

BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI.

Original Application No.305/2022

Vipin Nayyar

...Applicant

Versus

Union of India & Ors.

...Respondents

N.D.O.H: 10.01.2024

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Filed by:


(Balendu Shekhar)

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Email: officeofbalendu@gmail.com

New Delhi

Date: 08.01.2024

BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI.

Original Application No.305/2022

Vipin Nayyar

...Applicant

Versus

Union of India & Ors.

...Respondents

**ACTION TAKEN REPORT ON BEHALF OF SURVEY OF INDIA IN
COMPLIANCE OF ORDER DATED 24.05.2023 PASSED IN ORIGINAL
APPLICATION NO.305/2022**

MOST RESPECTFULLY SHOWETH:

1. That the present Action Taken Report is being filed on behalf of Director Map Archive & Dissemination Centre, Survey of India, Dehradun, Uttarakhand. It is submitted that Hon'ble Tribunal vide order dated 24.05.2023 had observed as under:

"4. Vide order dated 22.11.2022, National Remote Sensing Centre (NRCA), Hyderabad was directed to submit a status report over the Prescribed Time-Line for Year 2014, Year 2016, Year 2017 and Year 2021 with High Resolution Satellite Imagery of the construction site of the "Moga Resort" to ascertain the factual situation with respect to the Forest Canopy/Vegetative Cover at (i) the Co-ordinates 30°03'58.2"N and 78° 16'50.4"E and (ii) 30°03'59"N and 78°16'51"E; and (2) the Director Map Archive & Dissemination Centre, Survey of India, Dehradun was directed to confirm whether the (i) Co-ordinates 30°03'58.2"N and 78°016'50.4"E and (ii) 30°03'59"N and 78°16'51"E pertain to Reserve Forest in District Rishikesh, Uttarakhand.

5. In compliance thereof, report has been filed by NRCA, Hyderabad vide email dated 13.01.2023.

6. However, report has not been filed by Director Map Archive & Dissemination Centre, Survey of India, Dehradun.

7. Report by Director Map Archive & Dissemination Centre, Survey of India, Dehradun be filed within two months by email at judicialngt@gov.in preferably in the form of searchable PDF/OCR supported PDF and not in the form of Image PDF

2. That in compliance of the order dated 24.05.2023, answering Survey of India though tried to explore all possible available records, departmental survey works and projects survey however nowhere any details pertaining to Co-ordinates 30°03'58.2"N and 78°16' 50.4"E and (ii) 30° 03' 59"N and 78° 16' 51"E were traced. Multiple correspondences were also given to forest department but no response was received giving any specific details pertaining to Co-ordinates. Copy of the various letter given to forest department are attached herewith as **ANNEXURE- A (Colly)**.
3. That relying upon the Survey of India map used for forest department in the year 1922-23, as no other map and/or survey indicate otherwise, it can be observed that Co-ordinates 30° 03' 58.2"N and 78° 16' 50.4"E and (ii) 30° 03' 59"N and 78° 16' 51"E fall within the area of Virbhadra Reserve Forest.
4. It is most respectfully submitted that after 1922-23, if any change has been done in respect of the related forest boundary by the state government of UP/Uttarakhand by issuing gazette notification in which Virbhadra Reserve Forest area has been changed, then it can be verified by the Forest Department of Uttarakhand, as no such record exist as on date in the office of Director Map Archive & Dissemination Centre, Survey of India.

5. That keeping the adherence of order dated 24.05.2023 of this Hon'ble Tribunal, deponent's department of Survey of India vide letter no. 1329/17-Y-Mis/V dated 24.07.2023 apprising the official stand of *Director Map Archive & Dissemination Centre, Survey of India based upon the official records*, was addressed to Hon'ble Tribunal through Consultant (Judicial) through e-mail dated 24.07.2023 and subsequent e-mail dated 25.07.2023 to the email address judicial-ngt@gov.in.

Copy of the e-mails dated 24.07.2023 and 25.07.2023 is attached herewith as **ANNEXURE - B**.

Copy of the Survey of India vide letter no. 1329/17-Y-Mis/V dated 24.07.2023 along with forest map used by survey department in the year 1922-23 are attached herewith as **ANNEXURE-C (COLLY)**.

