangarh Tiger Reserve, Bijnor: Paid till December 2024.
- Deputy Director, Dudhwa Tiger Reserve, Palia Kheri: Paid till September 2024.
- Deputy Director, Buffer Zone, Dudhwa Tiger Reserve, Lakhimpur Kheri: Paid till November 2024.
- Pilibhit Tiger Reserve, Pilibhit: Paid till November 2024.
- Katarnia Ghat Wildlife Division: Paid till September 2024.

The claim that tiger reserve safety and conservation have been compromised is baseless. Officials monitor all wildlife and take strict action against illegal activities in accordance with legal procedures.

20. Any issues faced by daily wage workers in the Tiger Reserve and Forest Areas have been and will continue to be resolved by their controlling officers. Workers are regularly provided with uniforms, ration kits, shoes, umbrellas, raincoats, bicycles, and other necessary items.

21. The Forest Department operates in accordance with the Biodiversity Act, 2002, the Forest (Protection) Act, 1980, and the guidelines of the National Tiger Conservation



*[Handwritten signature]*

Authority. The Forest (Protection) Act, enacted on 25 October 1980, aims to protect forests by limiting deforestation. The Biodiversity Act, 2002 was established to align with India's commitments under the UN Convention on Biological Diversity (CBD), 1992, recognizing states' rights over biological resources. The National Tiger Conservation Authority monitors tiger populations and supports conservation through the Wildlife (Protection) Act, 1972. Officers, employees, and daily wage workers follow these laws to protect forests and wildlife, ensuring the effective implementation of tiger protection laws.

22. All biological resources, including wildlife, are recognized as valuable. Frontline daily wage workers are directly involved in the protection of these resources. They are regularly informed of their benefits and have received payments to their bank accounts for several years. These workers are honored for their commendable efforts through awards. Protecting biological resources is a collective responsibility.
7. The department strives to provide maximum facilities to frontline daily wage workers, ensuring fairness and respect. These efforts will continue.
8. No further statement is necessary regarding item no. 8 of the original application.

8. That additional statements have been made on behalf of the Respondent in the following paragraphs:

A. The wages of daily wage workers have been paid regularly, with a disruption last year that is being addressed. Opponent No. 8 has been actively corresponding to resolve the issue. In tiger reserve areas, efforts are made to assess and mitigate any adverse impact on biodiversity, with public participation where appropriate.



B. The department is focused on further developing forest areas rich in biological resources, monitoring the entire biosphere, and enhancing biological resources in other areas with available resources. ✓

C. The Indian Constitution guarantees equal rights to all citizens, ensuring social security and equal opportunities. Daily wage workers are employed based on work availability, and all workers are treated equally. The state government and forest department protect forests, wildlife, and promote public welfare through plantation work. ✓

D. The state government is committed to improving the working conditions, leave policies, and living standards of all daily wage workers, irrespective of their place of work. These workers are treated with respect and are acknowledged and rewarded for their contributions. ✓

E. It is submitted that no misbehavior or discrimination is committed against frontline daily wage workers, and equality of opportunity is upheld. Their needs have been addressed by Opponent No. 8 and others. No issues beyond wage-related concerns have been reported by any daily wage worker. ✓

F. The Hon'ble Tribunal and judiciary are the highest authorities, and the opposition fully respects their orders and directives. The constitutional right to equality and freedom is upheld, and the judiciary ensures justice for all, earning trust and respect from everyone. ✓

G. Frontline daily wage workers are engaged by the work incharge based on work availability, without formal appointment processes or advertisements. They are employed on a daily basis (up to 26 days a month). In addition to wages, materials received



✓

from various organizations and state government agencies are distributed equitably without discrimination. ✓

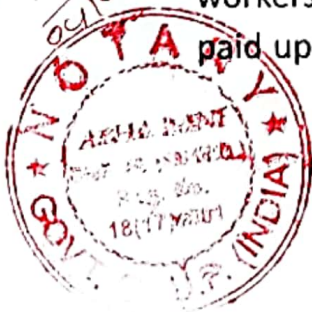
H. The forest department safeguards all biodiversity, considered an open treasury, from threats by thieves and mafias. Frontline daily wage workers collaborate with regular employees, often risking their lives to protect forests, wildlife, and other natural resources. ✓

I. It is submitted that no such issues exist in the Pilibhit Tiger Reserve that would lead to a boycott by frontline daily wage workers. Pilibhit Tiger Reserve and other Tiger Reserves are sensitive areas, and the opposition remains dedicated to the protection of forests, wildlife, and the environment without any compromise. ✓

J. No injustice is done to any frontline worker. All workers are treated equally, and the workplace functions as a cohesive unit. That therefore it is requested to the Hon'ble Tribunal to kindly reject the application of the applicant. ✓

9. The Hon'ble Tribunal heard the matter as per schedule on 13.09.2024 and passed a brief order, giving more time as requested by the Respondent to file an Affidavit and also scheduling the next hearing of the matter for 06.01.2025. ✓

10. It is material to mention here that by letter no. 1544/10-1 dated 27.12.2024 the Divisional Forest Officer, Pilibhit Tiger Reserve, Shrilibhit has informed that, by Letter No. 2003/5-3 dated 24.05.2024 of the Pilibhit Tiger Reserve, it was requested to the higher authorities for payment of dues to daily wage workers. It is germane to mention here that all dues have been paid up to November, 2024. This fact is pertinent to the case as ✓



✓

the original application primarily raises concerns regarding pending payments to daily workers which has been cleared until the month of November as mentioned above.

11. I state that everything stated above has been stated by me in my official capacity on and derived from the official records and I state that nothing material has been concealed therefrom.



**VERIFICATION**

Verified at Pilibhit on this 4<sup>th</sup> day of July, 2024, that the contents of the above Counter Affidavit from paragraphs 1 to 11 are believed to be true and correct to the best of my knowledge and belief. No part of it is false and nothing material has been concealed therefrom. ✓

**DEPONENT**

प्रभागीय वनाधिकारी  
पीलीभीत टाईगर रिजर्व  
पीलीभीत

January 2025

affirmed that Manish Singh  
deponent identified by Manish Singh Advocate  
who is personally known to me swears to &  
confirmed the content of this affidavit as  
true in my presence at Pilibhit on 04/07/2025  
at 12:20 PM. Further understanding the same.

12:20

Ash  
04/07/2025  
**ASHA RANI**  
Advocate & Notary  
Pilibhit, H.O.

Note - Rs 10/- Stamp  
Attachee

**DEPONENT**

प्रभागीय वनाधिकारी  
पीलीभीत टाईगर रिजर्व  
पीलीभीत

Devendra Pratap Singh  
Devendra Pratap Singh

**Devendra Pratap Singh**  
Advocate  
Reg.No.-1679/76, Code-No.-507  
Mob.-9457431344