

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

Original Application No. 54 of 2026

IN THE MATTER OF:

Pradeep Sharma

...Applicant

Versus

State of Uttarakhand and Ors.

...Respondents

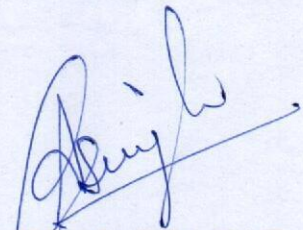
INDEX

<u>Sr. No.</u>	<u>Particulars</u>	<u>Page No.</u>
<u>1.</u>	REPLY ON BEHALF RESPONDENT NO. 4 IN FORM OF JOINT COMMITTEE REPORT	1-11

TROUGH COUNSEL

DATE: 15.07.2026

PLACE: FARIDABAD



ABHAY PRATAP,
COUNSEL FOR THE RESPONDENT NO. 4
OM-16/57, 2nd FLOOR,
EDEN ESTATE SOCIETY,
SECTOR-81, FARIDABAD, HARYANA
EMAIL: lwyrpratapabhay@gmail.com
PH.NO. - 9599057638

JOINT INSPECTION REPORT

(In compliance of the Order dated 25.03.2026 passed by the Hon'ble National Green Tribunal Principal Bench New Delhi in Original Application No 54/2026, Pradeep Sharma Vs State of Uttarakhand & Others.)

1. Background:

Pursuant to the directions contained in the Order dated 25.03.2026 passed by the Hon'ble National Green Tribunal in the above-mentioned Original Application, a Joint Committee comprising representatives of the Integrated Regional Office, Ministry of Environment, Forest and Climate Change (MoEFCC), the representative of the Principal Chief Conservator of Forests Uttarakhand, and the District Magistrate Dehradun was constituted to conduct a site inspection of the subject land situated at Village Khalagaon, Kuthalgate area, Dehradun, and to submit its report before the Hon'ble Tribunal.

2. Constitution of Inspection Team:

The Inspection was carried out by the following Officers:

1. Assistant Inspector General of Forests (Central), IRO, MoEFCC, Dehradun
2. Divisional Forest Officer, Mussoorie Forest Division, Mussoorie.
3. Sub-District Magistrate (Judicial), Dehradun

3. Date and Place of Inspection:

Date of Inspection: 13th May 2026

Location/Site: Village Khala - Gaoun Kuthalgate, Khasra No 178, 179, 183, 184, 185, 186 and 187.

District: Dehradun.

- 4. Observation During Inspection:** Upon the Inspection of the site, the following observation were recorded: -

(i) Truthfulness of the Allegations:

In compliance with the directions contained in the Order dated 25.03.2026 passed by the Hon'ble National Green Tribunal, the Joint Committee undertook a comprehensive examination of the allegations by conducting a detailed site inspection,

verification of the relevant Revenue and Forest records, scrutiny of historical records, and physical verification of the notified Reserved Forest boundary. Upon examination of the records available with the Revenue, including the Khatauni and village cadastral map (Sajra), the land under reference comprises Khasra No. 187 measuring 0.0350 hectare, recorded as Banjar Category 5-3-D (Gram Sabha Land) and adjoining private holdings bearing Khasra Nos. 178, 179, 183, 184, 185 and 186 were also verified. The inspected site falls outside the boundary of Reserved Forest Compartment No. 8 of Rajpur Beat under Raipur Range. Verification was carried out with reference to the Notified Reserved Forest boundary under Section 20 of the Indian Forest Act, 1927. Boundary Pillar No. 41 was found intact, while Boundary Pillar Nos. 42, 43 and 44 were also verified. No encroachment upon Reserved Forest land was observed (Annexure-1).

The official records reveal that on different occasions illegal felling and damage to trees had been detected by the Forest Department, whereupon Forest Offence Cases were duly registered and legal proceedings initiated under the applicable provisions of law. Accordingly, the allegations are partially substantiated, only to the extent borne out from the official records, while the allegation relating to encroachment upon Reserved Forest land remains unsubstantiated.

(a) Permission Granted by the Competent Revenue Authority for Land Levelling:

It is respectfully submitted that the District Magistrate, Dehradun, vide Order dated 10.07.2018, granted permission for land levelling in respect of the private land comprised in the specified Khasra numbers, for a period from 10.07.2018 to 09.09.2018, subject to the terms and conditions stipulated therein. It is respectfully submitted that the land in question was treated by the Revenue Authorities as private land, and accordingly, the Additional District Magistrate (Administration), Dehradun, vide Order No. 09/Khani-01/2020 dated 05.10.2020, granted permission to Shri Rameshwara Nand Ji Ashram for land levelling over an area of approximately 0.3000 hectare, subject to prescribed terms and conditions. The permission was issued pursuant to the recommendations of the competent District Level Committee after due scrutiny of the relevant revenue records and was valid from 06.10.2020 to 05.12.2020.

