

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

Original Application No. 486 of 2025

IN THE MATTER OF:

Capt. (Retd.) Devander Singh Bamel

...Applicant

Versus

State of Haryana & Another

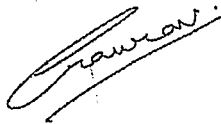
...Respondents

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Filed Through:





GAURAV ARYA, NAVEEN BAMEL AND MANAV TRIVEDI

Advocates

Chamber no. 321, D-Block,

Additional Building Complex,

Supreme Court of India, 110001

Place: NEW DELHI

Email: naveenbamel3@gmail.com

Dated: 18.05.2026

Contact – 9643744352, 9266800007

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

Original Application No. 486 of 2025

IN THE MATTER OF:

CAPT. (RETD.) DEVENDER SINGH BAMEL

S/o Late Ch. Birbal Singh Bamel

Village BhatolJattan, Tehsil Hansi

District Hisar, Haryana - 125042

Email: dsb.bamel@gmail.com

Telephone: 9466560540

...Applicant

;

VERSUS

1. State of Haryana

Through its Chief Secretary

Haryana Civil Secretariat

Chandigarh

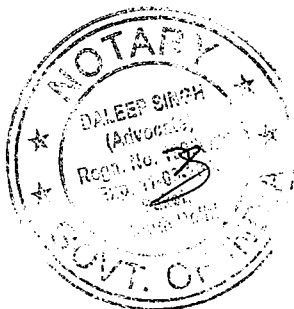
2. Haryana Forest Department

Through its Principal Chief Conservator of Forests

Van Bhawan, Sector-6

Panchkula, Haryana

...Respondents



REJOINDER ON BEHALF OF THE APPLICANT

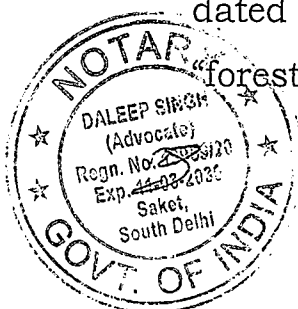
I, Capt. (Retd.) Devender Singh Bamel, S/o Late Ch. Birbal Singh Bamel, resident of Village Bhatol Jattan, Tehsil Hansi, District Hisar, Haryana, the Applicant in the present Original Application, do hereby solemnly affirm and state as under:

1. That the present rejoinder is being filed in response to the short reply affidavit filed by Respondent No.1 and Respondent No.2. Save and except what is specifically admitted herein, the contents of the reply affidavit are denied. The averments made in the Original Application are reiterated and reaffirmed.

2. That the contents of para 1 of the reply affidavit are formal in nature and therefore do not call for any specific reply.

3. That the contents of para 2 of the reply affidavit relating to filing of a short reply are matters of record. However, the reply filed by Respondent No.1 and Respondent No.2 fails to answer the substantive legal, constitutional, ecological and environmental issues raised in the Original Application.

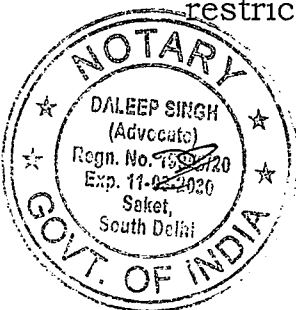
4. It is respectfully submitted that the impugned notification dated 18.08.2025 issued by the State of Haryana defining "forest as per dictionary meaning" is contrary to the law laid



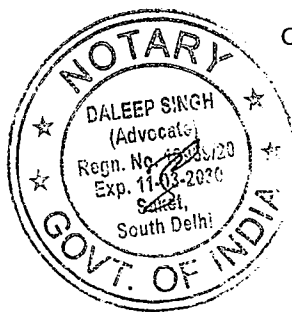
down by the Hon'ble Supreme Court in **T.N. Godavarman Thirumulpad v. Union of India, AIR 1997 SC 1228** and subsequent environmental jurisprudence. The Hon'ble Supreme Court deliberately adopted an expansive and ecologically inclusive interpretation of the term "forest" so that ecologically significant areas do not escape protection merely because they are not formally notified or densely wooded. The Hon'ble Supreme Court categorically held:

"The Forest (Conservation) Act, 1980 was enacted with a view to check further deforestation which ultimately results in ecological imbalance; and therefore, the provisions made therein for the conservation of forests and for matters connected therewith, must apply to all forest irrespective of the nature of ownership or classification thereof. The word 'forest' must be understood according to its dictionary meaning."

5. The Hon'ble Supreme Court further clarified that the term "forest land" would include not merely statutorily recognised forests but also any area recorded as forest in Government records irrespective of ownership. The object behind the aforesaid interpretation was therefore to widen environmental protection and not to narrow it through restrictive administrative thresholds.



