

Authorised under Notaries Act-1952
& Notaries Rules 1956 by Govt. of
India Jharkhand Ranchi

IN THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH AT NEW DELHI

O.A. No. 129/2024

IN THE MATTER OF:

News Item titled "Forest land five times Delhi's geographical area under
encroachment govt. data shows" appearing in Deccan Herald dated
05.01.2024

-Versus-

Secretary, Ministry of Environment, Forests & Climate Change & Others

...Respondents

Affidavit on behalf of Respondent No. 16 namely the Additional Chief
Secretary, Department of Forest, Environment & Climate Change,
Nepal House, Doranda Ranchi, Jharkhand – 834 002 in compliance of
order dated 09.02.2024

I, Paritosh Upadhyay, age- 58 years, S/o Sri M.D.Upadhyay, resident of
Doranda, P.O. : Doranda & P.S. : Doranda, District : Ranchi, do hereby
solemnly affirm and state as follow:-



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Case No. UAB

1. That at present I am working and posted as **Conservator of Forest, Administration, Jharkhand Forest Department**, as such I am well acquainted with all the facts and circumstances of this case.
2. That I am competent and have been duly authorized to swear and file this counter affidavit in the present case.
3. That pursuant to the order dated 09.02.2024 of this Hon'ble Tribunal, the present affidavit is being filed herewith with the details of action taken by the State of Jharkhand to control encroachment over forest lands.
4. That the State Forest Department, Jharkhand accords highest priority to the control of encroachment of forest lands. It has taken multi-pronged steps, including both preventive and punitive measures, which are enlisted in the following paragraphs.



5. That field officers of the Forest Department are reminded from time to time to remain vigilant enough during their field tours and take stern action against any attempt to encroachment. The status is reviewed every month by the concerned Regional Chief Conservator of Forest/Chief Conservator of Forests, and suitable directions are issued and /or planning for encroachment removal drive is also undertaken. In this manner, it is seen that incidences of encroachments which occur due to various reasons are controlled and legal action is taken against the accused persons along with efforts to reclaim the encroached forest land. The total forest land under encroachment is approx. 0.01 percent of the total recorded forest area of the state. Fresh encroachment in last two years is 409.9142 Ha (2022-23) and 424.74 Ha (2023-24) only. This shows



that the State Forest Department has been acting diligently on this issue.

6. Photocopy of the relevant documents are annexed herewith and marked **Annexure– A series.**

7. That strict action is taken in the cases of forest land encroachment.

Such actions include institution of criminal prosecution against the

accused persons under the provisions of the Indian Forest (Bihar

Amendment) Act, 1990 whereby such offences have been made

cognizable & non-bailable and the duration of maximum

imprisonment has also been enhanced from 06 months to 02 years.

In the last two years, a total of 2113 forest offence cases have been

lodged against the accused persons. In all because of such stern

action the encroachment of forest land to the extent of 1283.93.ha

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has been removed in the years 2022-23 and 2023-24 (till January, 2024).

8. Photocopy of Indian Forest (Bihar Amendment) Act 1990 is annexed herewith and marked Annexure-B.
9. That in cases of continued encroachment, eviction proceedings are initiated under the provisions of Bihar Public Land Encroachment Act, 1956, besides criminal prosecution under Indian Forest (Bihar Amendment) Act 1990. A total of 6287 such proceedings have been initiated till the end of January 2024 under BPLE Act and encroachers have been evicted from 2043.42 ha of forest land.
10. That forest land encroachment also takes place for seasonal purposes, e.g. temporary clearing and cultivation, mining etc. A strict vigil is kept on such types of encroachments and wherever possible, forest plantation is raised over such lands. In this manner, 2071.44

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ha. of forest land has been cleared of temporary and permanent encroachment till January 2024, by way of raising forest plantations.

11. That the strict vigil by the frontline staff of the Forest Department enhanced field inspection by the forest officers for preservation of forest boundaries in the State has also led voluntary removal of encroachments. In this manner, around 219.43 ha. forest land has been retrieved till January 2024.
12. That due to above cumulative efforts of the State Forest Department to remove encroachments, a total of **4334.29** ha. encroached forest land has been retrieved till January 2024.
13. That it is pertinent to note that vulnerability of forest lands to encroachment is a universal phenomenon due to burgeoning population, industrialization and urbanization. However, the multi-prolonged approach of State Forest Department to prevent

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encroachment and retrieve encroached forest land as outlined in previous paragraphs has brought about significant results.

14. That the State Forest Department submits to this Hon'ble Tribunal that the Department will continue to take diligent and concerted steps for prevention of forest land encroachment and retrieval of encroached forest lands.

15. That the answering respondent prays that this Hon'ble Tribunal be pleased to take this Action Taken Report on record as final compliance of their order dated 09.02.2024.

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VERIFICATION

I, **Paritosh Upadhyay**, age : **58** years, S/o **Sri M.D.Upadhyay**, resident of **Doranda**, P.O. : **Doranda** & P.S. : **Doranda**, District : **Ranchi**, at present working and posted as **Conservator of Forest, Administration, Jharkhand Forest Department** do hereby verify that the contents of paragraphs are true to my knowledge, the statements contained in paragraphs are true to my information derived from the official records which I verily believe to be true and the statements contained in paragraphsare my respectful submissions before this Hon'ble Tribunal.

Date: 19.04.2024

Place: RANCHI

[Signature]
Deponent

[Signature]
13/4/2024
E No 216/88

Prepared in my office
and identified by me

Advocate



[Signature]
19/4/2024

NOTARY PUBLIC RANCHI

Signature attested on
Identification of Lawyer

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