The conditions specifically prohibited mining activity, excavation below the natural ground level, and unauthorized disposal of excavated material, thereby indicating that the permission was exclusively for land levelling on private land and not for any mining operation (Anexure-02). 3

(b) Permission Granted for Felling of Trees:

It is respectfully submitted that, upon verification of the relevant departmental records, it was found that Shri Manish Dutt Tyagi had been duly granted permission for the felling of four (04) trees of different species, namely one Tun tree (10–20 cm girth class), one (01) Semal tree (20–30 cm girth class), and two (02) Madara trees (30–40 cm and 20–30/30–40 cm girth classes, one of which was bifurcated from the base), by the Divisional Forest Officer, Mussoorie Forest Division, Mussoorie, vide Letter No. 3315/23-2 dated 07.02.2020 (Annexure-3).

(ii) Intent of Illegal Felling of Trees: The Committee examined the historical records relating to illegal felling and damage to trees maintained by the Forest Department. The record reveals that separate Forest Offence Cases were registered during different periods in respect of illegal felling/damage to trees within the area under reference. These include cases relating to unauthorized felling of trees as well as damage caused during excavation/repair activities.

- (a) During the land levelling activities carried out by Shri Manish Dutt Tyagi on his private land, four (04) trees were found to have been damaged on 02.12.2020 without obtaining the requisite permission. Accordingly, Forest Offence Range Case No. 12/Naap, 2020–21 was registered against the accused under the applicable provisions of law.
- (b) On 11.03.2022, Shri Viresh Jain was found to have illegally felled two (02) Mango trees without lawful authority. Consequently, Forest Offence Case No. 23/Naap, 2021–22 was registered against him under the relevant statutory provisions.
- (c) During the land levelling work undertaken by Shri Viresh Jain on 19.05.2023, four (04) trees of different species were found to have been damaged. Accordingly, Forest Offence Range Case No. 05/Naap, 2023–24 was registered against the

accused. The matter is presently sub judice before the competent court as Case No. 3731 of 2024. 4

(d) On 07.03.2026, Shri Nishant Jain was found to have illegally felled one (01) Mango tree without obtaining the requisite permission. Consequently, Forest Offence Range Case No. 17/Naap, 2025-26 was registered against him under the applicable legal provisions.

(e) During the excavation and repair works of a wall damaged due to a natural calamity, undertaken by Shri Viresh Jain on his private land situated at Khala Village, on 23.04.2026, the branches of nine (09) Mango trees were found to have been damaged. Consequently, Forest Offence Range Case No. 02/ Naap, 2026-27 was registered against the accused under the relevant provisions of law.

The Committee further verified the present status of vegetation through physical inspection and enumeration carried out by the field staff. A total of 88 standing trees of different species were found existing within the inspected area.

Sl. No.	Species	Diameter Class (cm)	Sl. No.	Species	Diameter Class (cm)
1	Mango (<i>Mangifera indica</i>)	40-50	45	Saalu (<i>Xylosma longifolia</i>)	10-20
2	Mango (<i>Mangifera indica</i>)	40-50	46	Saalu (<i>Xylosma longifolia</i>)	10-20
3	Mango (<i>Mangifera indica</i>)	20-30	47	Saalu (<i>Xylosma longifolia</i>)	20-30
4	Mango (<i>Mangifera indica</i>)	20-30	48	Jammun (<i>Syzygium cumini</i>)	10-20
5	Mango (<i>Mangifera indica</i>)	80-90	49	Jammun (<i>Syzygium cumini</i>)	10-20
6	Mango (<i>Mangifera indica</i>)	40-50	50	Jammun (<i>Syzygium cumini</i>)	20-30
7	Mango (<i>Mangifera indica</i>)	90 over	51	Jammun (<i>Syzygium cumini</i>)	10-20
8	Mango (<i>Mangifera indica</i>)	90 over	52	Jammun (<i>Syzygium cumini</i>)	20-30
9	Mango (<i>Mangifera indica</i>)	50-60	53	Jammun (<i>Syzygium cumini</i>)	20-30
10	Mango (<i>Mangifera indica</i>)	90 over	54	Jammun (<i>Syzygium cumini</i>)	20-30
11	Mango (<i>Mangifera indica</i>)	70-80	55	Jammun (<i>Syzygium cumini</i>)	10-20
12	Mango (<i>Mangifera indica</i>)	90 over	56	Semal (<i>Bombax ceiba</i>)	80-90
13	Mango (<i>Mangifera indica</i>)	40-50	57	Semal (<i>Bombax ceiba</i>)	50-60
14	Mango (<i>Mangifera indica</i>)	50-60	58	Semal (<i>Bombax ceiba</i>)	30-40
15	Mango (<i>Mangifera indica</i>)	50-60	59	Semal (<i>Bombax ceiba</i>)	10-20

