

**THE PRINCIPAL BENCH, NEW DELHI**  
**THE NATIONAL GREEN TRIBUNAL**  
**IN ORIGINAL APPLICATION No. 709 of 2023**  
**Objections by Manoj Singh Negi (Ph. 8076083151, Email:**  
**manoj@synergyinfracon.com)**

to

The report of Joint Committee dated 13.02.2024

In the matter

Lalji Kumar VS Divisional Forest Officer Nainital & Others-OA709/2023

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Manoj Singh Negi  
Objector



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To,

The Hon'ble Chairman and his associate judges of the Hon'ble National Green Tribunal,

Respectfully showeth as under:

1. That this objection is being filed by Manoj Singh Negi, S/O Sh. Matwar Singh Negi, Address: Tok Churani, Post office Pangot, District Nainital, Uttarakhandmatter, Ph. 8076083151, Email: [manoj@synergyinfracon.com](mailto:manoj@synergyinfracon.com), henceforth called the Objector.
2. That the current objection is being filed to the report of the joint committee dated 13.02.2024.
3. That in the order dated 28.11.2023, the Hon'ble tribunal had formed a Joint Committee to verify the factual position and to suggest appropriate remedial action, associate the applicant and concerned persons to verify the factual position and suggest appropriate remedial action.
4. That the current objector had got information about the said order from the local people and subsequently had requested the joint team



formed by the District Magistrate to associate him to know the factual position but the team did not associate him. That the objector had got the information that the joint team will visit the place on 04.02.2024, the objector was present at the place but the team did not visit that day.

5. That the report reflects that there is no encroachment on the forest land. However the objector denies the report and provides few facts about the report in the subsequent paras.

6. That there are a total of 13 nos. of boundary pillars in the maps which creates the boundary between forest and Rajaswa (Private) Land. A copy of the map with pillars marked on it is enclosed at **Annexure-1**. That 12 pillars have been dismantled by unknowns and are not available at the site. Only one pillar i.e. pillar no. 13 is available. A photo of the same is enclosed as **ANNEXURE-2**. In the absence of boundary pillars the private people having lands on the boundary have encroached on forest land and there are chances of more encroachment in future.

7. That forest department has still not demarcated and have not fixed the boundary pillars and a visible boundary between the rajaswa (Private) land and forest land to stop the encroachers.

8. That during the joint visits the team, the team and the surveyor of the forest department were not having the instruments like total station, guntur chain; GPS coordinates of the pillars and angle between two boundary lines. So the report was prepared arbitrarily without demarcating the location of the pillars scientifically.

9. That in the joint report the Rajaswa(Private) Land of Khasra no. 424

*W.M.*

is being claimed by Tehsildar as Rajaswa(Private) land for which he has enclosed the khatani records of multiple land owners and rajaswa map of 1897-1899 rajaswa map of 1955-1956 of Gethiya showing Khasra 424.

10. That the forest department is claiming the Rajaswa(private) land of Khasra no. 424 of village Gethiya to be the forest land and in support they have enclosed a notification of 30th May 1933, notifying 4.8 acres of Rajaswa land of Kimukhet/Alookhet. It is pertinent here to mention that the said Khasra no. 424 is in the village Gethiya and not in Kimukhet/Alookhet. The fact is that the village Alookhet is a village 2 kilometres away from Gethiya. So the report appears to be false.

11. There exists a temple with a campus area of approx. 700 sq metres and a public water tank and a water line in Khasra no. 424. Forest department did not disclose in the report that if the Rajaswa Khasra no. 424 has been notified as forest in 1932 than how the land of the said khasra was encroached. The photographs of the temple and water tank is enclosed herewith as **Annexure-3**

12. Hence the report was arbitrarily prepared without verifying the factual position of encroachment on the forest land in the absence of demarcation of a boundary between the Rajaswa(private) Land and forest land hence needed to be resolved.

### **PRAYER**

It is hereby most humbly prayed to:

1. Order the authorities to demarcate and fix the 13 boundary pillars between forest land and Rajaswa(Private) Land of village Gethiya.
2. To remove the encroachments on forest land after the visible



boundary is determined and demarcated between the forest and Rajaswa land of Village Gethiya.