6. That vide order dated 07.12.2023 of this Hon'ble Court, it has been observed:

"..No report was filed by the Director Map Archive & Dissemination Centre, Survey of India, Dehradun and no explanation what so ever has been furnished for non-compliance with the orders passed by this Tribunal..."

It is humbly submitted that answering department while responding to this Hon'ble Tribunal upon the same e-mail address (judicial-ngt@gov.in) assumed that report furnished through e-mail dated 25.07.2023 would be placed for Hon'ble Tribunal's consideration. It is worth to mention that inadvertently and under bonfide mistake, answering department didn't file the same in form of compliance report. Accordingly, same is being done at this stage for Hon'ble Tribunal's consideration.

7. That non filing of the compliance ATR of the order dated 24.05.2023, which has further been reiterated vide order dated 29.09.2023, earlier was solely due to the bonafide mistake that earlier given emails dated 24.07.2023 and 25.07.2023 would suffice the compliance of order passed by this Hon'ble Tribunal.
8. That the above said facts are true and correct to the best of my knowledge which is based on the official records maintained at the office of Director Map Archive & Dissemination Centre, Survey of India.

Filed by:



Sanjeev Oraon
सजीव उराव
[Office of the Director]
मानचित्र, अभिलेख एवं प्रसार केंद्र
Map Archive & Dissemination Centre, Dehradun
Survey of India
Dehradun, Uttarakhand

New Delhi

Dated: 08.01.2024

Annexure -A (Copy)

Signature
सर्वेक्षण विभाग
देहरादून

भारतीय सर्वेक्षण विभाग
SURVEY OF INDIA

OFFICE OF THE DIRECTOR
UTTARAKHAND & WEST UP GEO
SPATIAL DATA CENTRE
17, E. C. Road, Post Box No. 122
DEHRA DUN - 248001

दूरभाष Telephone : 0135-2535261



निदेशक का कार्यालय
उत्तराखण्ड एवं पश्चिम उत्तर प्रदेश
भू-स्थानिक आंकड़ा केन्द्र
17, ईस्ट कैनाल रोड, पत्र पेटी संख्या 122
देहरादून - 248001

दूरभाष : 0135- 2535261

ई मेल E mail: ukgcd.ddn.soi@gov.in

तारीख Dated: 12-January, 2023

सं० No त- 136 /17-A-5 (L)

सेवा में,

प्रभागीय वनाधिकारी,
देहरादून वन प्रभाग,
देहरादून।

विषय:- Matter in Hon'ble NGT O.A. No. 305/2022 Vipin Navar Vs. Union of India & Ors.
Order order dated 22-11-2022- Reg.

सन्दर्भ:- उत्तराखण्ड प्रदूषण नियंत्रण बोर्ड का पत्र संख्या- UKPCB/HO/Gen-183-
566/2022/1516 दिनांक 19 दिसम्बर 2022

महोदय,

इस कार्यालय को उपरोक्त सन्दर्भित पत्र प्राप्त हुआ है। जिसमें विषयांकित वाद के निस्तारण हेतु बैराज कालोनी, ऋषिकेश स्थित रिजर्व फॉरेस्ट का सत्यापन किया जाना है।

अतः आपसे अनुरोध है कि बैराज कालोनी स्थित वन भूमि का गजट नोटिफिकेशन अतिशीघ्र इस कार्यालय को उपलब्ध कराने की कृपा करें, ताकि इस सम्बन्ध में आवश्यक कार्यवाही की जा सके।



Signature 12/01/2023
(अनुराग कुमार शर्मा)
अधिकारी सर्वेक्षक
कृते निदेशक



भारतीय सर्वेक्षण विभाग
SURVEY OF INDIA

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दूरभाष : 0135- 2535261

ई मेल E mail: ukgcd.ddn.soi@gov.in

तारीख Dated: 24 January, 2023

सं० नोत- 210 /17-A-5 (L)

सेवा में,

प्रभागीय वनाधिकारी,
देहरादून वन प्रभाग,
देहरादून।

विषय:- Matter in Hon'ble NGT O.A. No. 305/2022 Vipin Navar Vs. Union of India & Ors.
Order order dated 22-11-2022- Reg.