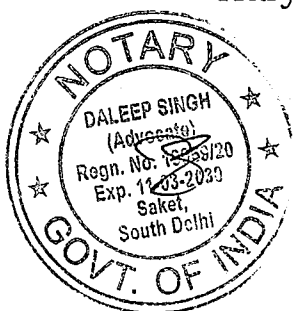
6. Contrary to the aforesaid binding principles, the impugned notification issued by the State of Haryana imposes restrictive conditions such as minimum area requirements and a canopy density threshold of 40% or above. The inevitable effect of such restrictive thresholds is that ecologically significant open forests, scrub forests, sparse vegetation systems, grasslands, and Aravalli ecosystems stand excluded from protection despite performing vital ecological functions.
7. The Respondents have attempted to justify the impugned notification by contending that the same was formulated after due and extensive deliberation by expert committees taking into account the unique geo-physical and ecological profile of Haryana. However, no expert committee report, ecological assessment, biodiversity survey, GIS mapping analysis, rainfall study, or scientific rationale has been placed before this Hon'ble Tribunal. Mere reference to "expert deliberations" cannot substitute legally sustainable scientific material, particularly where the notification has far-reaching environmental consequences.
8. In fact, the ecological realities of Haryana completely negate the Respondents' stand. Haryana is a dry and semi-arid State possessing the lowest forest cover in India. Large parts of Haryana receive low annual rainfall and naturally



support scrub forests, thorn forests, grasslands, sparse vegetation systems, and open forests rather than dense tropical forests. As per the India State of Forest Report, 2023, Haryana's forest cover is merely 1,614.26 sq. km., constituting approximately 3.65% of its geographical area.

9. It is further submitted that forest cover outside recorded forest areas in Haryana is approximately 885.33 sq. km., which is substantially more than the forest cover inside recorded forest areas measuring approximately 728.93 sq. km. The majority of Haryana's ecologically significant forest cover therefore exists outside formally recorded forests and depends upon broader environmental protections recognised under the Godavarman jurisprudence.

10. It is further submitted that the majority of Haryana's forest ecosystems fall within the category of "open forests" as recognised by the Forest Survey of India. The Forest Survey of India itself classifies "open forests" as forests having canopy density between 10% and 40%. However, the impugned notification prescribes a mandatory canopy density threshold of 40% or above, thereby effectively excluding the dominant category of forests existing in Haryana itself.



11. The impugned notification therefore completely ignores the ecological realities unique to Haryana and proceeds on an ecologically flawed assumption that only dense canopy forests deserve protection.

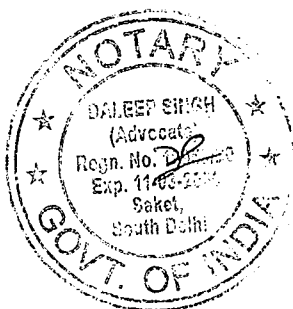
12. It is respectfully submitted that even States possessing substantially higher rainfall and denser natural vegetation have adopted broader and more ecologically sensitive criteria.

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13. The State of Goa, while identifying private forests pursuant to the directions issued in *T.N. Godavarman Thirumulpad v. Union of India AIR 1997 SC 1228*, adopted criteria including:

- i. 75% of the tree composition of such lands should consist of forestry species;
- ii. the area should be contiguous to Government forest lands or, if isolated, the minimum area identified should be 5 hectares; and
- iii. canopy density should not be less than 0.4.

The copy of the relevant annexure is marked herewith and annexed as **Annexure A-1**.



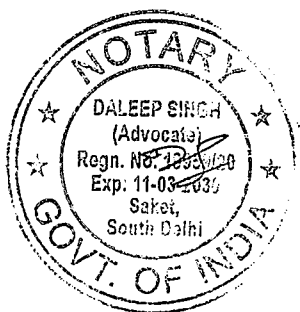
14. Similarly, the State of Telangana, through Government Order dated 04.04.2026 concerning deemed forests, prescribed criteria including:

- i. canopy density of 0.4 or above;
- ii. minimum 70% forestry species of natural origin;
- iii. minimum 240 trees per hectare; and
- iv. minimum extent of block area of 25 hectares.

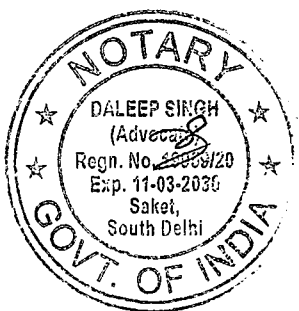
The copy of the relevant annexure is marked herewith and annexed as **Annexure A-2**.

15. The State of Meghalaya, despite possessing among the highest rainfall levels and dense forest ecosystems, adopted an even broader ecological framework by providing that forests shall include compact tracts of minimum 4 hectares containing naturally growing trees or bamboo ecosystems, and further specifically included protected areas, critical wildlife habitats, wildlife corridors, eco-sensitive and eco-fragile areas, biodiversity heritage sites, sacred groves, and critical catchment areas irrespective of ownership and vegetation type.

The copy of the relevant annexure is marked herewith and annexed as **Annexure A-3**.