3. To instruct the District Magistrate of Nainital to decide the disputed Khasra no. 424 mapped as forest in forest records and as private land in Rajaswa records, in a time bound manner. If the said Khasra is forest then to restore it after removing private structures on the same. (The joint report clearly states that the Government of Uttarakhand vide office order dated 09.10.2023 has empowered a committee headed by the District Magistrate to decide the matters of land disputes between forest and Rajaswa records).

**4. To allow the current objector as a party/additional petitioner in the current matter as this will help in deciding the matter.**

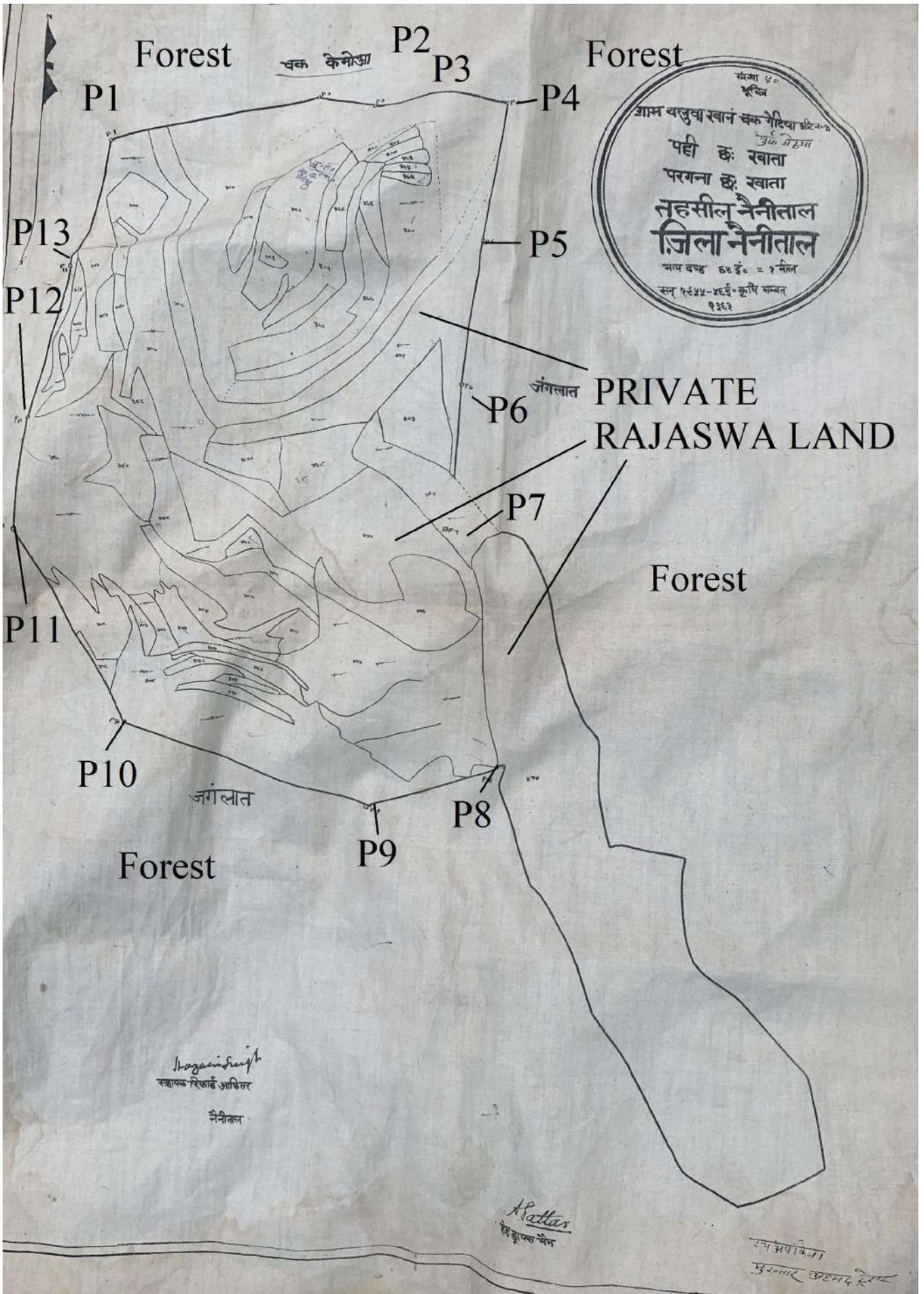
Dated: 14.02.2024



**MANOJ SINGH NEGI**

**OBJECTOR**





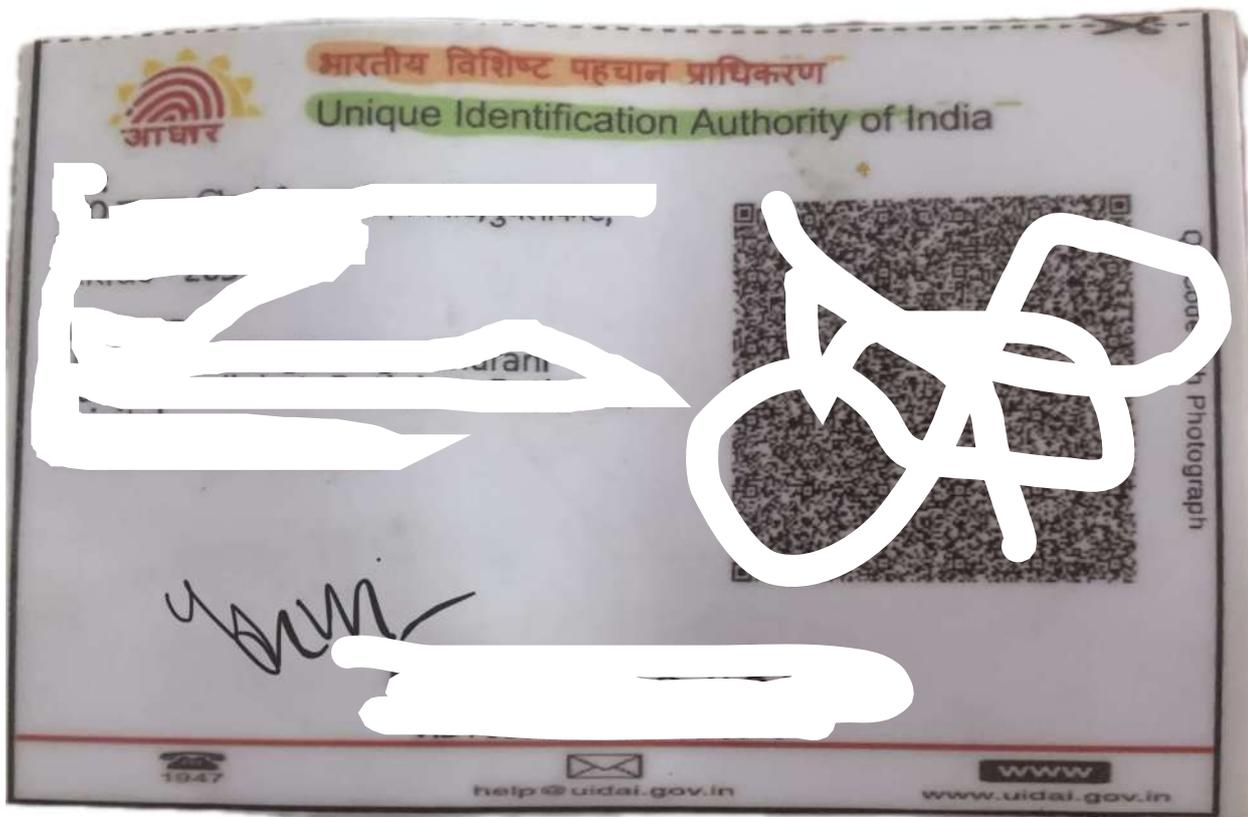
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**Annexure-3****Temple in alleged Khasra No. 424****Public Water Tank in Alleged Khasra no. 424**

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**BEFORE THE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI**

In the matter

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**AFFIADAVIT**

I, Manoj Singh Negi son of Sh. Matwar Singh Negi, Address Gram Churani, Tehsil Kosyakutli, District Nainital about 52 years old, currently at Delhi do hereby solemnly affirm and state as under:

1. That I am filing the objections in the current matter and am competent to depose.
2. That all the information and documents presented by me in the said original application are correct and true.



Manoj Singh Negi  
**Deponent**

**Verification**

It is hereby certified that above contents of the affidavit are correct and true and nothing has been concealed. Verified on **14.02.2024**.



Signed Before Me, Attested  
  
NOTARY, DELHI, R-10988  
GOVT. OF INDIA



Manoj Singh Negi  
**Deponent**