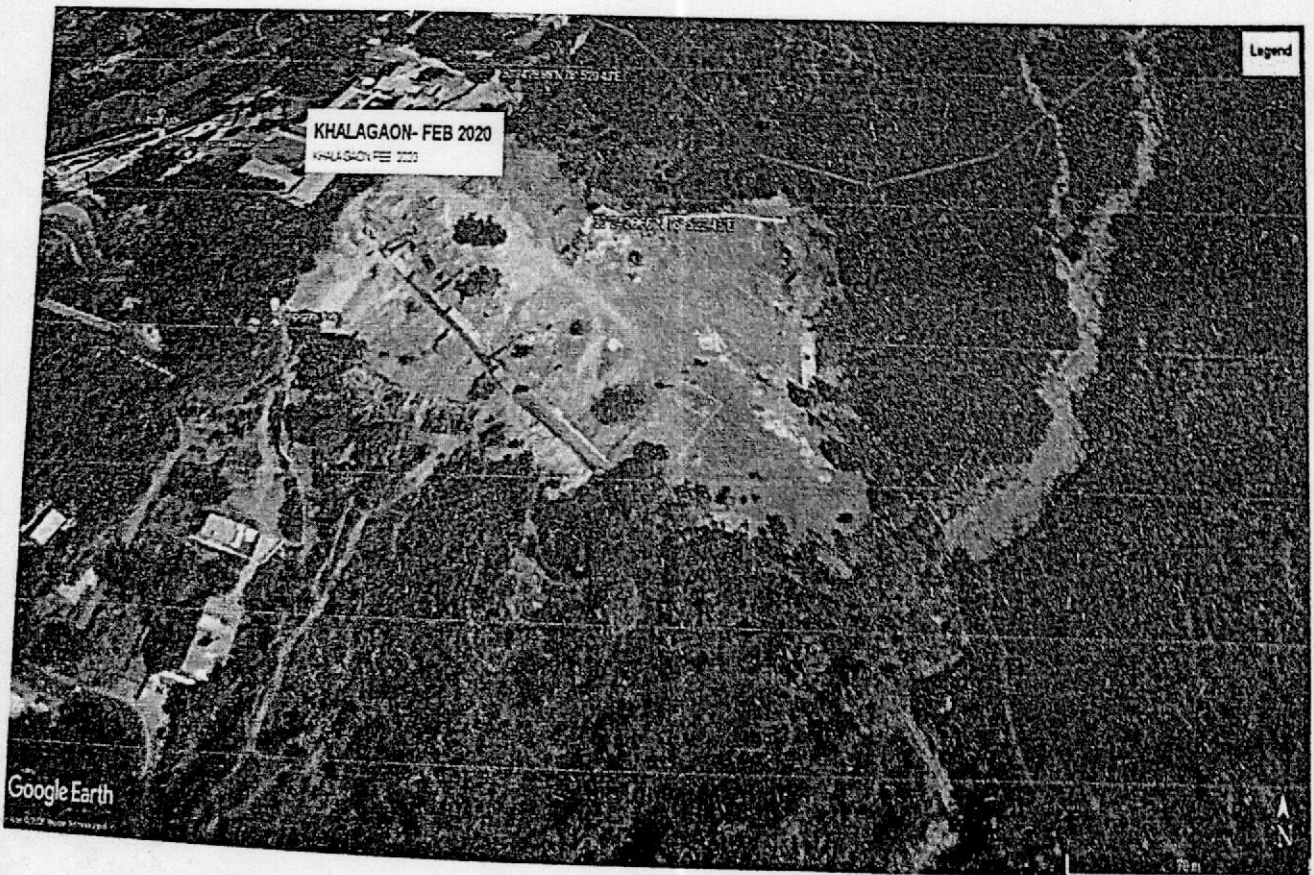
16	Mango (<i>Mangifera indica</i>)	50-60	60	Semal (<i>Bombax celba</i>)	10-20
17	Mango (<i>Mangifera indica</i>)	50-60	61	Pipal (<i>Ficus religiosa</i>)	40-50
18	Mango (<i>Mangifera indica</i>)	20-30	62	Pipal (<i>Ficus religiosa</i>)	40-50
19	Mango (<i>Mangifera indica</i>)	20-30	63	Siras (<i>Albizia lebbeck</i>)	20-30
20	Mango (<i>Mangifera indica</i>)	50-60	64	Siras (<i>Albizia lebbeck</i>)	10-20
21	Mango (<i>Mangifera indica</i>)	50-60	65	Siras (<i>Albizia lebbeck</i>)	10-20
22	Mango (<i>Mangifera indica</i>)	10-20	66	Amaltas (<i>Cassia fistula</i>)	10-20
23	Mango (<i>Mangifera indica</i>)	40-50	67	Amaltas (<i>Cassia fistula</i>)	20-30
24	Mango (<i>Mangifera indica</i>)	50-60	68	Anwala (<i>Emblia officinalis</i>)	30-40
25	Mango (<i>Mangifera indica</i>)	10-20	69	Rohini (<i>Mallotus philippensis</i>)	10-20
26	Mango (<i>Mangifera indica</i>)	40-50	70	Jhingan (<i>Lannea coromandilica</i>)	30-40
27	Mango (<i>Mangifera indica</i>)	10-20	71	Jhingan (<i>Lannea coromandilica</i>)	50-60
28	Mango (<i>Mangifera indica</i>)	50-60	72	Jhingan (<i>Lannea coromandilica</i>)	10-20