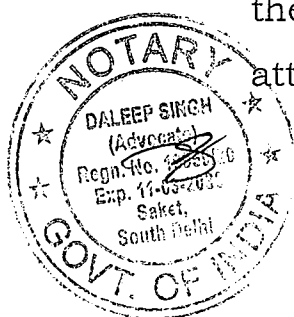
16. The aforesaid examples clearly demonstrate that States possessing significantly denser natural vegetation and higher rainfall have nevertheless adopted broader ecological approaches aimed at strengthening environmental protection. Haryana, despite being ecologically fragile and forest deficient, has paradoxically adopted a far more restrictive definition.
17. It is respectfully submitted that a restrictive definition can never logically contribute towards increase in forest cover. On the contrary, it facilitates exclusion, diversion, fragmentation, and ecological degradation of forest-like ecosystems.
18. It is further submitted that the Respondents have attempted to contend that the impugned notification would not affect already recorded forests, protected forests, reserved forests, PLPA lands, and other statutorily recognised forests. The aforesaid contention is misleading and legally untenable. The present challenge is not confined merely to already notified forests but concerns ecologically significant forest-like areas outside recorded forest areas which are entitled to protection under the law laid down by the Hon'ble Supreme Court.



19. It is respectfully submitted that the Hon'ble Supreme Court in ***Narinder Singh & Ors. v. Divesh Bhutani & Ors. (2022 SCC Online) (SC) (936)***, Civil Appeal No. 10294 of 2013 specifically examined the extent and scope of lands governed under Sections 4 and 5 of the Punjab Land Preservation Act, 1900 and categorically *observed as follows:*

"57. Thus, the special orders under Sections 4 and 5 in respect of 22 districts of Haryana including the districts of Gurugram and Faridabad cover only an area of 31,738 hectare, out of the total area of 44,21,200 hectares. In at least 8 districts, not a single land is governed by special orders under Sections 4 and 5. Hence, only about 7.1% of the total lands in 22 districts are covered by special orders issued under Sections 4 and 5 of PLPA. Going by these figures of the lands covered by the special orders under Section 4 and 5, the percentage of the lands covered by special orders under Section 4 must be insignificant as compared to the total area of the districts. Thus, the picture tried to be projected by the petitioners and the State Government is completely misleading and fallacious."

20. The aforesaid observations assume immense significance in the present matter¹ because the Respondents are once again attempting to project as if sufficient ecological safeguards

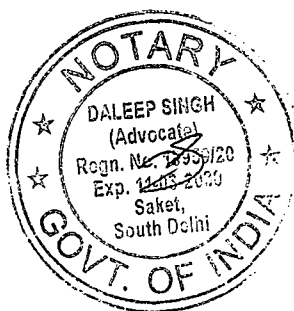


already exist under the PLPA framework. The judgment itself demonstrates that the actual area governed by special orders under Sections 4 and 5 of the PLPA is extremely limited compared to the total geographical area of the State.

The copy of the relevant annexure¹ is marked herewith and annexed as **Annexure A-4**.

21. It is further submitted that the Hon'ble Supreme Court in the aforesaid judgment specifically held:

"64. Thus, we hold that the lands covered by the special orders issued under Section 4 of PLPA have all the trappings of forest lands within the meaning of Section 2 of the 1980 Forest Act and, therefore, the State Government or competent authority cannot permit its use for non-forest activities without the prior approval of the Central Government with effect from 25th October 1980. Prior permission of the Central Government is the quintessence to allow any change of user of forest or so to say deemed forest land. We may add here that even during the subsistence of the special orders under Section 4 of PLPA, with the approval of the Central Government, the State or a competent authority can grant permission for non-forest use. If such non-forest use is permitted in accordance with Section 2 of the 1980 Forest Act, to that extent, the restrictions imposed by the special orders under Section 4 of PLPA will not

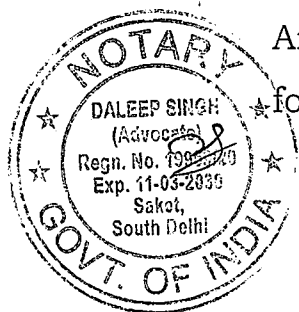


apply in view of the language used in the opening part of Section 2 of the 1980 Forest Act. We also clarify that only because there is a notification issued under Section 3 of PLPA, the land which is subject matter of such notification, will not ipso facto become a forest land within the meaning of the 1980 Forest Act."

22. The aforesaid findings clearly demonstrate that broader ecological characteristics and forest attributes remain the governing consideration and not merely technical statutory classifications. The impugned notification issued by the State of Haryana seeks to defeat this broader ecological inquiry by introducing rigid thresholds such as canopy density and minimum area requirements.

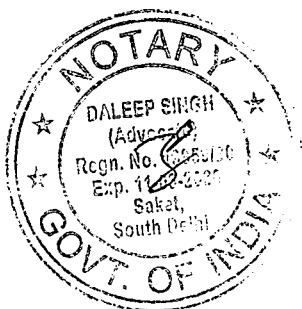
23. The inevitable consequence of such restrictive thresholds is that ecologically valuable open forests, scrub forests, sparse vegetation systems, Aravalli ecosystems, and forest-like areas outside recorded forests stand excluded from protection despite performing critical ecological functions.

