

BEFORE THE NATIONAL GREEN TRIBUNAL, NEW DELHI
ORIGINAL APPLICATION NO. 915 of 2024

IN THE MATTER OF

Amit Kumar

.....Applicant

VERSUS

Union of India & Ors.

.....Respondents

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Response by Applicant to the status Report filed by the Respondent No. 4 & 7

Most Respectfully Submitted:

1. That the Applicant most respectfully submits the following Response/Objections to the Progress/Status Reports dated 30.12.2025 filed by the District Magistrate Shamli (Respondent no. 4) and the Divisional Forest Officer Shamli (Respondent No. 7).
2. That at the very outset, the Applicant points out that **both Status Reports (filed by Respondent Nos. 4 and 7) rely heavily upon the Minutes of the Meeting (MOM) dated 29.12.2025** (running judicial page numbers 762 and 888). It is submitted that this **meeting took place just one day before the filing of the status reports and a mere six days before the next scheduled date of hearing.** This clearly demonstrates that the Respondents have merely performed a hollow formality, meeting at the absolute last moment to manufacture a response for this Hon'ble Tribunal. The dates and timelines mentioned therein appear randomly generated to simulate progress, whereas the documents reveal a lack of any substantive action taken during the preceding months.
3. That in the aforementioned meeting dated 29.12.2025, the Respondents have presented ambiguous and arbitrary dates for the future removal of encroachments without providing any logical explanation for the same. Although the illegal encroachments have been reported for approximately a year, both Respondent Nos. 4 and 7 have failed to completely and lawfully retrieve the forest land. It is specifically submitted that **since the last date of hearing, no lawful or effective encroachment removal activity has actually taken place on the ground.**
4. That Respondent No. 7 (DFO, Shamli) has placed on record several **"Eviction Notices" (running judicial page nos. 772 to 844), all of which were issued recently in the month of December.** The issuance of these notices just before the hearing is a clear administrative afterthought and a formality intended to mislead this Hon'ble Tribunal into believing that the department is active, while in reality, it highlights their prior negligence.
5. That the photographs annexed by the DFO, Shamli (running judicial page nos. 874 to 885) are similarly all from December. These photographs are vague and lack material particulars; they fail to specify which Khasra numbers are depicted or the exact area of encroachment purportedly removed. They are merely site pictures with no evidentiary value regarding the restoration of forest land. Furthermore, the news articles relied upon by the DFO (running judicial page nos. 886 to 887) are merely repetitions of the matter's basic details and the same photographs already provided, offering no new material facts or proof of progress.
6. That despite the Respondents' claims, **a massive area of Reserved Forest remains under illegal encroachment.** Crucially, in the small portions where the Respondents claim to have removed encroachments, there is absolutely no

evidence of afforestation activity. Nothing has been placed on record to show that the Respondents have taken actual control of the land or initiated forest revival/afforestation to restore the ecological balance, which is the primary mandate of the Forest Department.

7. That in Paragraph 9 (running judicial page 770), the DFO Shamli states that 73 encroachers have submitted "representations" or approached "quasi-judicial authorities." The Applicant submits that this is being used as a mere pretext to justify the "pendency" of removal. **The Respondent has failed to place on record a list of these encroachers, the details of the so-called "quasi-judicial" proceedings, or any timeline for their disposal.** This lack of transparency is a deliberate attempt to delay the enforcement of forest laws.
8. That while the Respondents categorize the land under Section 4 and Section 20 of the Indian Forest Act, 1927, they have offered **no explanation as to why permanent structures were allowed to be constructed and maintained on notified forest land for several years. The Respondents have remained silent on their failure to prevent these illegalities, choosing instead to file last-minute "status reports" that lack both substance and sincerity.**

PRAYER

9. In light of the above, the Applicant prays that this Hon'ble Tribunal may be pleased to reject the Status Reports as ambiguous and non-committal; direct the Respondents to file a fresh, time-bound affidavit confirming the actual physical removal of the encroachment from the reserved forest land as per law; and appoint an independent committee to verify the demarcation and removal claims on the ground with a further direction to initiate immediate afforestation on the cleared land. It is further prayed that, if necessary, an independent committee be appointed to verify the demarcation and removal claims on the ground to ensure the integrity of the reserved forest.

AND FOR THIS ACT OF KINDNESS, THE APPLICANT AS IN DUTY BOUND SHALL EVER PRAY

VERIFICATION

Verified at **New Delhi** on this **3rd** day of **January** 2025 that the contents of the above submission, are correct and true to the best of our knowledge, belief, and official records. No part of it is false, and nothing material has been concealed therein.

Filed by:



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