29	Mango (<i>Mangifera indica</i>)	30-40	73	Jhingan (<i>Lannea coromandilica</i>)	20-30
30	Sal (<i>Shorea robusta</i>)	90 above	74	Jhingan (<i>Lannea coromandilica</i>)	20-30
31	Sal (<i>Shorea robusta</i>)	10-20	75	Mandara (<i>Acer cappadocicum</i>)	40-50
32	Sal (<i>Shorea robusta</i>)	30-40	76	Mandara (<i>Acer cappadocicum</i>)	20-30
33	Sal (<i>Shorea robusta</i>)	20-30	77	Mandara (<i>Acer cappadocicum</i>)	20-30
34	Toon (<i>Toona ciliata</i>)	30-40	78	Mandara (<i>Acer cappadocicum</i>)	20-30
35	Toon (<i>Toona ciliata</i>)	40-50	79	Mandara (<i>Acer cappadocicum</i>)	10-20
36	Toon (<i>Toona ciliata</i>)	40-50	80	Silver Oak (<i>Grevillea robusta</i>)	30-40
37	Toon (<i>Toona ciliata</i>)	20-30	81	Mehal (<i>Pyrus pashia</i>)	10-20
38	Toon (<i>Toona ciliata</i>)	50-60	82	Kukaat (Misc.)	10-20
39	Toon (<i>Toona ciliata</i>)	10-20	83	Kukaat (Misc.)	10-20
40	Toon (<i>Toona ciliata</i>)	10-20	84	Kukaat (Misc.)	10-20
41	Toon (<i>Toona ciliata</i>)	40-50	85	Kukaat (Misc.)	20-30
42	Saalu (<i>Xylosma longifolia</i>)	10-20	86	Kukaat (Misc.)	20-30
43	Saalu (<i>Xylosma longifolia</i>)	10-20	87	Kukaat (Misc.)	10-20
44	Saalu (<i>Xylosma longifolia</i>)	20-30	88	Kukaat (Misc.)	20-30

