

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

IN

Original Application No. 1071/2024



IN THE MATTER OF:

News item titled as "Neelkurinji becomes a threatened species, officially" appearing in the Hindu dated 10.08.2024 before NGT (PB), New Delhi.

INDEX

Sr. No.	Particulars	Page No.
1.	Reply Affidavit on behalf of Botanical Survey of India and MoEFCC	1-4
2.	BTF issued in favour of the counsel	5

RESPONDENT NO. 1 & 3

THROUGH

Shlok Chandra

**SHLOK CHANDRA
COUNSEL FOR MOEFCC**

A-22, Ground Floor
Block A, Defence Colony, new Delhi
Phone No. 9999670588
Enrolment No. D1056/2009

PLACE: NEW DELHI
II
DATED: 15.07.2025



15 JUL 2025

Identified by:

Manoj Basu

MANOJ BASU
Advocate
Enrolment No.-F-247/2014
Bidhan Nagar Court
Kolkata

Solemnly affirmed and declared
before me on identification

Goutam Chakrabarty

ATTESTED
Goutam Chakrabarty
Notary, West Bengal
Taxation Tribunal
Reg. No. 098/2022

15 JUL 2025

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Sl. No.....Dt.....

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

IN

Original Application No. 1071/2024

Before the Notary Public
West Bengal Taxation Tribunal

IN THE MATTER OF:

News item titled as "Neelkuringi becomes a threatened species, officially" appearing in the Hindu dated 10.08.2024 before NGT (PB), New Delhi.

REPLY AFFIDAVIT ON BEHALF OF THE BOTANICAL SURVEY OF INDIA
AND MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE

MOST RESPECTFULLY SHOWETH:

I, Shri Ranjit Kumar Roy, S/o late Ratan Kumar Roy, aged 50 years, residing at Kolkata, do hereby solemnly affirm and state as under:

1. I am serving as the Senior Administrative Officer & Head of Office of the Botanical Survey of India, i.e., the Respondent No.1 herein, having Office at CGO Complex, 3rd MSO Building, Block F, 5th & 6th Floor, Block, Sector 1, Salt Lake City, Kolkata-700064, West Bengal and as such, well acquainted with the facts of the case, borne out of records. I am duly authorized to sign, verify and file this Counter Affidavit and, as such, competent to defend this case on behalf of the 1st (BSI) and 3rd Respondents (MoEFCC).
2. It is submitted that a short affidavit is being filed by the answering respondent at this stage and craves leave and liberty to file a detailed Counter Affidavit to the previously mentioned application, as and when required.
3. That, the instant original application is registered suo motu by the Hon'ble NGT (PB) based on the news item titled as "Neelkuringi becomes a threatened species, officially" published in the Hindu dated 10.08.2024. In the news report, it is stated that though considered

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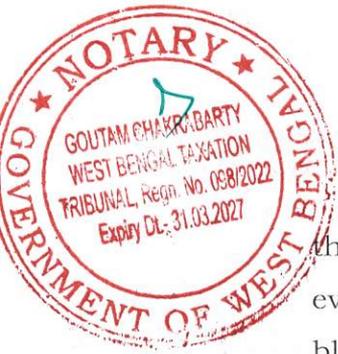


MANOJ BASU
Advocate
Enrolment No.-F-247/200c
Bidhan Nagar Court
Kolkata 700 091



ATTESTED
Goutam Chakrabarty
Notary, West Bengal
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Threatened, the shrub Neelakurinji (*Strobilanthes kunthiana*) was not evaluated against IUCN global standards until recently. The mass blooming of the flower in the Western Ghats happens once in 12 years and attracts tourists in hordes. It is also stated that almost 40% of the habitat has been lost, the remaining is under pressure from invasion of exotic species such as eucalyptus and black wattle. Infrastructure development, afforestation programmes and climate change pose a threat to the Neelakurinji. Hence, the species has been assessed as Vulnerable A2c.

4. It is most respectfully submitted that the Botanical Survey of India (BSI) is the apex taxonomic research institution of the country, under that aegis of the Ministry of Environment, Forest and Climate Change (MoEFCC), Government of India. That BSI is mandated to undertake floristic and taxonomic studies through survey, exploration and documentation of all wild plant resources (including algae and fungi) of the country. These resources not only serve as scientific references to the taxonomic fraternity, researchers and students but also help the State Biodiversity Boards and the Forest Departments in devising management policies relating to the protected areas. That, BSI, through its *ex-situ* conservation programmes, effectively maintains and conserves endangered and economically wild important plants of the country only in its associated experimental and botanical gardens and Orchidarium of the plant resources of the country.
5. It is respectfully submitted that the genus *Strobilanthes* Blume is the largest genus in the family Acanthaceae and represented by about 463 species in the world (POWO, 2024), all restricted to Asia, while in India, it is represented by about 146 taxa (Kathykeyan *et. al.*, 2009). That the genus *Strobilanthes kunthiana* (Nees) T.Anderson ex Benth., popularly known as “Neelakurinji” is a shrub endemic to Southern Western Ghats of India. Though once spread in the entire hill top grasslands above 1200 m (above sea level), in the Southern Western

15 JUL 2025

MANOJ KUMAR
 MEMBER
 WEST BENGAL TAXATION
 TRIBUNAL
 REG. NO. 058/2022
 EXPIRY DT. 31.03.2027

Ghats, it is the most fragmented species of flowering plant in South India.

