

**BEFORE THE NATIONAL GREEN TRIBUNAL
AT PRINCIPAL BENCH, NEW DELHI
ORIGINAL APPLICATION NO. 648 OF 2024**

IN THE MATTER OF:

Milkhi Ram Sharma ... Applicant

Versus

Union of India and others ... Respondents

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Place: Shimla

Applicant

Dated: 19.05.2025

Through Counsel(s)



(Adarsh K. Vashista , Shivom Vashista)

Advocates

362, Vidhi Nikunj, Lawyer's Chamber,

H.P. High Court, Shimla-171001.

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**BEFORE THE NATIONAL GREEN TRIBUNAL
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IN THE MATTER OF:-

Milkhi Ram Sharma ... Applicant

Versus

Union of India and others ... Respondents

**Rejoinder on behalf of the applicant to the reply
filed by the respondents no.- 2 to 5 and 7 to 10.**

MAY IT PLEASE YOUR LORDSHIPS :-

Reply to the preliminary submissions :-

1-3. That the contents of para 1 to 3 of the preliminary submissions need no reply .

4. That in reply to the contents of para 4 it is respectfully submitted that the respondent authorities have failed to fully curb the encroachments and take punitive action against the encroachers in the wild life sanctuary . The sanctuary area is still subject to exploitation by the anti-social elements . The applicant has placed on record with

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the present rejoinder certain photographs which would go to show to This Hon'ble Tribunal that the sanctuary area is subject to rampant encroachment . The same has been illegally fenced , the movements of tractors and heavy machinery is still going on in the area . Huts are still being built in the sanctuary area as clearly visible in the photographs. The encroachers have dumped plastic and bricks in the prohibited area of the sanctuary . Despite the aforementioned violations the respondents have failed to act in accordance with law . Copies of the photographs are placed on record as **Annexure P-9(colly)**.

5 – 9. That in reply to the contents of para 5 to 9 it is respectfully submitted that , no doubt after filling of the present original application steps have been taken by the respondents to curb the illegal encroachments in the Pongdam Wild Life sanctuary , however even as of now rampant encroachment through milch cattle , illegal cultivation, use of insecticides-pesticides, fencing by antisocial elements of within the sanctuary area, use of heavy machinery and burning of stubble is going on in the following area in :-

- i. Gram Panchayat Haripur ,
- ii. Gram Panchayat Katholi,
- iii. Gram Panchayat Khabbal,
- iv. Gram Panchayat Sugnara ,

ATTESTED
By
Joint Commission

- v. Gram Panchayat Ludret ,
 - vi. Gram Panchayat Dhar Baryal,
 - vii. Gram Panchayat Nandpur Bhatoli,
 - viii. Gram Panchayat Gathutar ,
 - ix. Gram Panchayat Guler ,
 - x. Gram Panchayat Indira Colony,
 - xi. Gram Panchayat Bangoli,
 - xii. Gram Panchayat Bhatoli Fakoria.
 - xiii. Gram Panchayat Kharian,
 - xiv. Gram Panchayat Dehra Bari ,
- Of Tehsil Dehra and tehsil Fatehpur of
Distt.- Kangra , H.P.

Rejoinder on merits :-

1 to 15 : That in rejoinder to the contents of para 1 to 15 it is respectfully submitted that the respondents have no doubt taken steps to curb the illegal encroachment after filling of the present O.A. , however much needs to be done to fully protect the Pongdam Wild Life sanctuary from encroachment and the consequential damage to the habitat of the visiting birds which come to spend winters and breed in the sanctuary .

It is therefore most respectfully prayed that the present original application may kindly be allowed, in the interest of justice .

ATTESTED
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With Signature

-4 - mb. sharma

Place: Shimla

Applicant

Dated: 19.05.2025

Through Counsel(s)



(*Adarsh K. Vashista , Shivom Vashista*)

Advocates

ATTESTED


Notary Commission

**BEFORE THE NATIONAL GREEN TRIBUNAL
AT PRINCIPAL BENCH, NEW DELHI
ORIGINAL APPLICATION NO. -648 OF 2024**

IN THE MATTER OF:

Sh. Milkhi Ram Sharma ... Applicant
Versus

Union of India and others ... Respondents

AFFIDAVIT

Affidavit of Milkhi Ram Sharma , S/O Sh. Mangat Ram ,
aged 72 yrs , R/O Village – Palli , P.O. – Jakhara , Tehsil
– Fatehpur , Distt.- Kangra , H.P. , occupation – Retired
Govt. servant .

I, the above named deponent do hereby solemnly affirm
and declare as under:-

1. That the deponent is the Applicant in the above
matter and as such is conversant with the facts of the
case and is competent to file the accompanying
rejoinder .
2. That the contents of Para Nos.1 to 11 of reply to
preliminary submissions and contents of rejoinder to

ATTESTED
By the Commission

Mr. Sharma

para 1 to 14 of the reply may be read as a part of the present Affidavit.