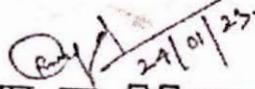
सन्दर्भ:- इस केन्द्र का पत्र संख्या- 136/17-A-5 (L) दिनांक 12 जनवरी 2023

महोदय,

इस कार्यालय द्वारा आपके कार्यालय को उपरोक्त सन्दर्भित पत्र प्रेषित किया गया था। जिसमें विषयांकित वाद के निस्तारण हेतु वैराज कालोनी, ऋषिकेश स्थित रिजर्व फॉरेस्ट का सत्यापन किया जाना है। गजट नोटिफिकेशन अतिशीघ्र इस कार्यालय को उपलब्ध कराने हेतु लिखा गया था।

अतः आपसे पुनः अनुरोध है कि कार्य कि महत्ता देखते हुए शीघ्र सन्दर्भित गजट नोटिफिकेशन इस कार्यालय को प्रेषित करने की कृपा करें।



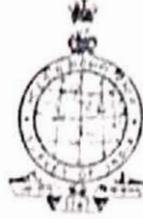

(आर. एम. घिल्डियाल)
अधीक्षण सर्वेक्षक
कृते निदेशक

(18)

भारतीय सर्वेक्षण विभाग
SURVEY OF INDIA

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निदेशक का कार्यालय
उत्तराखण्ड एवं पश्चिम उत्तर प्रदेश
भू-स्थानिक आंकड़ा केन्द्र
17 ईस्ट कैनाल रोड, पत्र पेटी संख्या 122
देहरादून - 248001

दूरभाष : 0135- 2535261

ई मेल E mail: ukgcd.ddn.sol@gov.in

तारीख Dated: 6th Feb, 2023

सं० No त- 301 /17-A-5 (L)

सेवा में,

प्रभागीय वनाधिकारी,
देहरादून वन प्रभाग,
देहरादून।

विषय:- Matter in Hon'ble NGT O.A. No. 305/2022 Vipin Navar Vs. Union of India & Ors.
Order order dated 22-11-2022- Reg.

सन्दर्भ:- (1) इस केन्द्र का पत्र संख्या- 136/17-A-5 (L) दिनांक 12 जनवरी 2023
(2) इस केन्द्र का पत्र संख्या- 210/17-A-5 (L) दिनांक 24 जनवरी 2023

महोदय,

इस कार्यालय को उपरोक्त सन्दर्भित पत्रों के माध्यम से विषयांकित वाद से सम्बन्धित रिजर्व फॉरेस्ट, ऋषिकेश का गजट नोटिफिकेशन माँगा गया था जो कि अभी तक इस कार्यालय को प्राप्त नहीं हुआ है।

अतः आपसे पुनः अनुरोध है कि चॉखित गजट नोटिफिकेशन इस कार्यालय को तत्काल उपलब्ध कराने का कष्ट करें, ताकि इस सम्बन्ध में अग्रिम कार्यवाही की जा सके।


(अनुराग कुमार शर्मा)
अधिकारी सर्वेक्षक
कृते निदेशक

प्रतिलिपि:- निदेशक, मानचित्र अभिलेख एवं प्रसार केन्द्र, देहरादून को सूचनार्थ प्रेषित।

Re: Matter in Hon'ble NGT O.A. No. 305/2022(I.A. No. 68/2023) Vipin Nayar Vrs Union of india & Ors. Order Dated 20-05-2023 : reg.

From : Sanjeev Oraon <mtr.soi@gov.in>
Subject : Re: Matter in Hon'ble NGT O.A. No. 305/2022(I.A. No. 68/2023) Vipin Nayar Vrs Union of india & Ors. Order Dated 20-05-2023 : reg.
To : Consultant Judicial-NGT(P.B.) <judicial-ngt@gov.in>

Tue, Jul 25, 2023 11:02 AM

1 attachment

sir,
please find the merged pdf attachment as required.