24. The consequences of the impugned notification are particularly grave in relation to the Aravalli ecosystem. The Aravalli Range constitutes one of the oldest geological formations in the world and acts as a critical ecological

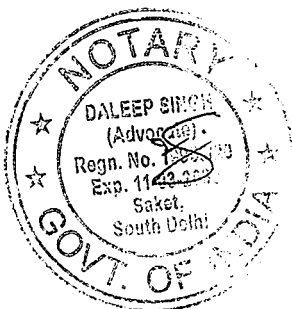


barrier preventing expansion of the Thar Desert into Delhi-NCR and adjoining regions. The Aravallis perform indispensable ecological functions including groundwater recharge, prevention of soil erosion, climate regulation, mitigation of air pollution, carbon sequestration, biodiversity preservation, and ecological protection of the NCR region.

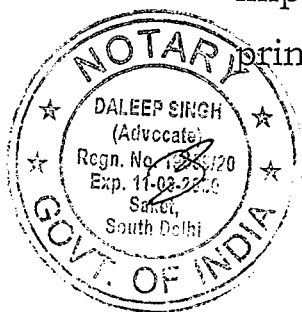
25. The Hon'ble Supreme Court in *M.C. Mehta v. Union of India (2004)12 SCC 118,172* and *T.N. Godavarman Thirumulpad v. Union of India AIR 1997 SC 1228*: repeatedly recognised the ecological fragility and environmental significance of the Aravalli ecosystem.
26. Large portions of the Aravalli ecosystem in Haryana consist of scrub forests, thorn forests, rocky terrain, sparse vegetation systems, and grasslands adapted to low rainfall conditions. Such landscapes naturally possess lower canopy density, frequently between 10% and 20%, yet continue to perform essential ecological functions.
27. By imposing an artificial canopy density threshold of 40%, the impugned notification effectively excludes substantial portions of the Aravalli ecosystem from forest protection.



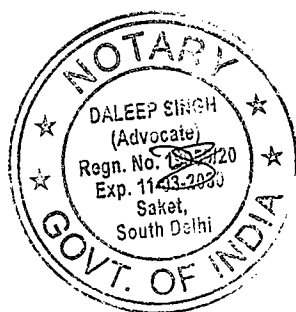
28. The consequences of such exclusion would be disastrous and would render ecologically sensitive areas vulnerable to mining, urbanisation, land-use diversion, infrastructure projects, and commercial exploitation. Such degradation would intensify desertification, worsen groundwater depletion, aggravate pollution in Delhi-NCR, fragment wildlife corridors, destroy biodiversity, and irreversibly damage Haryana's already fragile ecological balance.
29. It is respectfully submitted that the impugned notification also completely ignores the ecological importance of grasslands and scrub ecosystems which constitute habitats for Haryana's State animal, the Blackbuck, and Haryana's State bird, the Black Francolin. These species are intrinsically dependent upon grasslands, scrub forests, sparse vegetation systems, and open ecological landscapes rather than dense canopy forests.
30. By excluding such ecosystems from protection, the impugned notification directly threatens biodiversity conservation within the State.



31. It is respectfully submitted that the Respondents have also failed to address the alarming decline in open forest areas in Haryana as recorded in the India State of Forest Report, 2023. Instead of adopting protective measures in a State already suffering severe ecological stress, groundwater depletion, desertification pressures, and minimal forest cover, the Respondents have introduced a restrictive notification facilitating ecological exclusion.
32. The impugned notification also undermines India's commitments relating to enhancement of carbon sinks, biodiversity conservation, desertification control, and climate mitigation under the National Forest Policy, Paris Agreement, and other environmental commitments.
33. It is respectfully submitted that the Hon'ble Supreme Court in Vellore Citizens Welfare Forum v. Union of India recognised the precautionary principle and sustainable development as essential features of environmental law in India.
34. The impugned notification, instead of adopting a precautionary and environmentally protective approach, imposes exclusionary thresholds contrary to the aforesaid principles.



35. The Hon'ble Supreme Court in *M.C. Mehta v. Kamal Nath (1997) 1 SCC 388*, recognised the public trust doctrine and held that natural resources are held by the State in trust for the benefit of the public and future generations. The State therefore bears a constitutional obligation to protect ecologically significant landscapes rather than facilitate their exclusion through arbitrary administrative thresholds.
36. The impugned notification is therefore arbitrary, ecologically irrational, contrary to the law laid down by the Hon'ble Supreme Court, violative of Articles 21 of the Constitution of India, inconsistent with the Forest (Conservation) Act, 1980, and liable to be set aside.
37. The short reply filed by Respondent No.1 and Respondent No.2 therefore fails to rebut the grounds raised in the Original Application and does not provide any valid legal, scientific, or ecological justification for the impugned notification.