- 3. That the deponent has signed the rejoinder after understanding all its contents.
- 4. That the Applicant has not filed any such or similar Application either in this Hon'ble Tribunal or any other High Court or in the Supreme Court of India except those mentioned in the original application .

Verified at Shimla on this 19th day of May , 2025.

MR. Sharma

DEPONENT

Identified by

Place: Shimla

Dated: 19.05.2025

ATTESTED
Oath Commissioner

I certify that the above deponent was declared before me on solemn affirmation on this day of 19 May 2025 in the District of Shimla by Mr. Sharma who was identified by Sh. Adarsh Kumar who is personally known to me and the deponent of the above affidavit and who explained to the deponent the nature and contents of the same and admitted them to be correct and true at the time of making thereof.

All Cuttings, Corrections & Additions are signed by me

19-5-25

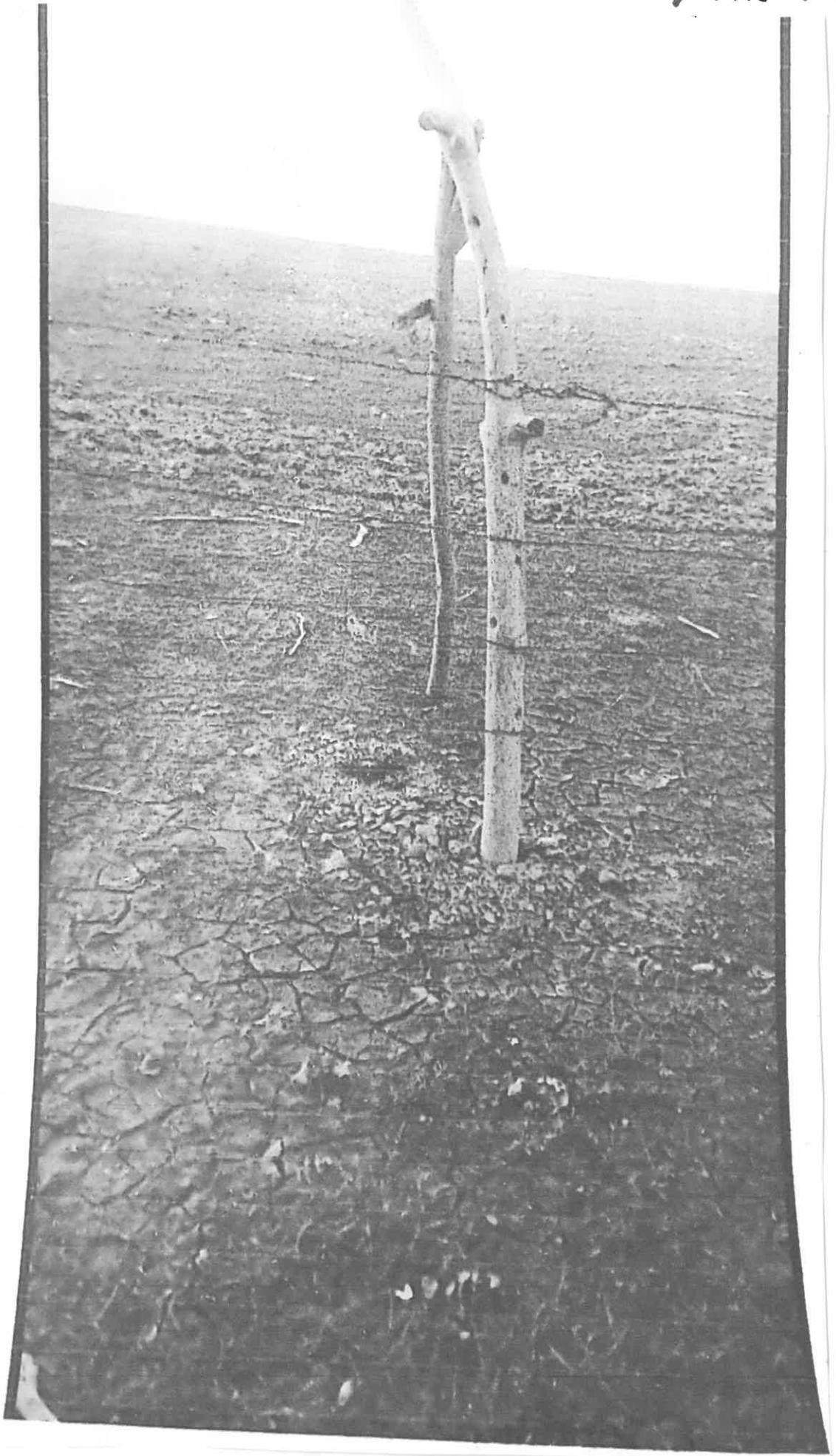
Oath Commissioner
HP High Court, Shimla



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ANN. P. A. 9601



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1/10/2017