Regards,
- Technical Officer ,
MA & DC,
Survey of India, Dehradun

From: "Consultant Judicial-NGT(P.B.)" <judicial-ngt@gov.in>
To: "Sanjeev Oraon" <mtr.soi@gov.in>
Sent: Tuesday, July 25, 2023 9:51:31 AM
Subject: Re: Matter in Hon'ble NGT O.A. No. 305/2022(I.A. No. 68/2023) Vipin Nayar Vrs Union of india & Ors. Order Dated 20-05-2023 : reg.

RESPECTED SIR/MADAM,

PLEASE SEND THIS DOCUMENT IN SINGLE MERGED PDF FILE, TO ENABLE US TO TAKE THIS ON RECORD.

From: "Sanjeev Oraon" <mtr.soi@gov.in>
To: "Consultant Judicial-NGT(P.B.)" <judicial-ngt@gov.in>
Cc: "Director Uttarakhand and West UP GDC" <ukgdc.ddn.soi@gov.in>, dfodooon@gmail.com, "Registrar General" <rg.ngt@nic.in>, msukpcb@yahoo.com
Sent: Monday, July 24, 2023 5:21:29 PM
Subject: Matter in Hon'ble NGT O.A. No. 305/2022(I.A. No. 68/2023) Vipin Nayar Vrs Union of india & Ors. Order Dated 20-05-2023 : reg.

Sir,

Please find the attached letters No. 1329 / 17-वाई-मिस्लेनियस दिनांक : 24-07-2023.

Regards,
- Technical Officer ,
MA & DC,
Survey of India, Dehradun

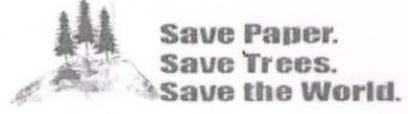


 **1329_merged.pdf**
2 MB

Annexure -C (Colly.)



भारतीय सर्वेक्षण विभाग
SURVEY OF INDIA



दूरभाष : 0135-2747051-58

Telephone : 0135-2747051-58

फैक्स/ Fax : 0135-2741250

ई-मेल/E-mail

For Adm - dmadc soi@nic.in

For Digital Data - mtr soi@gov.in



निदेशक

मानचित्र अभिलेख एवं प्रसार केन्द्र

DIRECTOR,

MAP ARCHIVE & DISSEMINATION CENTRE

डक बक्स सं०, POST BOX No.37,

हाथीबड़कला, देहरादून-248001 (उत्तराखण्ड)-भारत

DEHRADUN-248001(Uttarakhand)-INDIA

इस पत्र का उत्तर निदेशक, मानचित्र अभिलेख एवं प्रसार केन्द्र के पते से भेजना चाहिए, किसी अधिकारी के नाम से नहीं उत्तर देंगे वरन् इस पत्र की कृपया और दिनांक भी हमें सादी जाननी चाहिए।
Any reply to this letter should be addressed to the Director, Map Archive & Dissemination Centre, and not to any officer by Name. The No. & Date of this letter should be quoted.

संख्या त०-1329 / 17-वाई-मिस्लेनियस

दिनांक : 24-07-2023.

सेवा में,

Cosultant (Judicial)

(N.G.T.)(P.B.)

New Delhi

ईमेल: judicial-ngt@gov.in

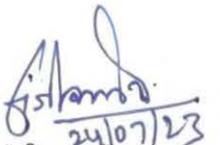
विषय: Matter in Hon'ble NGT O.A. No. 305/2022(I.A. No. 68/2023) Vipin Nayar Vrs

Union of india & Ors. Order Dated 20-05-2023 के सम्बन्ध में।

महोदय,

विषयांकित से संबन्धित माँगी गई सूचना के संबंध में निदेशक, उत्तराखण्ड एवं पश्चिमी उत्तर प्रदेश भू-स्थानिक आंकड़ा केन्द्र, भारतीय सर्वेक्षण विभाग, देहरादून, द्वारा प्राप्त पत्र संख्या त-1490 / 17-A-5 (L) दिनांक: 20-07-2023, आपको प्रेषित है।