(Annexure-4)

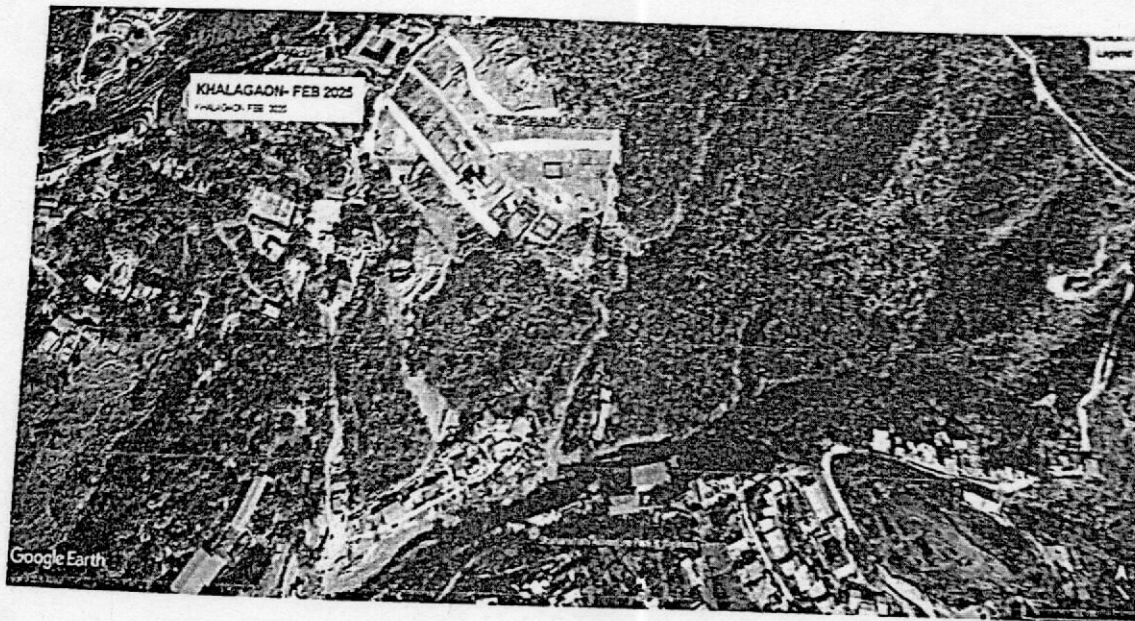
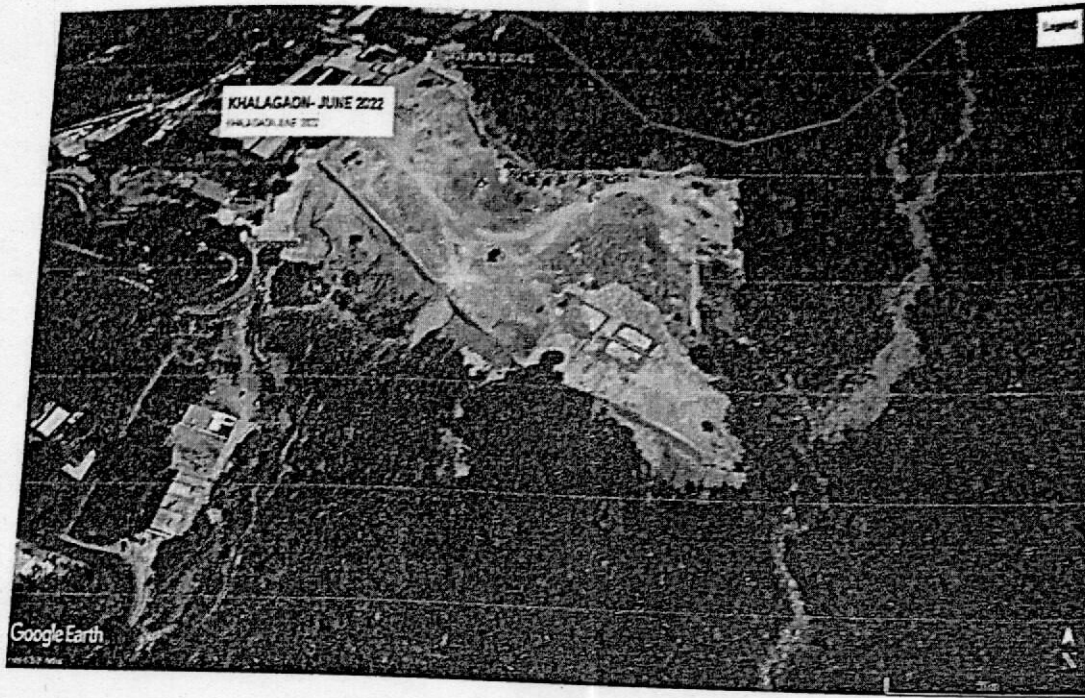
No evidence indicating any fresh or ongoing illegal felling was noticed during the inspection. The Committee, therefore, concludes that the extent of illegal felling is confined to those incidents already reflected in the official records, against which, statutory action has already been initiated.

