

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL**PRINCIPAL BENCH, NEW DELHI****Original Application No. 818/2024****IN THE MATTER OF:****DHARMENDRA KUMAR SINGH****...Applicant****Versus****STATE OF UTTAR PRADESH & ORS.****...Respondent(s)****INDEX**

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Date:
17/07/2026**THROUGH****Place: New Delhi****Priyanka swami**
Advocate
Standing Counsel For State of U.P
F-13, Jangpura, New Delhi 110014

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL**PRINCIPAL BENCH, NEW DELHI****Original Application No. 818/2024****IN THE MATTER OF:****DHARMENDRA KUMAR SINGH****...Applicant****Versus****STATE OF UTTAR PRADESH & ORS.****...Respondent(s)**

**REPLY BY SUB-DIVISIONAL MAGISTRATE ON BEHALF OF
DISTRICT MAGISTRATE, BALLIA, STATE OF UP WITH
SUPPORTING AFFIDAVIT.**

MOST RESPECTFULLY SHOWETH:

- 1.** That the present reply is being filed by Sub-Divisional Magistrate, Ballia on behalf of the District Magistrate, Ballia, in compliance with the Order dated 13.03.2026, whereby certain queries were asked by the Tribunal during the course of the proceedings.
- 2.** That the query was put forwarded by the Hon'ble Tribunal regarding the jurisdiction, powers and authority of the Sub-Divisional Magistrate (SDM), Bansdih, District Ballia as Forest Settlement Officer (FSO) to revise the boundary area of Jai Prakash Narayan (Surhatal) Bird Sanctuary.

3. That, in view of the above, it is respectfully submitted that as per the statutory scheme of Chapter IV (Sanctuary) of the Wildlife (Protection) Act, 1972, when the State Government issues a preliminary notification under Section 18, it appoints/authorizes an officer to act as 'Collector' under Section 18B to inquire into and determine the existence, nature and extent of any rights of any person over the land comprised within the boundaries of the Sanctuary.

"18B. Appointment of Collectors. The State Government shall appoint, an officer to act as Collector under the Act, within ninety days of coming into force of the Wild Life (Protection) Amendment Act, 2002 (16 of 2003), or within thirty days of the issue of notification under section 18, to inquire into and determine the existence, nature and extent of rights of any person in or over the land comprised within the limits of the sanctuary which may be notified under sub-section (1) of section 18."

4. That as per Section 2(8) of the Wild Life (Protection) Act, 1972 clearly defines 'Collector'.

"Collector means the Chief Officer in charge of the revenue administration of a district or any other officer not below the rank of a Deputy Collector appointed by the State Government to perform the functions of a Collector under this Act;"

5. That by Government Order By letter number 1677/2-3-2016-19/3(51)/2006 dated 29-08-2016 of Appointment Section-3 of the Government of Uttar Pradesh, one of the Deputy Collectors posted in Ballia district was directed to perform the duties of Forest Settlement Officer. **True copy of the Appointment letter dated 29.08.2016 is attached herewith and annexed as Annexure P/1.**
6. That in compliance with the order of the State Government, by the order number-5573/R.S.A. dated 20-03-2018 of the District Magistrate, Ballia, the Sub-District Magistrate, Bansdih was nominated/appointed as Forest Settlement Officer, Ballia along with his official duties. **True copy of Order dated 20.03.2018 for nomination of SDM as Forest Settlement Officer is attached herewith and annexed as Annexure P/2.**

7. That the facts stated hereinabove are based upon official records, documents available in the office, and the same are being respectfully submitted before this Hon'ble Tribunal for appropriate consideration and further necessary orders as may be deemed fit in the interest of justice and environmental compliance.

Date
17.07.2026



Through
SDM, Ballia

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BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELH
ORIGINAL APPLICATION NO. 818/2024

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IN THE MATTER OF:

DHARMENDER KUMAR SINGH

APPLICANT

VERSUS

STATE OF UP& ORS.

RESPONDENT(S)

AFFIDAVIT

I, Abhishek Priyadarshi, aged about 30 years, S/o Lal Bahadur Singh, presently posted as Sub-Divisional Magistrate, Ballia, on behalf of District Magistrate, Ballia, do hereby solemnly affirm and state as under:

1. That I am presently posted as above and am well conversant with the facts and circumstances of the present case. I am duly authorized and competent to swear this affidavit on behalf of Respondent before this Hon'ble Tribunal.
2. That the accompanying status report has been prepared under my instructions and based on official records maintained in the ordinary course of business by the Respondent who has duly authorised the same.
3. That the contents of the accompanying report are true and correct to my knowledge and belief, based on official records. Nothing material has been concealed therefrom and no part of the same is

false.