संलग्नक : यथोपरि।


(संजीव उराव)
अधिकारी सर्वेक्षक
कृते निदेशक

- प्रतिलिपि : (i) प्रभागीय वनाधिकारी, देहरादून वन प्रभाग, देहरादून उत्तराखंड को सूचनार्थ एवं आवश्यक कार्यवाही हेतु।
(ii) सदस्य सचिव, उत्तराखंड प्रदूषण नियंत्रण बोर्ड, " गौरी देवी पर्यावरण भवन, 46 बी., आई. टी. पार्क सहस्रधारा रोड, देहरादून को सूचनार्थ एवं आवश्यक कार्यवाही हेतु।
(iii) निदेशक, उत्तराखंड एवं पश्चिम उत्तर प्रदेश भू-स्थानिक आंकड़ा केन्द्र, भारतीय सर्वेक्षण विभाग, 17 ईस्ट-कैनल रोड, पेटी सं. 122 देहरादून, को सूचनार्थ।



भारतीय सर्वेक्षण विभाग
SURVEY OF INDIA

OFFICE OF THE DIRECTOR
UTTARAKHAND & WEST UP GEO
SPATIAL DATA CENTRE
17, E. C. Road, Post Box No. 122
DEHRA DUN - 248001

दूरभाष Telephone : 0135- 2535261



निदेशक का कार्यालय
उत्तराखण्ड एवं पश्चिम उत्तर प्रदेश
भू-स्थानिक आंकड़ा केन्द्र
17 ईस्ट कैनाल रोड, पत्र पेटी संख्या 122
देहरादून - 248001

दूरभाष : 0135- 2535261

ई मेल E mail: ukgcd.ddn.soi@gov.in

तारीख Dated: 20 July, 2023

सं० त- 1490 / 17-A-5 (L)

सेवा में,

निदेशक,
मानचित्र अभिलेख एवं प्रसार केन्द्र,
देहरादून।

विषय:- Matter in Hon'ble NGT O.A. No. 305/2022 Vipin Nayar Vs. Union of India & Ors.
Order dated 22-11-2022 - Reg.

सन्दर्भ:- आपका पत्र सं० त- 1227/17-वाई-मिस्लेनियस/V दिनांक 11-07-2023

महोदय,

उपरोक्त सन्दर्भित पत्रों के प्रत्युत्तर में विषयांकित वाद से सम्बन्धित observation (प्रेक्षण) निम्न प्रकार है।

1. इस केन्द्र द्वारा इस वाद से सम्बन्धित अलग-अलग पैमानों पर हुए विभागीय सर्वेक्षण कार्य/ परियोजना सर्वेक्षण एवं अन्य पुराने अभिलेखों का अवलोकन किया गया किन्तु इस वाद से सम्बन्धित कोई ठोस जानकारी प्राप्त नहीं की जा सकी। अन्ततः भारतीय सर्वेक्षण विभाग द्वारा वन विभाग के लिए प्रयुक्त किये जाने वाले मानचित्र जो कि वर्ष 1922-23 की सर्वेक्षित शीट है। इस शीट संख्या 53J/8/S&N को आधार मानकर NGT द्वारा प्रेषित निर्देशांक को पढ़ा गया। जिससे ज्ञात होता है कि ये निर्देशांक "वीरभद्र रिजर्व फॉरेस्ट" की सीमा के अन्दर आ रहे हैं।