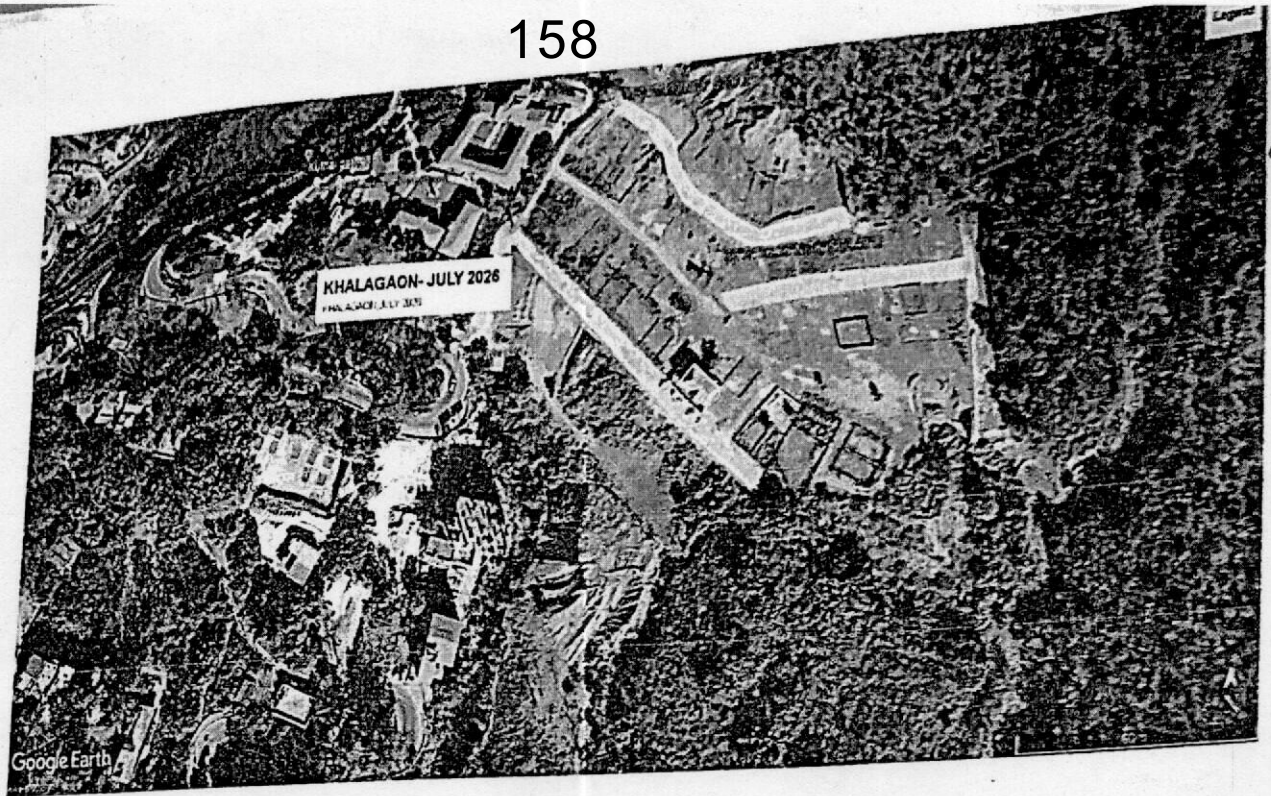
(iii) Examination of Past Records:

The Joint Committee examined all relevant documentary evidence, including Revenue records comprising Khatauni, Khasra and Village Cadastral Map (Sajra), Reserved Forest Notification issued under Section 20 of the Indian Forest Act, 1927, Reserved Forest boundary records and Boundary Pillar verification, Tree enumeration records prepared during inspection, Permission granted by the competent authority for felling of four trees under the provisions of the Uttar Pradesh Protection of Trees in Rural and Hill Areas Act, 1976, Records relating to Forest Offence Cases and the consequential legal proceedings. The documentary evidence was found to be consistent with the factual position observed during the field inspection. No material discrepancy was noticed between the official records and the physical status of the site.



7





(iv) Remedial and Punitive Actions:

The Committee observed that the competent authorities have already initiated appropriate statutory measures against the violations detected from time to time. Forest Offence Range Cases have been registered in accordance with the applicable provisions of the forest laws, and legal proceedings have been initiated against the persons responsible.

As a preventive measure, the Forest Department has directed continuous surveillance, intensified patrolling and strict enforcement of the applicable forest laws to prevent recurrence of illegal felling or unauthorized extraction of forest produce. Simultaneously, the Revenue Authorities have been directed to undertake demarcation of the Revenue/Gram Sabha land in accordance with the authenticated revenue records and to ensure its protection against encroachment or unauthorized occupation. The Committee is of the considered opinion that coordinated action by the Revenue and Forest Departments shall effectively safeguard the area against future violations.