PRAYER

In view of the facts and submissions made hereinabove, it is most respectfully prayed that this Hon'ble Tribunal may be pleased to:

- a) Reject the contentions raised by Respondent No.1 and Respondent No.2 in their reply affidavit;
- b) Allow the Original Application and grant the reliefs prayed for therein; and
- c) Pass such further order(s) as this Hon'ble Tribunal may deem fit and proper in the interest of justice, environmental protection, and ecological balance.



DEPONENT

Place: New Delhi

Date: 18.05.2026

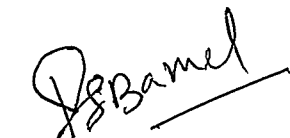
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VERIFICATION:-

It is verified that the contents of paragraph to of the above counter-affidavit are true and correct to my knowledge and nothing material has been concealed therefrom.

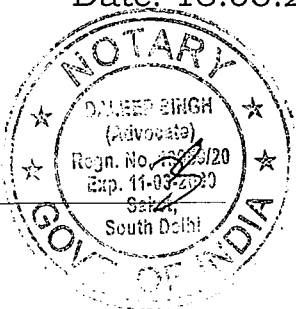
Place: New Delhi

18 MAY 2026



DEPONENT

Date: 18.05.2026

**ATTESTED**

DALEEP SINGH ADVOCATE
NOTARY DELHI-R-19959
GOVERNMENT OF INDIA
SUPREME COURT OF INDIA
COMPOUND NEW DELHI
REGISTER Pg./Sl. No. 13

ATTESTED

NOTARY PUBLIC

18 MAY 2026

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ANNEXURE A-1गोंय सरकार
GOVERNMENT OF GOAपर्यावरण, वन और जलवायु परिवर्तन मंत्रालय,
MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE

Forest Department
रान खातें | गोंय सरकार



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For wild animal rescue call HELPLINE No 24 X 7: (NORTH GOA) 0832-2228772 | (SOUTH GOA) 0832-2750246 | dcfhq[hypen]forest[dot]goa[at]nic[doc]in | 0832-2492533



PRIVATE FOREST

PRIVATE FORESTS IN GOA

In pursuant to the Hon'ble Supreme Court's order dated 12.12.1996 in Writ Petition (Civil) No. 202/1995, T.N. Godavarman Thirumalpad V/s Union of India and others, the process of identification of the Private Forests areas in Goa was started in year 1997, with constitution of S. M. Sawant Committee on 24.01.1997.

The Criteria adopted by Committee is as follows:

1. 75% of the tree Composition of such lands should be of Forestry Species
2. The area should be contiguous to the Government Forest Lands If in isolation, The minimum area identified should be 5 hectare
3. Canopy density should not be less than 0.4.

The Sawant Committee submitted its final report on 10.12.1999, identifying 46.60 sq km area as private forest. Upon examination of the Sawant committee report, the State Government decided to constitute another committee on dated 04.09.2000 under the chairmanship of Dr. Hemant Y. Karapurkar to demarcate and delimit all those private properties having natural forests standing thereon and to mutate all such identified areas in the Land Records to show the classification as 'Forests'.

However, it took considerable time to the state Government to assure the Apex Court that Karapurkar committee was working towards identifying

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the additional areas, so as to complete the task that remained uncompleted by Sawant Committee. Subsequently, the Hon'ble Supreme Court appreciated the additional work done by the committee and directed to submit report by January, 2003. Since considerable time was lapsed due to the PIL of Goa Foundation, the Karapurkar committee could resume its works in February, 2002 only and the committee could not go beyond identification of survey numbers. The Karapurkar committee submitted its report, identifying 20.52 sq km of additional Private Forest area in the state on 16/12/2002.

Thus, the total area of Private Forests identified by both the committees was 67.02sq km. Both the Committees had identified the Private Forest areas based on ocular approximation assessment and had suggested an exhaustive survey to find out the actual extent. While the State Government was contemplating the required action on above mentioned two reports, the Hon'ble High Court of Bombay at Goa passed an Order dated 02.07.2003 in MCA No. 350/2003 in Writ Petition No. 286/2003 directing the State Government to demarcate the non-Forest areas from Forest areas on the basis of Sawant and Karapurkar Committee reports. Another Writ Petition no 334/2006 was also filed by Goa Foundation in Hon'ble High Court of Bombay at Goa on 25.07.2006, seeking direction for the State Government to complete the process of identification of private forests within a time bound manner in terms of Apex court order dated 12.12.1996 and report compliance. Vide its order dated 16.12.2009, Hon'ble High Court directed the state government to constitute 2 new committees, for both the districts, for the purpose of identification of balance areas of private forests. In pursuance of this order, the state government constituted North Goa District Committee under the chairmanship of Sh. K G Sharma and South Goa District Committee under the chairmanship of Sh. P V Sawant. However, both these committees did not give any recommendations within stipulated 2 years' time, therefore, the state government constituted 02 new committees namely North Goa Forest Division Committee under the chairmanship of Sh. V T Thomas and South Goa Forest Division Committee under the chairmanship of Sh. F X Araujo on 27.11.2012. Meanwhile, pursuant to the Hon'ble High Court of Bombay at Goa order dated 02.07.2003, the Goa Forest department carried out the exercise of demarcation of non-forest areas from Forest areas after ground verification. This exercise took 5 years for the State Government to complete and the final report of demarcation team was submitted to

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Hon'ble High Court on 30.06.2008. As per this demarcation report, the actually surveyed and demarcated private forest area came out to be 41.20 sq km.