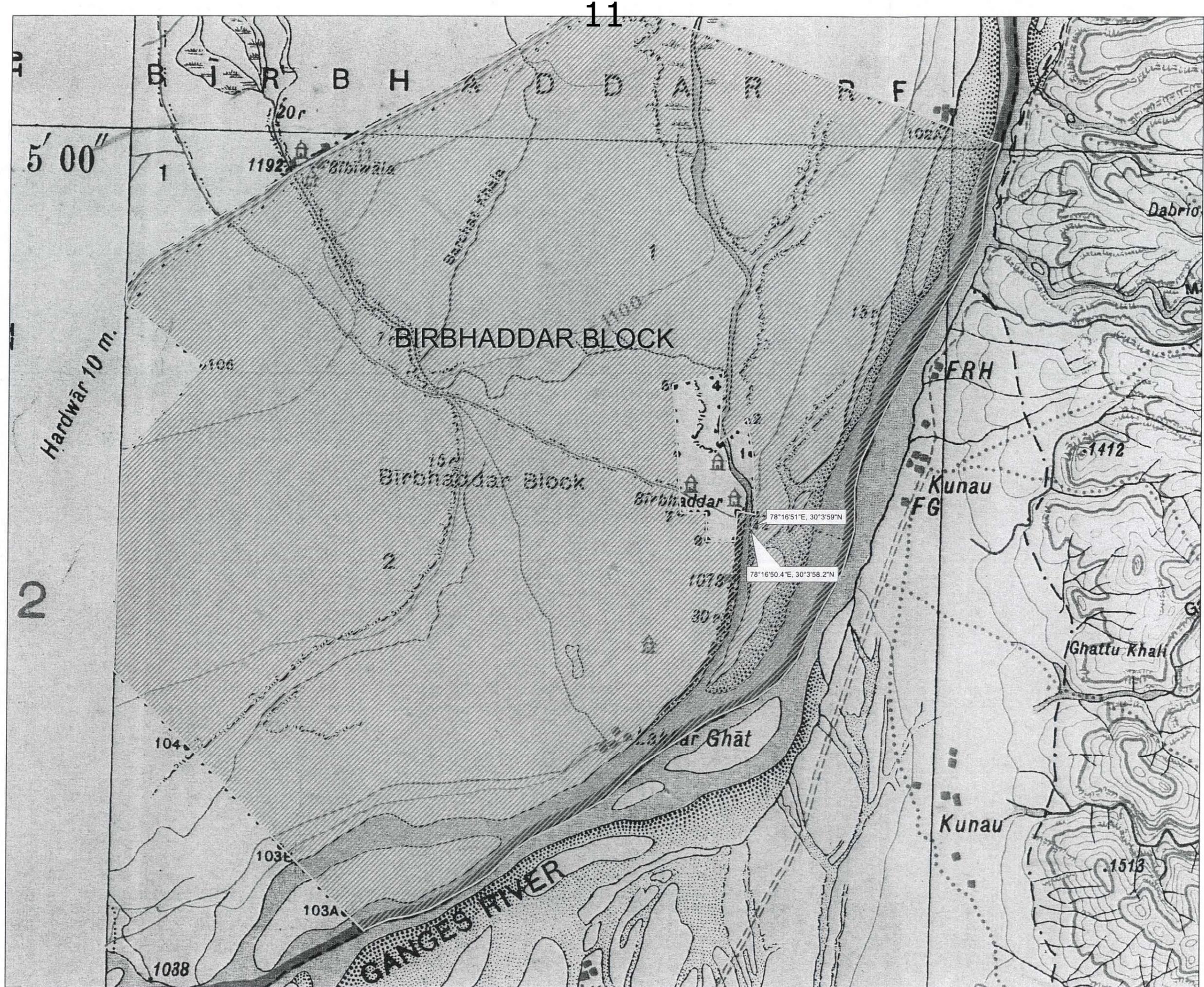
आपके सुलभ सन्दर्भ हेतु शीट संख्या 53J/8/S&N PDF Format पर निर्देशांक मार्क कर संलग्न है।

2. सर्वेक्षण वर्ष 1922-23 के पश्चात सम्बन्धित वन क्षेत्र से सम्बन्धित यदि तत्कालीन उत्तर प्रदेश/ उत्तराखण्ड सरकार द्वारा कोई नवीन गजट नोटिफिकेशन जारी किया गया हो जिसमें वीरभद्र रिजर्व फॉरेस्ट की सीमा परिवर्तित की गई हो उसकी पुष्टि हेतु वन विभाग उत्तराखण्ड कर सकता है।

अतः आपसे अनुरोध है कि कृत कार्यवाही को माननीय न्यायालय को प्रेषित करने की कृपा करें।

संलग्नक:- यथोपरि।

(राजत शर्मा)
कर्नल
निदेशक



Item No.1

(Court No. 2)

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

(Through Physical Hearing with Hybrid VC Option)

Original Application No.305/2022
(I.A NO. 68/2023)