VERIFICATION

I, the above-named deponent, do hereby verify that the contents of paragraphs to of the above affidavit are true and correct to my knowledge and belief, derived from official records, and nothing material has been concealed therefrom.

Verified at Ballia on this 07.07.2026 day of 2026.

DEPONENT

Registrar No. 91 Serial No. (12) Date 07.07.2026
Solemnly Affirmed & Declared Befor Me
by he Deponet who is Identified
by Shri. Selva..
Jagadish Singh Yadav 07.07.2026
NOTARY BALLIA
Govt.Of.India



संख्या-1677/दो-3-2016-19/3(51)/2006

सं.सं.का./सं.सं.का.
सं.सं.का./सं.सं.का.

प्रेषक,

संजय कुमार सिंह यादव,
विशेष सचिव,
उत्तर प्रदेश शासन।

सेवा में,

जिलाधिकारी,
बलिया।

8

जिलाधिकारी

बलिया

नियुक्ति अनुभाग-3

लखनऊ : दिनांक : 29 अगस्त, 2016

विषय:- जनपद बलिया में वन बंदोबस्त अधिकारी की तैनाती किए जाने के सम्बन्ध में।

महोदय,

उपर्युक्त विषयक अपने पत्र संख्या-1428/रा0स0, दिनांक 05 जुलाई, 2016 का कृपया संदर्भ ग्रहण करें, जिसके द्वारा जनपद बलिया में वन बंदोबस्त अधिकारी की तैनाती किए जाने के सम्बन्ध में अनुरोध किया गया है।

2- इस सम्बन्ध में मुझे यह कहने का निदेश हुआ है कि कृपया जनपद बलिया में तैनात डिप्टी कलेक्टरों में से किसी एक डिप्टी कलेक्टर से उनके वर्तमान कार्य के अतिरिक्त वन बंदोबस्त अधिकारी, बलिया का कार्य सम्पादित कराने का कष्ट करें।

भवदीय,

(संजय कुमार सिंह यादव)
विशेष सचिव।

सं. 1111-02

कार्यालय जिलाधिकारी, बलियाआदेश

विशेष सचिव उ०प्र० शासन के पत्र संख्या 1677/दो-3-2016-19/3(51)/2006 दिनांक 29.08.2016 में दिये गये निर्देशों के अनुक्रम में एतद्वारा उप जिलाधिकारी/उप जिला मजिस्ट्रेट बॉसडीह को वन बंदोबस्त अधिकारी नामित करते हुये निर्देशित किया जाता है, कि वे उप जिलाधिकारी/उप जिला मजिस्ट्रेट बॉसडीह के पदीय दायित्वों के साथ-साथ वन बंदोबस्त अधिकारी बलिया का कार्य भी सम्पादित करेंगे। ~~इसके लिये उनके कोर्ड अधिकार नष्ट / भत्ता देय नहीं होगा।~~

(भवानी सिंह खंगारौत)
जिलाधिकारी
बलिया

संख्या 553/रा०सहा०

दिनांक: मार्च 20 2018

प्रतिलिपि:-

- 1- प्रमुख सचिव, नियुक्ति उ०प्र० शासन लखनऊ को इस अनुरोध के साथ प्रेषित कि कृपया उक्तानुसार अनुमोदित करने का कष्ट करें।
- 2- मुख्य वन संरक्षक भू-अभिलेख एवं बंदोबस्त उ०प्र० लखनऊ।
- 3- पुलिस अधीक्षक बलिया।
- 4- प्रभागीय वनाधिकारी काशी वन्य जीव प्रभाग रामनगर वाराणसी।
- 5- प्रभागीय वनाधिकारी सामाजिक वानिकी वन प्रभाग बलिया।
- 6- अपर जिलाधिकारी (वि०/रा०) बलिया।
- 7- मुख्य राजस्व अधिकारी बलिया।
- 8- उप जिला मजिस्ट्रेट बॉसडीह।
- 9- समस्त उप जिलाधिकारी जनपद बलिया।
- 10- जिला सूचना अधिकारी बलिया।
- 11- आशुलेखक जिलाधिकारी बलिया।

11/3/18
(भवानी सिंह खंगारौत)
जिलाधिकारी
बलिया