However, the said demarcation report was challenged before the Hon'ble High Court in Writ Petition No. 673/2008 by Goa Foundation, saying that there is a reduction in area as referred by both Sawant and Karapurkar Committee and that demarcated by the demarcation team of Forest Department.

After constitution of Hon'ble National Green Tribunal, the Writ Petition No. 673/2008, Writ Petition No. 286/2003 and Writ Petition No. 334/2006 were transferred by Hon'ble High Court of Bombay at Goa to NGT and the petitions were numbered as follows:-

1. 673/2008 – Application No. 18 THC/2013
2. 334/2006 – Application No. 16 THC/2013

Vide its order dated 07/01/2016 in Application No. 18(THC)/2013(WZ), The Hon'ble NGT, WZ, Pune directed the State Government to constitute a committee and evolve internal mechanism to demarcate private forest areas in each of the land which is recognized as full and private forest by Sawant and Karapurkar committee.

In pursuance of the order dated 07/01/2016, the Government of Goa, vide Notification dated 23.04.2018 disbanded the two Forest Division committees (North and South) and constituted a new Committee, to review identified Private Forest areas identified by the earlier Sawant and Karapurkar Committees and also by the two Forest Division committees (North and South) on 23/04/2018. The new Review Committee headed by Deputy Conservator of Forests (Working Plan) Deepshika Sharma Committee its review of areas identified by Sawant and Karapurkar and submitted its report to Government on 20/06/2019, and it was filed before Hon'ble National Green Tribunal (NGT) on 06/12/2019 and was accepted by Hon'ble National Green Tribunal (NGT) on 18/08/2020. In the said report, the review committee has identified an area of 46.11 sq km as private forests.

Further, the Government of Goa constituted a committee under the Chairmanship of CCF to review the private forests provisionally identified by Thomas and Araujo Committee vide notification No. DCF (WP)/Pvt. For/ 16(THC)/2013(WZ)/19-20/119 dated 18/06/2020 and the review work of these provisionally identified survey number is in progress.

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<u>S. M. SAWANT COMMITTEE REPORT - (1997 - 1999).</u>
<u>DR. HEMANT KARAPURKAR COMMITTEE REPORT - (2000 - 2002).</u>
<u>NORTH GOA FOREST DIVISION COMMITTEE (V. T. THOMAS REPORT) - (2012 - 2018).</u>
<u>SOUTH GOA FOREST DIVISION COMMITTEE (F. X. ARAUJO COMMITTEE REPORT) - (2012 - 2018).</u>
<u>DCF WORKING PLAN (DEEPSHIKHA SHARMA REVIEW COMMITTEE REPORT) - (2018 - 2019).</u>
<u>JOINT SECRETARY(REVENUE REPORT).</u>
<u>CHIEF CONSERVATOR OF FORESTS REVIEW COMMITTEE - (2020 - ONGOING REVIEW).</u>

PRIVATE FORESTS GOA REPORTS

<u>Notification of Private Forest vide order dated 13-09-2022 in pursuance to NGT directions published on Goa Gazette</u>
<u>Notification of Private Forest vide order dated 13-09-2022 in pursuance to NGT directions</u>
<u>Notification of Private Forest vide order dated 09-08-2023 in pursuance to NGT directions published on Goa Gazette</u>
<u>Notification of Private Forest vide order dated 09-08-2023 in pursuance to NGT directions</u>

NOTIFICATION OF PRIVATE FOREST

ANNEXURE A-2

GOVERNMENT OF TELANGANA
ABSTRACT

EFS&T Department –Identification of the deemed forest in Government and private lands – Recommendations of the Expert Committee furnished - Orders – Issued.

ENVIRONMENT, FOREST, SCIENCE & TECHNOLOGY (FOR.I) DEPARTMENT

G.O.Ms.No.8

Dated:04-04-2026

Read the following:-

- 1) Van (Sanrakshan Evam Samvardhan) Rules, 2023.
- 2) Hon'ble Supreme Court of India dated.12-12-1996 in WPN0.202/95 and interim orders dated.19.02.2024 and 04.03.2025 passed by the Hon'ble Supreme Court in WP (C) No 1164/2023.
- 3) F.No.11-98/2019-FC, GoI, MoEF& CC (Forest Conservation Division), Indira Paryavaran Bhawan, New Delhi,Dt:14.11.2019.
- 4) G.O.Rt.No.64, EFS&T For.I(1) Dept., dt:27.06.2025.
- 5) From the PCCF(HoFF), Telangana, Hyderabad, Rc.No.PCCF-FC3/FC24/1/2024, dt:13.11.2025.