Conclusion:

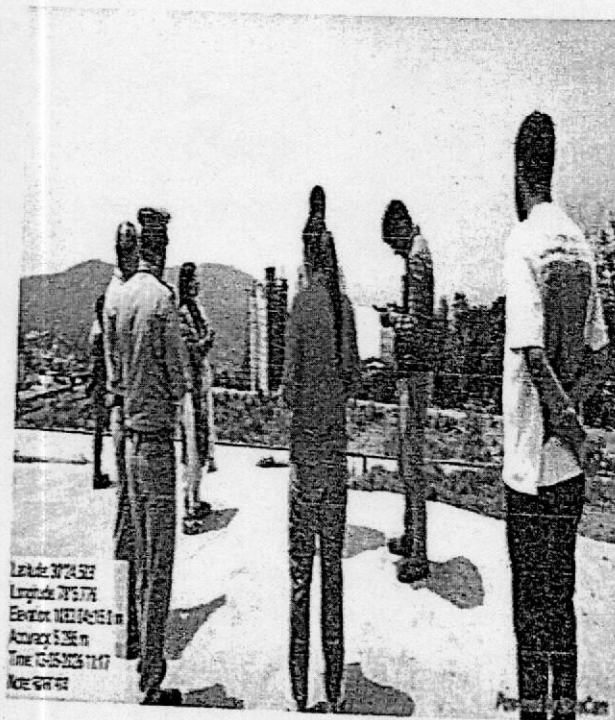
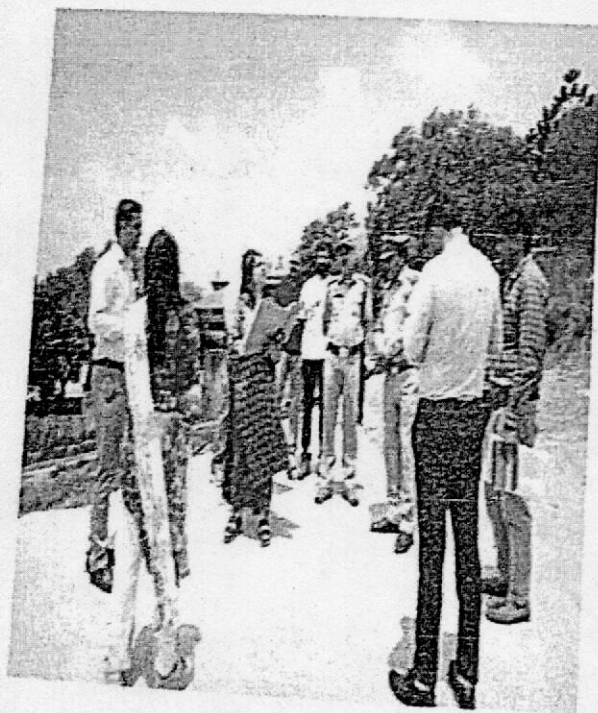
On the basis of the site inspection, verification of statutory Revenue and Forest records, examination of the notified Reserved Forest boundary under Section 20 of the

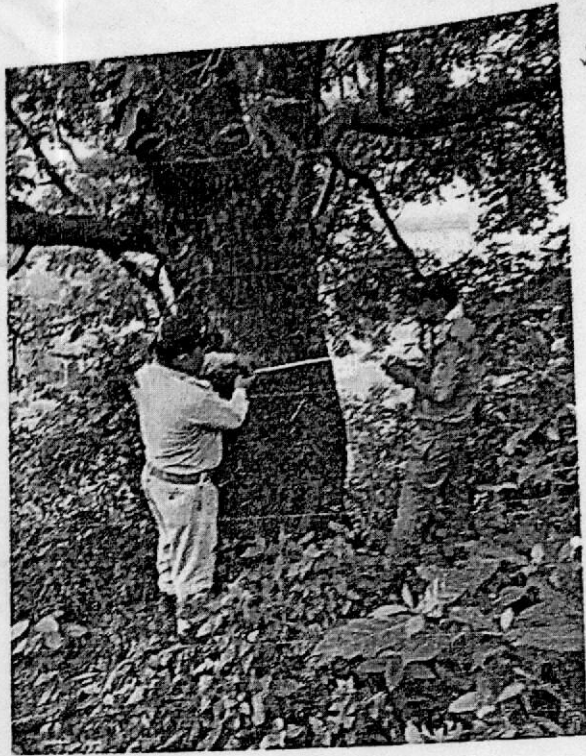
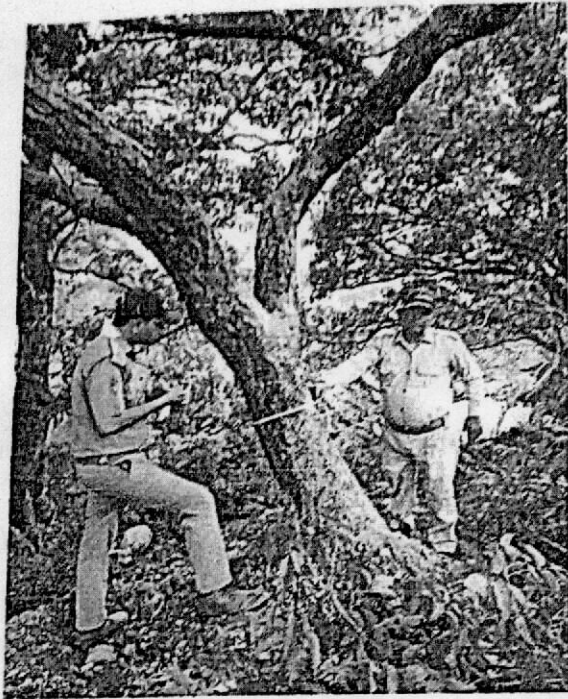
9