Vipin Nayyar ...Applicant

Versus

Union of India & Ors. ...Respondents

Date of hearing: 24.05.2023

**CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI, JUDICIAL MEMBER.
HON'BLE DR. AFROZ AHMAD, EXPERT MEMBER.**

Applicant: Mr. Vipin Nayyar, applicant in person (through VC)

Respondents: Mr. Thakur Sumit, Advocate for Respondent No. 1,
MoEF&CC.
Mr. Rahul Verma, AAG for Respondent no. 5.
Mr. Ruchir Mishra, Advocate with Mr. Ramneek Mishra,
Advocates for Respondent No. 3.
Mr. Mukesh Verma, Advocate for UKPCB (through VC)
Mr. Rajesh Kumar, Advocate for Respondent No. 8.

**Application under Section 18 read with Sections 14 and 15 of the
National Green Tribunal Act, 2010**

ORDER

1. The grievance in the present application is regarding construction of Moga Resort in violation of 1:25 years Flood Plain Zone of river Ganga, by encroaching upon the Forest Land, narrowing down of river bed of river Rambha, cutting down of trees on the forest land situated on the confluence of river Ganga and Rambha, in eco-sensitive and prohibited zone of Archaeological Excavation Site of an Ancient Monument of National Importance.

2. Vide order dated 06.05.2022, notices were ordered to be issued to respondents and a Joint Committee was also constituted to verify the factual position and submit its Factual and Action Taken Report.

3. In compliance thereof, report of the Joint Committee was filed vide email dated 24.08.2022.

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4. Vide order dated 22.11.2022, National Remote Sensing Centre (NRCA), Hyderabad was directed to submit a status report over the Prescribed Time-Line for Year 2014, Year 2016, Year 2017 and Year 2021 with High Resolution Satellite Imagery of the construction site of the "Moga Resort" to ascertain the factual situation with respect to the Forest Canopy/Vegetative Cover at (i) the Co-ordinates 30003'58.2"N and 78016'50.4"E and (ii) 30003'59"N and 78016'51"E; and (2) the Director Map Archive & Dissemination Centre, Survey of India, Dehradun was directed to confirm whether the (i) Co-ordinates 30003'58.2"N and 78016'50.4"E and (ii) 30003'59"N and 78016'51"E pertain to Reserve Forest in District Rishikesh, Uttarakhand.

5. In compliance thereof, report has been filed by NRCA, Hyderabad vide email dated 13.01.2023.

6. However, report has not been filed by Director Map Archive & Dissemination Centre, Survey of India, Dehradun.

7. Report by Director Map Archive & Dissemination Centre, Survey of India, Dehradun be filed within **two months** by email at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR supported PDF and not in the form of Image PDF.

8. I.A. No. 68/2023 has been filed seeking direction to respondent no. 2, the Principal Chief Conservator of Forest to explain the factual situation of River Rambha that is clearly marked and shown in the beat map of Veerbhadra Reserve Forest Sr. No. 1 and Sr. No. 2 and to confirm if River Rambha flows along the right side of the complete length of 'Moga Resort' and the same falls under reserve forest.

9. The applicant has submitted that the applicant filed an RTI application dated 29.07.2022 with The Range Officer Rishikesh to confirm if Rambha River comes under the ownership of forest department, and in its reply letter no. 174 dated 22.08.2022, the range

officer deliberately avoided giving a straight answer. The applicant filed another RTI application with the office of SDM Rishikesh asking information about the ownership of Rayer Rambha present in Kaksh no. 1 and Kaksh no. 2 and in the reply dated 07.09.2022 it has been mentioned that there is no account with the name of Kaksh no. 1 and Kaksh no. 2 and Rambha River in the revenue records. The applicant being aggrieved by the reply of the Range Officer forest department Rishikesh filed a first appeal dated 10.09.2022 before the SDO (Sub-Divisional Officer) Dehradun and in its decision dated 19.10.2022 the SDO ordered the surveyor to conduct an inspection to ascertain the area of River Rambha that falls under the ownership of the forest department. The applicant painstakingly made various personal visits to the Range Officer Rishikesh to clarify the ownership of River Rambha passing through the reserve forest along the complete length of Moga Resort but his pleas have fallen on deaf ears. Even after the lapse of over 4 months the officials of the forest department do not want to answer the question involving the ownership of River Rambha flowing through the reserve forest which is present on the right side of the complete length of Moga resort and is shown in the beat map of the forest department.