ORDER:-

In the reference 4th read above, Government had reconstituted the Expert Committee, in order to identify the forest like area (commonly referred to as 'Deemed Forest') in terms of Rule 16(1) of Van (Sanrakshan Evam Samvardhan) Rules 2023 and the orders of the Hon'ble Supreme Court of India in the reference 2nd read above.

2. In the reference 3rd read above, the Government of India has informed that, the criteria for 'deemed forests' has to be framed by the States and the criteria so finalized by a State, need not be subject to approval of MoEF&CC, Government of India.

3. In the reference 5th read above, the Principal Chief Conservator of Forests (HoFF), Telangana, Hyderabad has furnished the recommendations of the Expert Committee and requested the Government for taking necessary action.

4. After careful consideration of the matter, the Government has decided to accept the recommendations of the Expert Committee. Accordingly, the criteria for identification of 'deemed forest', District Level Committee and Methodology are formulated here under:

(a) Criteria for 'Deemed Forest':

The following Criteria and conditions shall be applied for identification of the 'deemed forest' in Government and private lands.

For inclusion:

(ALL criteria should be satisfied for inclusion)

1. Canopy Density : 0.4 or above
2. Tree species : 70% or above forestry species of natural origin
3. No of trees per Hectare: Minimum 240
4. Extent of Block/area: Minimum of 25 Hectares

(Explanation: If in any block, part of the block is not satisfying criteria 1, 2 and 3 above, the same shall be eliminated and the balance will be considered to test this criterion).

(To be considered a tree, the diameter of the trunk should be 10 cm DBH or more)

[P.T.O]

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For exclusion:

(ANY criteria, if applicable will lead to exclusion)

1. Notified forest area.
2. Land recorded as forest in any Govt., Records (this will form part of separate list)
3. Areas identified for Compensatory Afforestation
4. All plantations, Agro-forestry, Horticulture plantations in Private/Government lands.
5. Govt., lands allotted to any organization (State, Central, PSU etc.,) for specific purpose.
6. Land parcels where the tree growth is due to pendency of any litigation - empirical evidence to be produced.

(b) District Level Committee:

A district Level Committee with the following composition is constituted for each district for identification of 'deemed forest' in Government and Private lands as per the Criteria and Methodology:

Sl.No.	Name of the Officer	Designation
1	District Collector	Chairperson
2	Additional Collector (Revenue)	Member
3	District Forest Officer	Member Convenor
4	Assistant Director/Inspector of Survey (Survey and Land Records)	Member

(c) Methodology:

The following Methodology shall be followed to identify 'deemed forest' and prepare a consolidated list of such land parcels.

(I) Action to be taken by the District Level Committee:

- i. Survey and demarcation of the areas, which are qualified for considering as deemed forest. The Survey map includes, revenue village & survey number details along with area extent in hectares.
- ii. Issuance of notices by the District Level Committee and disposing of them after giving 15 days time to reply.
- iii. Finalization & approval by the District level committee under the signatures of the members and Chairperson on the list of the areas qualified as deemed forest and submission of the same to the Principal Chief Conservator of Forests (PCCF), followed by submission of the relevant KML files.

(II) Consolidation of the area/land parcels at state level after receipt of the reports from all the Districts by O/o.PCCF (HoFF).

(III) Submission of consolidated list to the Government by Principal Chief Conservator of Forests (HoFF) for further approval.

5. The Principal Chief Conservator of Forests (HoFF), Telangana, Hyderabad shall take necessary further action, accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF TELANGANA)

AHMAD NADEEM
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Principal Chief Conservator of Forests(HoFF),
Telangana, Hyderabad.

(Contd...)

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All the District Collectors, in the State of Telangana,
All the concerned Members through PCCF(HoFF), Hyderabad.

Copyto:

All the Departments in the Telangana Secretariat.
The Chief Commissioner of Land Administration, Hyderabad.
The Ministry of Environment, Forests & Climate Change,
Government of India, Indira Paryavaran Bhawan,
Jor Bagh Road, Ali Ganj, New Delhi-110003.
The Regional Office(SEZ),Government of India.
Ministry of Environment Forest and Climate Change,
1st and 2nd Floor, Handloom Export Promotion Council,
Cathedral Garden Road,Nungambakkam, Chennai -34.
The Inspector General of Forests(C),Sub-office,
Government of India, MoEF&CC, Hyderabad, Regional
Office, Chennai, 6th Floor, Aranya bhavan, Hyderabad.
The Principal Secretary to Hon'ble CM (VS).
OSD to Hon'ble CM (VS).
PS to Hon'ble Minister(E&F).
OSD to Chief Secretary to Government.
PS to Principal Secretary to Govt.,
SC/SF.

//FORWARDED :: BY ORDER//

SECTION OFFICER



The Gazette of Meghalaya

EXTRAORDINARY

PUBLISHED BY AUTHORITY

No. 113 Shillong, Friday, December 21, 2012, 30th Agrahayana, 1934 (S. E.)