Indian Forest Act, 1927, scrutiny of historical records and other documentary evidence, the Joint Committee concludes that the land under reference does not form part of the Notified Reserved Forest, and no encroachment upon Reserved Forest land was observed during inspection.

The Committee further concludes that although instances of illegal felling and damage to certain trees had occurred in the past, the same had been duly detected by the Forest Department, appropriate Forest Offence Cases were registered, and consequential legal proceedings were initiated under the applicable provisions of law. No fresh evidence of illegal felling was noticed during the present inspection.

Accordingly, the Committee is satisfied that the competent authorities have initiated appropriate preventive, remedial and punitive measures in accordance with law. Continued surveillance, periodic monitoring, timely demarcation of Revenue land and strict enforcement of the relevant statutory provisions are, however, considered essential for ensuring long-term protection of the area and preventing recurrence of similar violations.





10

The above report is submitted for kind perusal of the Hon'ble National Green Tribunal in compliance of the directions contained of the Order dated 25.03.2026.

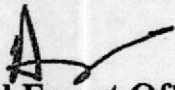
Enclosures as above

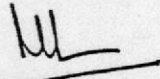
Place: Dehradun

Date:

Submitted by:


SDM (Judicial)
 Dehradun


Divisional Forest Officer
 Mussoorie Forest Division


AIG (Central),
 IRO, MoEFCC,
 Dehradun

संयुक्त स्थलीय जांच आख्या

प्रभागीय वनाधिकारी, मसूरी वन प्रभाग, मसूरी के कार्यालय पत्र सं० 8513/29-1 दिनांक 12.05.2025 एवं पत्र सं० 5348/29-3 दिनांक 05.06.2026 के क्रम में ग्राम खार्वागांव के आरक्षित वन के सीमा स्तम्भों की जांच हेतु दिनांक 09.06.2026 को प्रभागीय सर्वेयर व क्षेत्रीय वन कर्मियों द्वारा स्थलीय निरीक्षण किया गया।

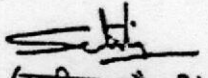
मौके पर आरक्षित वन के सीमा स्तम्भ सं० 41 मिला जिसको आधार मानकर प्रभागीय कार्यालय में उपलब्ध गजट नोटिफिकेशन एवं धारा 20 मानचित्र से सीमा स्तम्भ सं० 42 को मौके पर चिन्हित किया गया। सीमा स्तम्भ सं० 42 के आगे खड़ी ढांग मिली जिस कारण आगे सीमा स्तम्भों को चिन्हित किया जाना संभव नहीं हो पाया। आगे के सीमा स्तम्भों को गूगल अर्थ की सहायता से मिलान किया गया। जिससे आरक्षित वन की सीमा व अन्य भूमि (कास्त सिविल या सरकारी) को पृथक करती है। उपलब्ध अभिलेखों के अनुसार प्रश्नगत भूमि आरक्षित वन क्षेत्र से बाहर है।

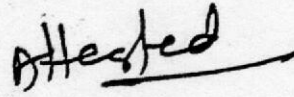
अतः जांच आख्या महोदय की सेवा में अग्रेत्तर कार्यवाही हेतु सादर प्रेषित है।


(नवीन राणा)
वन बीट अधिकारी
रायपुर बीट


(सुरेन्द्र शर्मा)
अनुभाग अधिकारी
रायपुर अनुभाग


(हरीश गौरोला)
वन क्षेत्राधिकारी
रायपुर रेंज


(सतीश चौधरी)
प्रभागीय सर्वेयर
मसूरी वन प्रभाग।


वन क्षेत्राधिकारी
रायपुर रेंज
मसूरी वन प्रभाग, मसूरी