6. That the mass flowering of this beautiful shrub, occur once in 12 years. That except some populations in the protected areas, major parts of this shrub are severely fragmented and the strength in some of them are below 500 individuals. The major reason for the population reduction of *Strobilanthes kunthiana* is the loss of habitat (a decline in area of occupancy, extent of occurrence or quality of habitat). (reduction of $\geq 50\%$ over the last 10 years or three generations, whichever is the longer).
7. It is also pertinent to mention herein that besides, the unpredictable climate change of this area, the long 12 years of flowering cycle duration of Neelakurinji and the change of pollinators are the potential threat for change in the reproductive potential of the species. On this basis of the population reduction, the status, *Vulnerable* (VU), given to *Strobilanthes kunthiana* may be right and justified.
8. However, it is noteworthy to mention that as reported in the News Article regarding 40% population reduction of the species, it is submitted that there is no concrete scientific data / evidence present. Therefore, a revisit to the sites and reassessment of the species is necessary to submit correct scientific data.
9. That the occurrence of *Strobilanthes kunthiana* might be in more than 34 locations which are added to revenue lands. That, in contrast to the general belief, the occurrence of this species along the altitudes of 1,340–2,600 m elevations in the report, has been recently found at lower altitudes (1100m) also. That, besides, it is also to state that the reduction in the population of the said species is due to various other anthropogenic effects.

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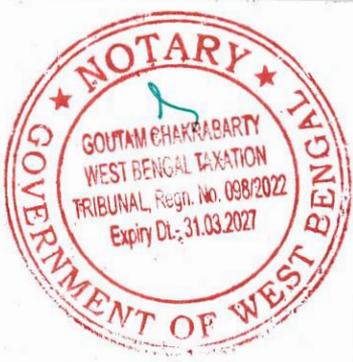


MANOJ BASU
Advocate

Enrollment No.-F-247/2006
Bidhan Nagar Court
Kolkata 700 091



15 JUL 2025



10. It is also pertinent to mention herein that under the provisions of Biological Diversity Act, 2002, to declare any species as threatened, the concerned State Government sends the proposal to Ministry of Environment, Forest and Climate Change for seeking validation to issue notification for the threatened species. That no proposal regarding Neelakurinji (*Strobilanthes kunthiana*) has been received so far from any State Government to declare this species as threatened.
11. That it is most humbly submitted that a revisit and reassessment of the species by the Botanical Survey of India is required in the affected areas to submit the accurate scientific data on the reduction of the concerned species.
12. 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.

Ramant Ks By

वरिष्ठ प्रशासनिक अधिकारी/Sr. Adms. Officer
कार्यालय अध्यक्ष/Head of Office
भारतीय वनस्पति सर्वेक्षण/Botanical Survey of India
सी.जी.ओ कॉम्प्लेक्स, साल्ट लेक सिटी
CGO Complex, Salt Lake City
कोलकाता-७०० ०६४/Kolkata-700 064

VERIFICATION

Verified at _____ on this _____ day of July, 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 therefrom.

15 JUL 2025

Ramant Ks By

DEPONENT

वरिष्ठ प्रशासनिक अधिकारी/Sr. Adms. Officer
कार्यालय अध्यक्ष/Head of Office
भारतीय वनस्पति सर्वेक्षण/Botanical Survey of India
सी.जी.ओ कॉम्प्लेक्स, साल्ट लेक सिटी
CGO Complex, Salt Lake City
कोलकाता-७०० ०६४/Kolkata-700 064

Government of India
Ministry of Environment, Forest and Climate Change
Legal Monitoring Cell

Date: 01/05/2025

Subject: Engagement of Panel Counsel

Ref.: - Request from division on mail dated 01/05/2025

Respected Sir,

Shri Shlok Chandra

Enrolment No.- D/1056/2009

Address:- A22 Defence Colony Ground Floor, ND-110024

Mobile No. - 9999670588

Email Id - shlokchandra@gmail.com

You are engaged to appear and conduct the case mentioned below for all purposes on behalf of this Ministry till the disposal of the case or expiry of your term of engagement or until further orders, whichever is earlier.

2. Details of the case are as follows:-

Court: **NGT (PB), New Delhi**

Case No.: **OA No. 1071/2024**

Title of the Case: **News item titled "Neelkurinju becomes a threatened species, officially" appearing in the Hindu dated 10.08.2024**

Concerned Division of the Ministry: **CS-II (BSI)**

Name and contact of the Divisional Head: **JS (NP) & 011-20819324**

Email ID: nameeta.prasad@gov.in

Name and contact of the dealing Consultant (Legal): **Ms. Sneh**

Ph. No. **7011230780**

Email ID: sneh.legalassociate@gmail.com/sneh.97@govcontractor.in

Next Date of hearing: **21/07/2025**

3. **This engagement is subject to the following conditions:-**

- i. The engagement is governed by **O.M. No. 17(21)/2020-PL/NGT Dated 22.08.2022, 02.03.2023, 21.03.2025** and O.M. No. 17(21)/2017-PL/NGT on dated 01.12.2017, 07/02/2019 and 04/05/2020, Policy and Law Division, Ministry of Environment, Forest and Climate Change, Indira Paryavaran Bhawan, New Delhi read with relevant circulars/instructions issued by this Ministry from time to time.
- ii. In case you are unable to attend the case for some reason, sufficient advance intimation should be given to the concerned Division.
- iii. To return the brief on expiry of your term/disposal of the case to the Ministry of Environment, Forest and Climate Change, or till further orders.
- iv. To intimate the Ministry the progress of the case regularly including obtaining and forwarding certified copy of the Order/Judgement to the concerned Division whenever necessary.
- v. To appear on behalf of this Ministry in person, and **not through a junior counsel** in the matters marked to you.
- vi. The engagement is acknowledged.

Smita
(Legal Monitoring Cell)
MoEF&CC, New Delhi

स्मिता सालवे/Smita H. Salve

वरिष्ठ परामर्शी (विधिक)
Senior Consultant Legal

पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय
M/o Environment, Forest and Climate Change
भारत सरकार, नई दिल्ली
Govt. of India, New Delhi