PART - IV
GOVERNMENT OF MEGHALAYA
LAW (B) DEPARTMENT
ORDERS BY THE GOVERNOR

NOTIFICATION

The 21st December, 2012.

No.LL(B)74/2012/11.—The Meghalaya Forest Regulation (Amendment) Act, 2012 (Act No. 16 of 2012) is hereby published for general information.

MEGHALAYA ACT NO. 16 OF 2012.

(As passed by the Meghalaya Legislative Assembly)

Received the assent of the Governor on 19th December, 2012.

Published in the Gazette of Meghalaya Extra-Ordinary issue dated 21st December, 2012.

THE MEGHALAYA FOREST REGULATION (AMENDMENT) ACT, 2012.

AN

ACT

to amend the Meghalaya Forest Regulation Act, (Assam Regulation 7 of 1891 as adapted and amended by Meghalaya).

Be it enacted by the Legislature of the State of Meghalaya in the Sixty-third Year of the Republic of India as follows : -

Short title and commencement.

1. (1) This Act may be called the Meghalaya Forest Regulation (Amendment) Act, 2012.

(2) It shall come into force on such date as the State Government may, by notification in the Official Gazette, appoint.

Insertion of additional clause (10) to Section 3 of the Meghalaya Forest Regulation Act.

2. In section 3 of the Meghalaya Forest Regulation (Assam Regulation 7 of 1891 as adapted and amended by Meghalaya), after clause (9), the following new clause (10) shall be inserted, namely,-

(10) An area would be "forest" if it is a compact or continuous tract of minimum 4 hectares land, irrespective of ownership, and where -

- (a) more than 250 naturally growing trees per hectare of 15 cm and higher diameter at breast height (DBH) over bark are present; or
- (b) more than 100 naturally growing bamboo clumps per hectare are present in case of the tracts containing predominantly sympodial bamboo:

Provided that in case of tract containing mixed crop of non-bamboo vegetation and bamboo, the qualifying number of trees including bamboo clumps would be proportionately modified from the above specified numbers for determining the land as "forest."

Provided further that a tract of land used for traditional way of agriculture by the tribal population or for bonafide community livelihood needs shall not be "Forest" irrespective of the density of vegetation growing on it :

Provided further that any area recorded as "Forest" in any of the Government records including the records of the Autonomous District Councils of the State shall *ipso facto* be "Forest" irrespective of the size and number of trees including bamboo clumps:

Provided further also that "Forest" shall also include all the areas irrespective of size, ownership and type of vegetation growing on such areas which have been identified by a competent authority and notified as protected areas or critical wildlife habitat or corridors for wildlife or habitat of endangered species or eco-sensitive/eco-fragile areas or critical catchment areas of rivers and other water sources or biodiversity heritage sites or sacred groves in the State.

Explanation :

If 60% of the tract is covered with trees and 40% with bamboos, then the qualifying numbers shall be more than 150 trees of 15 cm and higher DBH over bark and more than 40 bamboo clumps per hectare for identifying such areas as "forest".

L. M. SANGMA,
Secretary to the Govt. of Meghalaya,
Law Department.

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S. N.	District	Geographical Area	Notified area under PLP Act, 1900				
			U/S 4 and/or 5 (By special order)	U/S 4 (By General order)	U/S Section 3	Total Notified area	% of column 7 with total Geographical Area of District
1	2	3	4	5	6	7	8
1	Panchkula	89800	4310	70476	89800	89800	100.00%
2	Ambala	157400	1613	8562	157400	157400	100.00%
3	Yamunanagar	176800	2498	72693	176800	176800	100.00%
4	Kurushetra	153000	8	0	8	8	0.01%
5	Kaithal	231700	0	0	0	0	0.00%
6	Karnal	252000	0	0	0	0	0.00%
7	Panipat	126800	0	0	0	0	0.00%
8	Sonipat	212200	1867	0	1867	1867	0.88%
9	Rohtak	174500	221	0	221	221	0.13%
10	Jhajjar	183400	210	0	210	210	0.11%
11	Gurugram	125800	6821	125800	125800	125800	100.00%
12	Faridabad	74100	5611	14610	74100	74100	100.00%
13	Palwal	135900	25	0	135900	135900	100.00%
14	Mewat	150700	6432	130677	150700	150700	100.00%
15	Mahendergarh	189900	1089	189900	189900	189900	100.00%
16	Rewari	159400	971	159400	159400	159400	100.00%
17	Hisar	398300	0	0	0	0	0.00%
18	Fatehabad	253800	0	0	0	0	0.00%
19	Sirsa	427700	0	0	0	0	0.00%
20	Bhiwani	328300	62	221299	328300	328300	100.00%
21	Charkhi Dadri	149500	0	92669	149500	149500	100.00%
22	Jind	270200	0	0	0	0	0.00%
	Total (State)	4421200	31738	1086086	1739907	1739907	39.35%