10. In view of the facts and circumstances of the case and also the reasons explained, **I.A. No. 68/2023 is allowed** and respondent no. 2 PCCF is directed to file affidavit explaining the factual situation of River Rambha as shown in the beat map of Veerbhadra Reserve Forest Sr. No. 1 and Sr. No. 2 and to confirm if River Rambha flows along the right side of the complete length of 'Moga Resort' and the same falls in reserve forest.

11. Affidavit by PCCF be also filed **within two months** by email at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR supported PDF and not in the form of Image PDF.

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12. List for further consideration 29.09.2023

Arun Kumar Tyagi, JM

Dr. Afroz Ahmad, EM

May 24, 2023

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BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI.
Original Application No.305/2022

Vipin Nayyar

...Applicant

Versus

Union of India & Ors.

...Respondents

VAKALATNAMA

KNOW ALL to whom these present shall come that I, Shri Sanjeev Oraon Officer Surveyor, Hathibarkala Estate, Dehradun, Uttarakhand-248001, the above named do hereby appoint:

Balendu Shekhar Advocate, CGSC Delhi High Court, Office LB-17, 5 Gauri Sadan, Hailey Road New Delhi-110001 Enrolment No. D/208/2002. Mob. No. 9999666769 Email: officeofbalendu@gmail.com (herein after called the advocate/s) to be my/our Advocate in the above noted case authorise him:-

1. To act, appear and plead in the above-noted case in this Court or in any other Court in which the same may be tried or heard and also in the appellate Court including High Court subject to payment of fees separately for each Court by me/us.
2. To sign, file, verify and present pleadings, appeals, cross-objections or petitions for executions review revision, withdrawal, compromise or other petitions or affidavits or other documents as may be deemed necessary or proper for the prosecution of the said case in all its stages subject to payment of fees for each stage.
3. To file and take back documents, to admit and/or deny the documents of opposite party.
4. To withdraw or compromise the said case or submit to arbitration any differences or disputes that may arise touching or in any manner relating to the said case.
5. To take execution proceedings.
6. To deposit, draw and receive monthly cheques, cash and grant receipts thereof and to do all other acts and things which may be necessary to be done for the progress and in the course of the prosecution of the said case.
7. To appoint and instruct any other Legal Practitioner authorising him to exercise the power and authority hereby conferred upon the Advocate whenever he may think fit to do so and to sign the power of attorney on our behalf.
8. And I/We the undersigned do hereby agree to rectify and confirm all acts done by the Advocate or his substitute in the matter as my/our own acts, as if done by me/us to all intents and proposes.
9. And I/We undertake that I/We or my/our duly authorised agent would appear in Court on all hearings and will inform the Advocate for appearance when the case is called.
10. And I/We the undersigned do hereby agree not to hold the advocate or his substitute responsible for the result of the said case.
11. The adjournment costs whenever ordered by the Court shall be of the Advocate which he shall receive and retain for himself.
12. And I/We the undersigned to hereby agree that in the event of the whole or part of the fee agreed by me/us to be paid to the advocate remaining unpaid he shall be entitled to withdraw from the prosecution of the said case until the same is paid up. The fee settled is only for the above case and above Court. I/we hereby agree that once fee is paid, I/We will not be entitled for the refund of the same in any case whatsoever and if the case prolongs for more than 3 years the original fee shall be paid again by me/us.

IN WITNESS WHEREOF I/We do hereunto set my/our hand to these presents the contents of which have been understood by me/us on this ^{8th} day of January, 2024.

Accepted subject to the terms of the fees.

Advocate

Client

Balendu Shekhar
D/208/02

Client
Sanjeev Oraon
(SANJEEV ORAON)

संजीव उराँव
अधिकारी सर्वेक्षक
मानचित्र अभिलेख एवं प्रसार केंद्र
भारतीय सर्वेक्षण विभाग, देहरादून